26-6072

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2026

DEBBIE M. BOOKER-KING,

Petitioner,

v.

WMI CAPITAL FLATS & MAGNOLIA SQUARE, and RALEIGH RESCUE MISSION,

Respondents.

FILED
SEP 18 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

ON PETITION FOR A WRIT OF CERTIORARI TO THE

SUPREME COURT OF NORTH CAROLINA

ORIGINAL

PETITION FOR A WRIT OF CERTIORARI

VOLUME 1 OF 3: PETITION FOR A WRIT OF CERTIORARI

DEBBIE M. BOOKER-KING

1105 Tryon Village Drive, #30385

Cary, NC 27518

(919) 703-8173

dbkny271111@protonmail.com

PETITIONER PRO SE

QUESTIONS PRESENTED

1. Whether a state court violates the core notice-pleading guarantees of the Fourteenth Amendment and flouts this Court's long-standing precedent in *Haines v. Kerner*, 404 U.S. 519 (1972), by inventing a heightened, pre-discovery evidentiary threshold of "verifiability" to summarily bar an unrepresented, indigent plaintiff from accessing the discovery process.
2. Whether a state appellate court violates the Due Process Clause of the Fourteenth Amendment by affirming the summary dismissal of an indigent, *pro se* litigant's civil action using a fabricated factual narrative that explicitly contradicts the physical text of the record, thereby permanently insulating a trial court's procedural actions from meaningful review.
3. Whether a state court denies an unrepresented, indigent litigant a meaningful opportunity to be heard under the Fourteenth Amendment by strictly enforcing local filing deadlines to deny a request for a continuance to obtain counsel, while simultaneously condoning a multi-defendant procedural ambush by accepting a surprise, substantive memorandum from corporate counsel less than two days before a dispositive hearing.
4. Whether a state appellate court abdicates its core constitutional obligation to provide a meaningful appeal under the Fourteenth Amendment when it uses administrative consolidation to issue a blanket opinion that **completely omits a separate corporate defendant from individual analysis**, terminating a multi-defendant, ten-count civil action through a single paragraph of analytical silence that fails to dedicate a single sentence of review to nine out of ten fully briefed common-law claims.

Debbie M. Booker-King
1105 Tryon Village Drive, Suite 30385
Cary, North Carolina
984-269-3001 dbkny271111@protonmail.com

Debbie M. Booker-King
1105 Tryon Village Drive, Suite 30385
Cary, North Carolina
984-269-3001 dbkny271111@protonmail.com

October 30, 2026

Honorable Scott Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Attention: Ms. Irma Orellana

RE: Booker-King v. WMI Capital Flats & Magnolia Square, et.al – SCNC No. 225P26
RE: Correction to Missing List of Parties to the Proceeding
Debbie M. Booker-King v. WMI Capital Flats & Magnolia Square, et al.
Docket No.: COA 25-948

Dear Mr. Harris:

I am the Petitioner in the above-referenced matter. I am writing to proactively correct an inadvertent omission in the front matter of the Petition for a Writ of Certiorari filed on September 18, 2026. Specifically, the "Parties to the Proceeding" list required under Supreme Court Rule 14.1(b)(i) was omitted. Additionally, I have removed the reference to "In Forma Pauperis" from the cover page of the petition, and I am submitting the completed court-issued form herewith.

To ensure the Court's conflict-checking mechanisms and database indices are perfectly accurate, please find the complete list of all parties to the proceeding below:

PARTIES TO THE PROCEEDING

Petitioner:

- Debbie M. Booker-King, an individual who was the plaintiff-appellant in the court below.

Respondents:

- WMI Capital Flats & Magnolia Square, a private business entity that was a defendant-appellee in the court below.
- Raleigh Rescue Mission, Incorporated, a North Carolina non-profit corporation that was a defendant-appellee in the court below.

CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 14.1(b), Petitioner notes that neither Respondent WMI Capital Flats & Magnolia Square nor Respondent Raleigh Rescue Mission, Incorporated is a publicly traded corporation. There are no parents or publicly held companies owning 10% or more of any respondent entity's stock, and no stock ticker symbols are applicable.

Thank you for your assistance in updating the record. Copies of this letter have been served concurrently upon all counsel of record as indicated on the attached Certificate of Service.

Respectfully submitted,

Debbie M. Booker-King

Pro se Petitioner

TABLE OF CONTENTS (PETITION)

QUESTIONS PRESENTED....ii
TABLE OF CONTENTS (**PETITION**)....iii
TABLE OF CONTENTS (**APPENDICES**)....iv
TABLE OF AUTHORITIES....vi
OPINIONS BELOW....1
JURISDICTION....1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED....1
STATEMENT OF THE CASE....2
A. Factual Background and Commencement of Action....2
B. Procedural History and Asymmetric Administrative Deadlines....3
C. Appellate Review and Falsification of the Record....6
REASONS FOR GRANTING THE PETITION....7
I. A State Appellate Court Violates Due Process by Fabricating a Factual Narrative That Contradicts the Record to Evade Review of a Federal Right-to-Counsel Claim....7
II. The Lower Courts Applied Procedural Timelines in a Fundamentally Asymmetric Manner, Creating an Unconstitutional Barrier Against a Pro Se Party....8
III. The Court of Appeals' Blanket Affirmance Through Total Judicial Omission Abdicates the Mandatory Obligation of Appellate Review....9
IV. The Lower Courts Flouted This Court's Well-Established Precedent by Inventing a Heightened Evidentiary "Verifiability" Standard at the Pleading Stage....10
CONCLUSION AND PRAYER FOR RELIEF....11
INDEX TO THE MANDATORY APPENDIX....15

Table of Contents Appendix (PRINTED SEPARATELY ON VOLUME 2 AND 3)

INDEX TO THE MANDATORY APPENDIX

PART I: STATE APPELLATE TIERS & FOUNDATIONAL JUDGMENTS **(VOLUME 2)**

Appendix A: Consolidated Opinion of the North Carolina Court of Appeals Affirming Dismissal (June 17, 2026; Record No. COA 25-948).....**2a**

Appendix B: Order of the Supreme Court of North Carolina Denying Petition for Discretionary Review (Entered July 6, 2026).....**7a**

Appendix C: Order of the Superior Court of Wake County Dismissing First Amended Complaint with Prejudice against Defendant Raleigh Rescue Mission (Paul C. Ridgeway, Presiding) (Entered November 13, 2024; Trial Record pp. 167–168).....**9a-10a**

Appendix D: Order of the Superior Court of Wake County Dismissing First Amended Complaint with Prejudice against Defendant WMI Capital Flats & Magnolia Square (Clayton D. Somers, Presiding) (Entered January 10, 2025; Trial Record p. 197) **12a**

PART II: LOWER COURT PRESERVATION & EXHAUSTION RECORD EXHIBITS **(VOLUME 2)**

Appendix E: Petitioner's Preliminary Discretionary Review **14a-42a**

Appendix F: Petitioner's Amended Appellant Brief to the North Carolina Court of Appeals (Filed January 5, 2026; Trial Record pp. 11–33) **44a-78a**

PART III: CHRONOLOGICAL TRIAL RECORD EVIDENCE EXHIBITS **(VOLUME 3)**

Appendix G: Petitioner's Original Civil Complaint establishing the base tracking timeline (Filed August 12, 2024) **80a-89a**

Appendix H: Defendant 1st Motion to Dismiss Original Complaint – September 26, 2024.....**91a-92a**

Appendix I: Petitioner's First Amended Civil Complaint Fact Sections detailing the multi-defendant matrix (Filed September 26, 2024; Trial Record pp. 38–54).....**94a-115a**

Appendix J: Defendant Raleigh Rescue Mission's Notice of Hearing for October 30, 2024 (Filed October 4, 2024; Trial Record pp. 87 88).....**117a**

Appendix K: Defendant Raleigh Rescue Mission's Motion to Dismiss First Amended Complaint under Rule 12(b)(6) (Filed October 16, 2024; Trial Record pp. 84–85).....**119a-120a**

Appendix L: Defendant Raleigh Rescue Mission's Notice of Hearing for October 30, 2024 (Filed October 16, 2024; Trial Record pp. 87–88).....**122a-123a**

Appendix M: Defendant Raleigh Rescue Mission's Substantive Memorandum of Law in Support of Motion to Dismiss First Amended Complaint (Filed October 22, 2024; Trial Record pp. 113–122).....**125a-134a**

Appendix N: Defendant WMI Capital Flats & Magnolia Square's Motion to Dismiss First Amended Complaint in Lieu of an Answer (Filed October 24, 2024; Trial Record pp. 141–142).....**136a-137a**

Appendix O: Petitioner's Memorandum of Law in Support of Opposition to Raleigh Rescue Mission's Motion to Dismiss (Filed October 24, 2024; Trial Record pp. 124–136).....139a-151a

Appendix P: Petitioner's Form Motion for Extension of Time to Respond to Defendant WMI's Motion to Dismiss (Filed October 31, 2024; Trial Record pp. 153–154).....**153a-157a**

Appendix Q: Petitioner's Form Motion for Extension of Time to Respond to the Proposed Order for the Raleigh Rescue Mission Dismissal (Filed October 31, 2024; Trial Record pp. 158–162).....**159a-163a**

Appendix R: Defendant WMI's First Notice of Hearing Set for December 4, 2024 (Filed November 6, 2024; Trial Record p. 165).....**165a**

Appendix S: Defendant WMI's Amended Notice of Hearing shifting the court date to December 16, 2024 (Filed November 14, 2024; Trial Record p. 169).....**167a**

Appendix T: Petitioner's Timely Notice of Appeal to the Court of Appeals regarding Judge Ridgeway's November 13 Dismissal Order (Filed December 10, 2024; Trial Record pp. 171–172).....**169a-170a**

Appendix U: Petitioner's Emergency Motion for Continuance and Notarized Sworn Affidavit documenting Postal Mail Hold and Lack of Notice (Filed December 16, 2024; Trial Record pp. 177–183).....**172a-179a**

Appendix V: Defendant WMI's Late-Stage Substantive Memorandum of Law converting common law claims to housing statutory frameworks (Filed December 17, 2024; Trial Record pp. 185–194).....**181a-190a**

PART IV: ORAL ARGUMENTS **(VOLUME 3)**

Appendix W: Defendant Excerpt Transcript RRM Motion to Dismiss Hearing (Filed October 30, 2024).....**192a-206a**

Appendix X: Defendant WMI Transcript Motion to Dismiss Hearing (Filed December 19, 2024).....**208a-235a**

PART V: MANDATORY VERBATIM LEGISLATION STATUTES **(VOLUME 3)**

Appendix Y: Verbatim Text of Constitutional and Statutory Provisions Involved (U.S. Const. amend. XIV, § 1; 28 U.S.C. § 1257(a); and North Carolina Landlord-Tenant Practice General Framework Laws).....**237a-238a**

TABLE OF AUTHORITIES

Cases:

Ashcroft v. Iqbal, 556 U.S. 662, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009)

Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007)

Haines v. Kerner, 404 U.S. 519, 92 S. Ct. 594, 30 L. Ed. 2d 652 (1972)

Turner v. Rogers, 564 U.S. 431, 131 S. Ct. 2507, 180 L. Ed. 2d 452 (2011)

Evitts v. Lucey, 469 U.S. 387, 105 S. Ct. 830, 83 L. Ed. 2d 821 (1985)

Garner v. Louisiana, 368 U.S. 157, 82 S. Ct. 248, 7 L. Ed. 2d 207 (1961)

Griffin v. Illinois, 351 U.S. 12, 76 S. Ct. 585, 100 L. Ed. 891 (1956)

Holbrook v. Flynn, 475 U.S. 560, 106 S. Ct. 1340, 89 L. Ed. 2d 525 (1986)

Logan v. Zimmerman Brush Co., 455 U.S. 422, 102 S. Ct. 1148, 71 L. Ed. 2d 265 (1982)

Mathews v. Eldridge, 424 U.S. 319, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976)

Statutes & Rules:

28 U.S.C. § 1257(a)

U.S. Const. amend. XIV, § 1

Supreme Court Rules 13.1, 14.1, 33.2, 39

OPINIONS BELOW

The unpublished consolidated opinion of the North Carolina Court of Appeals, filed on June 17, 2026, is attached hereto in the Appendix as Appendix A. The summary order of the Supreme Court of North Carolina denying Petitioner's Petition for Discretionary Review, entered on July 6, 2026, is attached hereto as Appendix B.

JURISDICTION

The order of the Supreme Court of North Carolina denying discretionary review was entered on July 6, 2026. This Petition for a Writ of Certiorari is timely filed within the 90-day window prescribed by Supreme Court Rule 13.1. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL PROVISIONS INVOLVED

Section 1 of the Fourteenth Amendment to the United States Constitution provides in full:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." (U.S. Const. amend. XIV, § 1).

STATEMENT OF THE CASE

A. Factual Background and Commencement of Action

This civil action arises from separate, independent common-law tort and property claims filed by Petitioner Debbie M. Booker-King. Petitioner proceeded *pro se* with recognized indigent status. The action was brought against two distinct corporate entities: Raleigh Rescue Mission ("RRM") and WMI Capital Flats & Magnolia Square ("WMI").

In April 2023, Petitioner became a resident at RRM's transitional facility following a serious medical hospitalization. Petitioner excelled in RRM's programs and subsequently secured employment **(Pet. App. pp. 21a, 97a-101a, 110a)**. RRM maintained absolute control over Petitioner's highly sensitive, personal identifying information, financial accounts, social security data, and eventual relocation details **(Pet. App. pp. 22a, 52a)**. In October 2023, on a strict mandate from RRM staff, Petitioner transitioned into a commercial tenancy at WMI's apartment complex. ***(Pet. App. pp. 52a, 101a-104a, 112a)**

Almost immediately upon her relocation, Petitioner experienced severe, targeting disruptions. These included the unauthorized creation of digital accounts using her social security data, ongoing cyber-surveillance over her private residential security cameras, repeated unauthorized physical entries into her apartment, and the systemic pumping of toxic, unidentifiable chemical fumes into her unit via shared ventilation shafts. These toxic fumes caused severe physical injuries, leading to multiple emergency room visits for respiratory failure, chest pain, and extreme sleep deprivation **(Pet. App. pp. 104a-108a, 113-114a).** Corporate management flatly ignored Petitioner's repeated emergency requests for an investigation or resolution. Petitioner eventually suffered a physical assault on the property premises, which was documented in a formal police report. **(Pet. App. pp. 108a-110a, 113a)**

Petitioner filed a ten-count multi-defendant civil action in the Superior Court of Wake County on August 12, 2024 **(Pet. App. pp. 80a-89a)** and First Amended Complaint September 26, 2024. **(Pet.App. pp. 94a-115a)** Against RRM, Petitioner alleged common-law counts of Defamation, Breach of Fiduciary Duty, Negligence, Gross Negligence, and Intentional Infliction of Emotional Distress arising from the systemic breach of her confidential information **(Pet. App. pp. 55a-64a)** . Against WMI, Petitioner alleged Breach of the Implied Covenant of Quiet Enjoyment, Invasion of Privacy, Negligence, Gross Negligence, and Intentional Infliction of Emotional Distress. Breach of Fiduciary Duty was later removed in the appellate brief **(Pet. App. pp. 64a-72).**

B. Procedural History and Asymmetric Administrative Deadlines

As litigation commenced, the corporate defendants utilized separate filing schedules that fractured the proceedings into chaotic, staggered tracks **(Pet. App. pp. 91a-92a, 136a-137a).** RRM filed a Motion to Dismiss under North Carolina Rule of Civil Procedure 12(b)(6), which was brought on for a dispositive hearing on October 30, 2024 **(Pet. App. pp. 91a-92a)**. Following the hearing **(Pet. App. pp. 192a-206a)**, while Judge Paul C. Ridgeway's written order was being compiled, Petitioner actively engaged with the court. She filed a motion for a continuance to protect her rights and adequately formalize her responses to the proposed order **(Pet. App. pp. 159a-162a).**

While Petitioner was actively managing the fallout of the first track, Defendant WMI initiated a second, accelerated track on October 24, 2024 by filing its first response; Motion to Dismiss in Lieu of an Answer **(Pet. App. pp. 136a-137a)**. On October 31, 2024, Petitioner filed and served her Motion for Extension of Time to Respond to WMI's Motion to Dismiss *(**Pet. pp. App. 153a-157a**), providing corporate counsel with immediate, documented notice. Rather than addressing this request, corporate counsel bypassed the pending extension just six days later by

filing a First Notice of Hearing on November 6, 2024 *(**Pet. App. pp. 165a-166**), setting the matter for December 4, 2024. On November 13, 2024, the trial court entered its written Order dismissing co-defendant RRM with prejudice **(Pet. App. pp. 9a-10a)**. Immediately following this entry, on November 14, 2024, WMI electronically filed an Amended Notice of Hearing, abruptly shifting the court date to Monday, December 16, 2024 (**Pet. App. 167a**). This rapid scheduling bypass occurred directly on the heels of major procedural filings by Petitioner. On October 31, 2024, Petitioner had filed and served two critical safeguards: a Motion for Extension of Time to Respond to WMI's Motion to Dismiss **(Pet. App. pp. 153a-157a)** and a Motion for Extension of Time to Respond to the Proposed Order for the RRM Dismissal **(Pet. App. 159a-163a)**. RRM counsel had emailed a draft order to Petitioner. Rather than engaging in off-docket email negotiations, Petitioner drafted a competing proposed order, and formally submitted it to the court, filing on the public record to ensure a formal window for judicial review **(Pet. App. pp. 159a-163a)**. Rather than addressing these active conflicts, WMI corporate counsel bypassed the pending extensions just six days later by filing their First Notice of Hearing on November 6, 2024 **(Pet. App. 165a)**. The trial court ultimately signed RRM corporate counsel's drafted order on November 13 while completely ignoring Petitioner's competing proposed order extension motion **(Pet. App. pp. 9a-10a)**.

Crucially, from mid-November through early December 2024, Petitioner suffered an involuntary disruption in her physical mail delivery due to a postal service hold. Petitioner was completely unaware of WMI's amended December 16th hearing date. On Tuesday, December 10, 2024, Petitioner logged into the court's online system portal for the sole purpose of filing her timely Notice of Appeal regarding the RRM dismissal order. Upon accessing the portal, Petitioner discovered for the first time that WMI's hearing was approaching rapidly **(Pet. App. p. 175a)**. Furthermore, the court's internal, real-time master calendar shifted the hearing date to

Thursday, December 19, 2024, without requiring WMI to file or serve a corrected, formal Amended Notice of Hearing.

Petitioner had just four business days of actual notice to find legal counsel, research substantive Rule 12(b)(6) standards, and draft a response. On December 16, 2024, Petitioner filed an emergency Motion for Continuance. This motion featured a comprehensive, sworn affidavit explicitly documenting the postal hold, her total lack of actual notice, and her active attempts to secure legal representation **(Pet. App. pp. 175a-179a).**

The lower courts responded with severe procedural asymmetry. The trial court strictly enforced local scheduling rules against the unrepresented Petitioner, permanently denying her emergency motion for a continuance as untimely **(Pet. App. pp. 215a)**. Conversely, the trial court granted total leniency to corporate counsel. At 3:44 PM on December 17, 2024, a mere 1.5 days before the dispositive morning hearing, the court accepted, a highly complex, substantive Memorandum of Law from WMI, without verbal mention, but instead focused entirely on an earlier filing by Petitioner to continue **(Pet. App. pp. 211a)**. This late-stage submission gave the *pro se* Petitioner zero business hours to research case law or prepare a written rebuttal.

At the December 19, 2024 hearing, the trial court forced the unprepared, unrepresented Petitioner to proceed entirely alone. The court permitted defense counsel to introduce a fault-shifting statutory framework that fundamentally distorted the face of the complaint. The trial court adopted this surprise framework on the spot, completely converted Petitioner's common-law claim into an unpled statutory claim, denied the continuance, and summarily dismissed the entire action with prejudice **(Pet. App. 233a-234a)**.

C. Appellate Review and Falsification of the Record

Petitioner timely appealed these structural errors to the North Carolina Court of Appeals, explicitly raising federal procedural due process violations under the Fourteenth Amendment

(Pet. App. pp. 169a–170a; Court of Appeals Record on Appeal, hereinafter COA. ROA. pp. 205-206) On June 17, 2026, the Court of Appeals issued a superficial, four-page consolidated opinion affirming the dismissals **(Pet. App. pp. 2a-5a).** The severe procedural prejudice resulting from this forced, unrepresented trial status became fully apparent during this appellate stage. Operating under crushing time constraints to manage a multi-defendant matrix completely alone, Petitioner was structurally unable to fully parse the chaotic trial docket while compiling her state appellate brief. As a result, critical trial record elements, specifically the fact that the trial court let Petitioner's October 31 Motion for Extension of Time to respond to Defendant's Motion to Dismiss sit completely ignored on the docket for 47 days without ever issuing a ruling **(Pet. App. pp. 153a-157a),** went unaddressed in her brief to the Court of Appeals.

This overlooked omission itself demonstrates the unconstitutional barrier erected when a state court denies a pro se litigant a continuance to secure counsel. Forcing a pro se party to sprint through engineered deadlines causes vital procedural violations to be buried, ensuring that structural trial errors are permanently insulated from meaningful appellate review.

Out of ten independent common-law causes of action fully briefed, preserved, and presented against two separate corporate defendants, the appellate panel dedicated an analytical discussion to only a single tenancy claim.. The panel actively mischaracterized the single tenancy claim pled, by analyzing an entirely separate unpled claim, completely omitting the common-law framework Petitioner actually brought **(Pet. App. pp. 4a-5a).** The Court of Appeals disposed of the remaining nine independent common-law claims through total judicial silence. It applied a global conclusion that Petitioner failed to plead "verifiable instances" at a pre-discovery stage **(Pet. App. pp. 2a-5a).**

Finally, to insulate the trial court's denial of the continuance from meaningful review, the Court of Appeals actively altered the physical record. Chief Judge Dillon wrote that Petitioner

sought a continuance because "the ongoing litigation was draining her finances" **(Pet. App. pp. 3a-4a)**. This finding directly and flagrantly contradicted the physical text of Petitioner's motion, which explicitly stated that an extension was necessary under the Fourteenth Amendment to secure legal counsel to handle the engineered, overlapping deadlines **(Pet. App. pp. 173a-175a)**. The trial judge completely ignored and never ruled upon Petitioner's October 31, 2024 Motion for Extension of Time to Respond to Defendant's Motion to Dismiss **(Pet. App. pp. 153a-157a)**. By making up a financial story instead, the appellate court completely ignored this major error by the trial judge. **(Pet. App. pp. 2a-5a)**. Petitioner filed a timely Petition for Discretionary Review **(Pet. App. pp. 14a-42a)** highlighting these record conflicts to the Supreme Court of North Carolina, which summarily denied review on July 6, 2026 **(Pet. App. p. 7a)**.

REASONS FOR GRANTING THE PETITION

I. A State Appellate Court Violates Due Process by Fabricating a Factual Narrative That Contradicts the Record to Evade Review of a Federal Right-to-Counsel Claim.

The foundational core of the Fourteenth Amendment's Due Process Clause is that judicial tribunals must base their judgments on the actual record before them. While state courts possess wide latitude in managing dockets, they cannot actively rewrite a litigant's physical filings to manufacture a legal strawman and insulate an abuse of discretion from appellate review. ***(Pet. App. p. 3a)**

A judicial judgment that rests upon a factual narrative completely unsupported by the evidence or directly contradicted by the record violates fundamental procedural fairness under the Fourteenth Amendment. *Garner v. Louisiana*, 368 U.S. 157, 173-174 (1961). In this case, the North Carolina Court of Appeals committed an egregious structural error. Chief Judge Dillon explicitly wrote that Petitioner sought a continuance because "the ongoing litigation was draining her finances" **(Pet. App. 3a)**. As the record conclusively demonstrates, the very first line of

Petitioner's motion explicitly stated that an extension was structurally necessary to *seek legal counsel* to navigate engineered, simultaneous deadlines **(Pet. App. pp. 173a-174a, 176a-177a)**.

By recharacterizing a fundamental request for counsel into a generic financial grievance, **(Pet. App. 3a)** the state appellate panel stripped a pro se litigant of her right to have her constitutional claim heard. This Court should grant certiorari to clarify that appellate courts cannot utilize arbitrary factual distortions to bypass their constitutional obligations. **(Pet. App. pp. 211a-214a)**

This Court has repeatedly held that a judicial decision resting upon a flatly invented factual basis that is directly contradicted by the physical record violates the baseline guarantees of the Fourteenth Amendment. As established in *Holbrook v. Flynn*, 475 U.S. 560 (1986), a court's unreasoned distortion of crucial procedural facts constitutes an arbitrary exercise of state power that eviscerates the fundamental integrity of judicial review.

II. The Lower Courts Applied Procedural Timelines in a Fundamentally Asymmetric Manner, Creating an Unconstitutional Barrier Against a Pro Se Party.

Due process requires a level playing field. Under the balancing test established in *Mathews v. Eldridge*, 424 U.S. 319 (1976), procedural due process requires that notice and the opportunity to be heard be granted at a meaningful time and in a meaningful manner. A state court completely eviscerates this requirement when it strictly enforces local rules to block a litigant's emergency December 16, 2024, motion for a continuance, while simultaneously condoning a multi-defendant procedural ambush by accepting a highly complex, substantive December 17, 2024 memorandum from corporate counsel a mere 1.5 days before a dispositive hearing **(Pet. App. pp. 214a)**. The trial judge let Petitioner's October 31, 2024 Motion for Extension of Time to Respond to the Defendant's motion to dismiss sit completely ignored on the docket for 47 days **(Pet. App. pp. 173a-177a)**. Yet, the judge gave corporate counsel

immediate utility on a surprise memorandum filed under 48 hours before the hearing ***(Pet. App. 181a-190a).** Forcing an unrepresented party to defend against a late-stage ambush while leaving her own long-standing procedural safeguards completely ignored on the record eviscerates the core promise of a level playing field.

This asymmetric application of local rules left Petitioner with zero hours to prepare a written rebuttal to a terminal motion ***(Pet. App. pp. 214a-215a)**. Forcing an unrepresented plaintiff to engage in impromptu oral arguments against an unstudied, late-filed memorandum, while strictly blocking her own request to secure an attorney to interpret it, creates an unconstitutional imbalance of power **(Pet. App. pp. 223a-227a)**. This Court should grant certiorari to establish that the uneven enforcement of procedural deadlines against unrepresented litigants violates fundamental fairness.

The trial court's strict enforcement of timing rules against an unrepresented party, paired with total leniency toward corporate counsel, violates the core promise of equal protection and procedural fairness. This Court clarified in *Logan v. Zimmerman Brush Co.*, 455 U.S. 422 (1982) that states may not utilize arbitrary and asymmetric procedural barriers to strip citizens of their legal claims without affording them a genuinely fair and balanced opportunity to present their case.

III. The Court of Appeals' Blanket Affirmance Through Total Judicial Omission Abdicates the Mandatory Obligation of Appellate Review.

Administrative consolidation is a tool for docket efficiency, not a license to entirely bypass judicial review. When a state appellate court permanently terminates an indigent citizen's civil action with prejudice, it cannot do so through blind administrative rubber-stamping. The right to a meaningful appeal is an empty promise if an appellate panel is permitted to ignore the actual claims presented. When a State establishes a system of appellate courts, the review

processes utilized must not be rendered a meaningless or arbitrary barrier to justice, but must afford a fair and equal opportunity to have fully briefed legal grievances meaningfully heard. *Griffin v. Illinois*, 351 U.S. 12, 18-20 (1956).

Here, Petitioner fully briefed, preserved, and presented ten independent common-law and statutory causes of action equally split between two completely distinct corporate entities with distinct factual allegations **(Pet. App. pp. 97a-114a, 54a-76a)**. Yet, the Court of Appeals dedicated an analytical discussion to only a single tenancy claim, mischaracterized by discussing an entirely separate unpled claim, and completely omitting the common-law framework Petitioner actually introduced **(Pet. App. pp. 3a-5a)**. The panel disposed of the remaining nine independent causes of action against both distinct defendants, through total, mute judicial silence **(Pet. App. p. 4a)**. Reviewing a multi-defendant civil action by completely erasing the chosen legal theories of the plaintiff is a dangerous departure from standard judicial proceedings that requires this Court's intervention.

While appellate courts possess discretion in formatting opinions, they cannot use administrative consolidation to erase separate corporate defendants entirely, and ignore fully briefed constitutional and common-law grievances***(Pet. App. pp. 44a-79a, 28a-35a)**. Under *Evitts v. Lucey*, 469 U.S. 387 (1985), when a state establishes a mandatory system of appellate review, the procedures used must comply with the Due Process Clause. A process that disposes of nine independent causes of action through total, mute omission is an unconstitutional shell game that deprives a litigant of meaningful access to the courts **(Pet. App. pp. 4a–5a)**.

IV. The Lower Courts Flouted This Court's Well-Established Precedent by Inventing a Heightened Evidentiary "Verifiability" Standard at the Pleading Stage.

Under this Court's binding precedent in *Haines v. Kerner*, 404 U.S. 519 (1972), state courts must hold pro se pleadings to less stringent standards than formal pleadings drafted by

lawyers **(Pet. App. p. 4a)**. The lower courts did the exact opposite, explicitly ruling that Petitioner failed to plead "verifiable instances" within the text of the complaint itself to survive a motion to dismiss **(Pet. App. p. 4a)**. Transforming a standard notice-pleading requirement into a heightened evidentiary barrier at the Rule 12(b)(6) stage flatly contradicts long-standing pleading mandates under *Twombly* and *Iqbal* **(Pet. App. p. 4a)**. It forces an indigent plaintiff to produce absolute verification and proof before she is ever allowed access to the discovery process, effectively building an unconstitutional barrier to the courts **(Pet. App. pp. 4a–5a)**. This Court should grant certiorari to reaffirm that *Haines v. Kerner* prohibits state courts from inventing heightened threshold standards to summarily bar pro se litigants from discovery **(Pet. App. p. 5a)**Transforming a standard notice-pleading requirement into a heightened evidentiary barrier at the Rule 12(b)(6) stage flatly contradicts long-standing pleading mandates under *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009) **(Pet. App. p. 4a).** It forces an unrepresented plaintiff to produce absolute verification and proof before she is ever allowed access to the discovery process, effectively building an unconstitutional barrier to the courts **(Pet. App. p. 5a).** This Court should grant certiorari to reaffirm that *Haines v. Kerner* prohibits state courts from inventing heightened threshold standards to summarily bar *pro se* litigants from discovery **(Pet. App. p. 5a).**

CONCLUSION AND PRAYER FOR RELIEF

This case presents an extraordinary record of an unrepresented, indigent litigant facing a multi-defendant corporate litigation matrix, only to be systematically stripped of due process by the very courts sworn to protect it **(Pet. App. pp. 2a-5a, 9a, 12a)**.

Standing alone, any one of the four judicial errors below constitutes a profound miscarriage of justice **(Pet. App. pp. 3a–4a)**. Combined, they formed an impenetrable procedural barrier **(Pet. App. pp. 3a, 9a, 12a)**. The trial court applied an asymmetric playground,

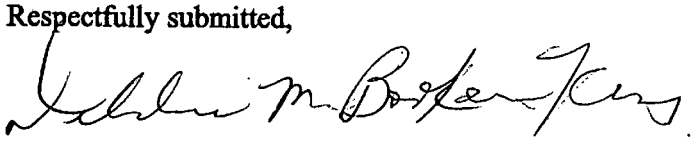
holding Petitioner to hyper-rigid timelines, while allowing corporate counsel a late-stage ambush with less than two business days of notice **(Pet. App. p. 3a; Pet. App. pp. 211a–215a).** The court then used that ambush to execute a structural "bait and switch," deleting Petitioner's common-law counts to rule on unpled statutory frameworks **(Pet. App. pp. 4a–5a; Pet. App. pp. 233a–234a).**

When Petitioner appealed this structural unfairness, the Court of Appeals insulated the trial court from review through a dual-layered abdication of its mandatory de novo obligations. First **(Pet. App. pp. 1a–5a)**, the panel issued a skeletal opinion that utilized complete analytical silence to erase nine out of ten fully briefed civil claims, leaving one mischaracterized, and letting a dismissal against a distinct social services provider stand without a single sentence of review **(Pet. App. pp. 4a–5a).** Second, the panel actively altered the physical record, writing a fabricated factual narrative that converted a fundamental Fourteenth Amendment request for counsel into a generic financial grievance **(Pet. App. p. 3a).** Finally, the lower courts locked the courthouse doors permanently by inventing an unprecedented, pre-discovery evidentiary threshold of "verifiability" at the absolute threshold pleading stage **(Pet. App. p. 4a).**

If allowed to stand, these rulings create a dangerous blueprint for lower courts to utilize administrative shortcuts, silent affirmances, and active factual distortions to bypass the strict protections this Court established in *Haines v. Kerner.* The core guarantees of the Fourteenth Amendment, notice and a meaningful opportunity to be heard, must not be reduced to an empty promise for self-represented citizens **(Pet. App. pp. 2a–5a).**

For the foregoing reasons, Petitioner respectfully requests that this Court grant this Petition for a Writ of Certiorari to review the judgment of the North Carolina Court of Appeals, or, in the alternative, summarily reverse the lower court's decision **(Pet. App. p. 5a).**

Respectfully submitted,



Debbie M. Booker-King

Petitioner Pro Se

1105 Tryon Village Drive, #30385

Cary, NC 27518

(919) 703-8173

dbkny271111@protonmail.com

Dated: August 17, 2026