

No. _____

**IN THE
SUPREME COURT OF THE UNITED STATES**

IN RE NIKOLAY MIHAYLOV VALOV,

Applicant.

**EMERGENCY APPLICATION TO THE CHIEF JUSTICE FOR AN
ADMINISTRATIVE INJUNCTION AND INJUNCTION IN AID OF THIS COURT'S
PROSPECTIVE APPELLATE JURISDICTION UNDER 28 U.S.C. § 1651(a)**

TO THE HONORABLE JOHN G. ROBERTS, JR.,
CHIEF JUSTICE OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE FOURTH
CIRCUIT

Arising from Supreme Court of Virginia Record No. 260843

Underlying Circuit Court Case No. CL25-002218-00

NIKOLAY MIHAYLOV VALOV

Applicant, Pro Se

3831 Elbert Avenue

Alexandria, Virginia 22305

571-274-8910 | nickvalov@gmail.com

TABLE OF CONTENTS

Introduction and Relief Requested	4
I. Rule 22 / § 1651(a) Authority and Standard	4
II. The Concrete Enforcement Trigger	5
III. Protection of Prospective Appellate Jurisdiction	6
IV. Relief Sought Below	6
V. Preserved Federal Questions	7
VI. Narrow Relief and Equities	8
Conclusion	8

TABLE OF AUTHORITIES

Atlantic Coast Line R.R. Co. v. Brotherhood of Locomotive Engineers, 398 U.S. 281 (1970)	6
Clinton v. Goldsmith, 526 U.S. 529 (1999)	5-6
Connecticut v. Doehr, 501 U.S. 1 (1991)	7
FTC v. Dean Foods Co., 384 U.S. 597 (1966)	4, 6
Fuentes v. Shevin, 407 U.S. 67 (1972)	7
International Union, UMWA v. Bagwell, 512 U.S. 821 (1994)	7
Ohio Citizens for Responsible Energy, Inc. v. NRC, 479 U.S. 1312 (1986)	4-5
Roche v. Evaporated Milk Ass'n, 319 U.S. 21 (1943)	4, 6
Soldal v. Cook County, 506 U.S. 56 (1992)	7
Turner v. Rogers, 564 U.S. 431 (2011)	7
28 U.S.C. § 1257(a)	4, 6
28 U.S.C. § 1651(a)	4-6, 8
28 U.S.C. § 2283	6
Supreme Court Rule 22	4

**EMERGENCY APPLICATION FOR INJUNCTION IN AID OF
PROSPECTIVE APPELLATE JURISDICTION**

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF THE UNITED
STATES AND CIRCUIT JUSTICE FOR THE FOURTH CIRCUIT:

INTRODUCTION AND RELIEF REQUESTED

1. Applicant Nikolay Mihaylov Valov, pro se, applies under Supreme Court Rule 22 and the All Writs Act, 28 U.S.C. § 1651(a), for an immediate administrative injunction and a narrowly limited injunction preserving his present physical possession of 3831 Elbert Avenue while the Supreme Court of Virginia completes Record No. 260843. Rule 22 supplies the presentation procedure. The asserted substantive authority is § 1651(a).

2. Applicant is a one-half legal co-owner and resident of the property. He does not ask this Court to decide the partition merits, valuation, or accounting. Applicant does not seek to halt the underlying partition proceeding or ordinary sale administration. The requested injunction is limited solely to possession-changing enforcement.

3. At the time of this filing, (a) no effective possession-preserving order has entered in the Supreme Court of Virginia or Court of Appeals of Virginia; (b) Supreme Court of Virginia Record No. 260843 remains pending without a reviewable final judgment; and (c) the verified post-September 25 possession-enforcement act described below has occurred.

I. RULE 22 / § 1651(a) AUTHORITY AND STANDARD

4. Section 2101(f) is not the asserted authority while no reviewable final state judgment exists. *Ohio Citizens for Responsible Energy, Inc. v. NRC*, 479 U.S. 1312, 1313 (1986) (Scalia,

J., in chambers), distinguishes a conventional stay from an original injunction under § 1651(a) in a pre-finality posture. Rule 22 governs presentation to the Circuit Justice; it does not itself enlarge jurisdiction.

5. Section 1651(a) permits writs necessary or appropriate in aid of this Court's jurisdiction. *FTC v. Dean Foods Co.*, 384 U.S. 597, 603-05 (1966), recognizes protection of potential appellate jurisdiction before review is perfected. *Roche v. Evaporated Milk Ass'n*, 319 U.S. 21, 25-26 (1943), and *Clinton v. Goldsmith*, 526 U.S. 529, 534-35 (1999), impose the corresponding limit: the All Writs Act may protect jurisdiction that may arise, but may not create jurisdiction or substitute for ordinary review.

6. *Ohio Citizens* describes All Writs injunctive relief by a Circuit Justice as extraordinary, reserved for critical and exigent circumstances and requiring an indisputably clear legal right. Applicant relies on the verified enforcement event, the already-preserved federal questions, and the absence of effective possession protection at the moment of filing.

II. THE CONCRETE ENFORCEMENT TRIGGER

7. On September 28, 2026, Special Commissioner Leonard P. Buscemi filed a REQUEST FOR WRIT OF EVICTION in the Circuit Court of the City of Alexandria. At approximately 11:13 a.m. EDT, Buscemi emailed Applicant and other recipients stating that the attached document was the filing he had made that morning. App. 50a. The filing asks the Circuit Court to issue the attached proposed WRIT OF EVICTION against Applicant for 3831 Elbert Avenue. The proposed writ commands an authorized officer to cause Buscemi to have possession of the property from Applicant; the copy served by Buscemi is unsigned and undated. Apps. 51a-53a.

8. The August 21, 2026 civil-contempt order conditioned continued possession on compliance with stated purge conditions and authorized the Special Commissioner, after a violation praecipe and thirty days, to receive possession and seek a writ of eviction. App. A. On August 26, Buscemi filed a praecipe asserting nonpayment of \$960 and setting September 25 at 11:59 p.m. as the vacatur deadline. App. B.

9. The later-obtained JobTread record for the same \$960 identifies court-appointed broker Valeriia Solodka, of Redfin, as the party for whom the contractor order was prepared and does not identify Applicant as the customer. App. C. On September 26, Buscemi informed Applicant in writing that, if Applicant had not vacated, he intended to file for a writ of eviction Monday morning, September 28. App. D.

III. PROTECTION OF PROSPECTIVE APPELLATE JURISDICTION

10. Applicant's federal controversy concerns whether home possession may be changed through the challenged later-trigger mechanism without constitutionally adequate process and whether compelled surrender of occupancy is a Fourth Amendment seizure. If Record No. 260843 ends in a judgment reviewable under § 1257(a), Applicant intends to seek certiorari on those preserved questions.

11. Execution of the possession mechanism before the state proceeding reaches reviewable finality would convert a live request to preserve occupancy into completed exclusion and may be followed by transfer of possession, lockout, eviction, sale activity, or third-party interests. Applicant does not contend that every completed exclusion necessarily moots later review. The narrower point is that the act challenged in the federal questions would occur before

the ordinary route to this Court becomes available, materially impairing the ability to preserve meaningful prospective relief.

12. Dean Foods permits protection of potential appellate jurisdiction where later review may otherwise be defeated or rendered ineffective; Roche and Clinton prohibit using § 1651(a) to manufacture jurisdiction. Section 2283 adds a separate limit because the requested injunction would restrain state-court enforcement. Applicant invokes only the narrow exception for relief necessary in aid of this Court's prospective jurisdiction and limits the request solely to possession preservation.

IV. RELIEF SOUGHT BELOW

13. Applicant sought possession-preserving relief in the Court of Appeals of Virginia. On September 25, 2026, Applicant supplied the entered stay-denial order and signed Joint Stipulation requested by that court for consideration of the pending emergency suspension request. App. H. On September 28, 2026, at 11:34:19 a.m. EDT, Applicant transmitted through VACES a supplemental notice reporting Buscemi's actual writ-of-eviction filing and requesting prompt written disposition before any writ is issued, delivered, or executed. As of the time of this filing, Applicant has received no Court of Appeals order granting possession-preserving relief.

14. In Supreme Court of Virginia Record No. 260843, Applicant presented the federal possession-and-process questions. App. I. On September 24, Applicant filed the executed return of service permitted by the Supreme Court of Virginia's September 24 order. Apps. E-F. On September 25, Applicant filed an emergency application under Va. Code § 8.01-651 seeking suspension of possession-changing enforcement while the prohibition proceeding remains pending. App. G. On September 28, 2026, at 10:35:42 a.m. EDT, the Supreme Court of Virginia

accepted Applicant's emergency supplemental notice concerning Buscemi's announced Monday writ filing. As of the time of this filing, Applicant has received no order granting suspension under § 8.01-651 and no final judgment in Record No. 260843.

V. PRESERVED FEDERAL QUESTIONS

15. Due Process: Whether, consistent with the Due Process Clause, a state court may authorize a later assertion that a civil-contempt condition was violated to trigger mandatory vacatur of a resident co-owner's home without a new and meaningful opportunity to contest the operative factual and legal predicate before possession is lost. App. I.

16. *Fuentes v. Shevin*, 407 U.S. 67, 80-82 (1972), and *Connecticut v. Doehr*, 501 U.S. 1, 12-18 (1991), establish the importance of timely process before substantial property deprivation. *Turner v. Rogers*, 564 U.S. 431, 445-48 (2011), addresses process surrounding factual predicates essential to civil-contempt coercion, and *International Union, UMWA v. Bagwell*, 512 U.S. 821, 833-34 (1994), addresses procedural safeguards in contempt.

17. Fourth Amendment: Whether a state-court order compelling a resident co-owner to surrender physical occupancy of his home, including through enforcement by court-appointed or court-authorized private actors, constitutes a seizure of property under the Fourth Amendment and, if so, whether that seizure is subject to the Amendment's reasonableness requirement. App. I.

18. *Soldal v. Cook County*, 506 U.S. 56, 61-72 (1992), holds that meaningful governmental interference with a possessory interest can constitute a seizure even when privacy is not invaded. Applicant does not ask the Circuit Justice to finally resolve either constitutional

question now. He asks only that the status quo be preserved so those questions are not overtaken by the very possession change they challenge.

VI. NARROW RELIEF AND EQUITIES

19. The requested injunction does not stop marketing, reasonable court-authorized access, evaluation of offers, or other sale administration that does not alter Applicant's physical possession. It would temporarily prohibit forced vacatur, transfer of possession, lockout, change of locks, and application for, issuance of, delivery of, or execution of a writ of eviction arising from the August 21 order and August 26 praecipe.

20. Without relief, Applicant loses the existing possession status in the precise dimension presented by the federal controversy. With relief, ordinary non-possession sale administration may continue. The balance therefore supports only a narrow possession-preserving order until the Supreme Court of Virginia enters a final disposition and for a short period thereafter sufficient to invoke this Court's ordinary review and stay procedures if jurisdiction then exists.

CONCLUSION

Applicant respectfully requests: (1) an immediate administrative injunction pending consideration of this Application; and (2) a narrowly limited injunction preserving Applicant's physical possession of 3831 Elbert Avenue until the Supreme Court of Virginia finally disposes of Record No. 260843 and for a reasonable period thereafter sufficient to seek certiorari and any available stay. Ordinary sale administration not changing possession should remain unaffected.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "J. B. [unclear]", written in a cursive style.

NIKOLAY MIHAYLOV VALOV

Applicant, Pro Se

3831 Elbert Avenue

Alexandria, Virginia 22305

571-274-8910

nickvalov@gmail.com

Dated: September 28, 2026

APPENDIX

TABLE OF CONTENTS

APPENDIX A	App. 1a-4a
Circuit Court Order entered August 21, 2026	
APPENDIX B	App. 5a-6a
Praecipe - Notice of Violation of August 21, 2026 Order and Notice to Defendant to Vacate 3831 Elbert Avenue Within 30 Days	
APPENDIX C	App. 7a
Quality Contractors / Redfin \$960 Selections 295-2, Issue Date August 12, 2026	
APPENDIX D	App. 8a
Leonard P. Buscemi email, "Have you vacated 3831 Elbert Avenue?" - September 26, 2026	
APPENDIX E	App. 9a
Supreme Court of Virginia Order - September 24, 2026 - Record No. 260843	
APPENDIX F	App. 10a-16a
Petitioner's Response to Rule to Show Cause and Notice of Cure of Rule 5:7(b)(2)(i) Service Defect	
APPENDIX G	App. 17a-23a
Emergency Application to a Justice of the Supreme Court of Virginia for Suspension of <i>Possession-Changing Enforcement Pursuant to Va. Code § 8.01-651</i>	
APPENDIX H	App. 24a-30a
Appellant's Notice of Compliance with September 25, 2026 Direction and Renewed Request for Immediate Disposition of Pending Emergency Suspension Motion	
APPENDIX I	App. 31a-49a
Emergency Supplemental Motion and Notice of Subsequent Events in Support of Verified Petition for Writ of Mandamus and Narrow Alternative Writ of Prohibition	
APPENDIX J	App. 50a-62a
September 28, 2026 Transmittal Email and Request for Writ of Eviction	

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

Plaintiff,

v.

NIKOLAY MIHAYLOV VALOV

Defendant.

:

:

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:

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CL25-2218-00

ORDER

THIS CAUSE came before the court on 12th day of August, 2026 for show cause proceedings against Defendant Nikolay Valov pursuant to a Petition to Show Cause sworn to and filed by Special Commissioner of Sale Leonard P. Buscemi on June 26, 2026.

Present and participating were Defendant Nikolay Valov, *pro se*, Counsel for the Plaintiff Benjamin Ader, Special Commissioner of Sale Leonard P. Buscemi, Redfin real estate agent Valeriia Solodka, and her counsel, Alexander R. Green.

Petitioner's Exhibit Nos. 1 through 3 were the only exhibits introduced or admitted in evidence and Valeriia Solodka was the only witness to testify at the hearing.

Upon consideration of the record in this case, the exhibits admitted into evidence, and the testimony heard in open court, this Court finds by clear and convincing evidence the following:

Defendant Valov has evidenced contempt of Court for knowingly, intentionally, and willfully defying, and refusing and failing to comply with, court order entered in this case on June 3, 2026, by failing to cooperate with and to purposely interfere with the judicial sale process ordered by this court of 3831 Elbert Avenue Alexandria Virginia 22305 (herein "the Property").

WHEREFORE, it is ORDERED that Nikolay Valov is hereby found in civil contempt of this court as a result of his knowing, willful, and intentional violations of this court's order of June 3, 2026, and it is further

ORDERED that the sanction of eviction from the Property is hereby imposed against Defendant Valov and its execution is suspended. PROVIDED, HOWEVER, that Defendant Valov may purge this contempt and avoid the imposition of this sanction by fully complying with each and every one of the following orders on or before the dates specified herein, and it is further,

- A. ORDERED that by no later than one day following the entry of this order Defendant Valov shall hand deliver to Valeriia Solodka of Redfin Realty keys for lockbox access to the Property by Ms. Solodka, her assistant(s), other real estate agents or prospective buyers, and it is further
- B. ORDERED that on or before August 24, 2026 Defendant Valov shall pay \$960.00 for the repair services described in Petitioner Exhibit No. 1 to Quality Contractor LLC utilizing their payment link, and it is further
- C. ORDERED that on August 28, 2026, between the hours of 9:00 a.m. to 5:00 p.m. and on August 29, 2026, between the hours of 9:00 a.m. to 5:00 p.m. Defendant Valov shall vacate the Property for Quality Contractor LLC to perform repair services described in Petitioner Exhibit No. 1., and it is further
- D. ORDERED that on August 31, 2026 between the hours of 9:00 a.m. and 12:00 p.m. Defendant Valov shall vacate the Property for a photographer, appointed by Valeriia Solodka, to access via lockbox the entire property to photograph the interior and exterior of the Property, and it is further,

- E. ORDERED that September 1, 2026, Valeriia Solodka shall place the property on the open market, in and "Active" status, and it is further,
- F. ORDERED that provided Valeriia Solodka gives Defendant Valov at least 24 hours advance notice (sent to email address nickvalov@gmail.com), Defendant Valov must vacate the Property during any open house or showing of the Property scheduled by Valeriia Solodka on any the following days of the week and time periods,

Monday: 10:00 AM - 01:00 PM
Tuesday: 04:00 PM - 08:00 PM
Wednesday: 04:00 PM - 08:00 PM
Thursday: 10:00 AM - 01:00 PM
Friday: 04:00 PM - 08:00 PM
Saturday: 12:00 PM - 03:00 PM
Sunday: 01:00 PM - 04:00 PM and it is further,

ORDERED that upon proof satisfactory to this Court that Defendant Valov has fully satisfied these purge conditions, this contempt citation shall be dismissed, and it is further,

ORDERED that in the event, Defendant Valov violates any one of the orders contained in Paragraphs A through F, above, Special Commissioner of Sale shall forthwith file with the Court and serve by email on the parties, a praecipe notifying the court of the violation, and serving as notice to Defendant Valov to vacate the Property within thirty (30) days (herein "the Praecipe") and 30 days after filing of the Praecipe, Special Commissioner of Sale Leonard P. Buscemi is granted by this order full possession of 3831 Elbert Avenue Alexandria Virginia 22305 and authorization to seek a writ of eviction against Defendant Nikolay Valov.

THIS MATTER CONTINUES.

Entered this 21st day of August, 2026.

Judge, City of Alexandria Circuit Court

A Copy Teste:

J. Greg Parks, Clerk

By

Certified this da



I ASK FOR THIS:



Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, Virginia 22201
Phone: (703) 309-2192
Fax: (703) 528-8474
E-Mail: BuscemiLaw@aol.com

Special Commissioner of Sale

SEEN AND AGREED _____:



Benjamin D. Ader, VSB #92072
TATE BYWATER
2740 Chain Bridge Rd.
Vienna, VA 22181
P: 703-938-5100
F: 703-991-0605
bader@tatebywater.com

With authority

Counsel for Plaintiff

SEEN AND _____:

*Appressed; Signature waived pursuant
to Rule 1:13*

Nikolay Mihaylov Valov
3831 Elbert Avenue
Alexandria, VA 22305
nickvalov@gmail.com

Pro Se Defendant

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

Plaintiff,

v.

NIKOLAY MIHAYLOV VALOV

Defendant.

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:

CL25-2218-00

**PRAECIPE- NOTICE OF VIOLATION OF AUGUST 21, 2026 ORDER AND
NOTICE TO DEFENDANT TO VACATE 3831 ELBERT AVENUE WITHIN 30 DAYS**

This praecipe serves as notice that Defendant Valov has violated Paragraph B of the court's order of August 21, 2026, having failed to pay by August 24, 2026 the sum of \$960.00 to Quality Contractor LLC for the repair services described in Petitioner Exhibit No. 1 and as a result of this violation, the deadlines ordered by the court in Paragraphs C through F of the August 21, 2026 order cannot be practically met.

Defendant Valov has also threatened "formal litigation" against Redfin and their agent, Valeriia Solodka, serving a preservation notice. Defendant Valov has also informed Redfin and Ms. Solodka that "*a complaint concerning Ms. Solodka and Redfin has been submitted to the Virginia Department of Professional and Occupational Regulation / Virginia Real Estate Board*" (August 25, 2026 8:30 a.m. email from Nikolay Valov to Redfin Legal with cc: to Ms. Solodka is attached to this praecipe).

Pursuant to the court's order of August 21, 2026, this praecipe serves as notice to Defendant Valov Nikolay that he must vacate 3831 Elbert Avenue, Alexandria Virginia 22305 by no later than 11:59 p.m. on September 25, 2026 or face eviction thereafter.

Respectfully submitted:



Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, VA 22201-2004
(703) 309-2192 (phone)
(703) 528-8474 (fax)
BuscemiLaw@aol.com (email)

Special Commissioner of Sale

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2026 I served the foregoing Praecipe via email on the following persons.

Benjamin Ader, Esq., Tate Bywater bader@tatebywater.com
Nikolay Valov nickvalov@gmail.com


Leonard P. Buscemi

Selections 295-2

Issue Date August 12, 2026

APPROVED**PREPARED BY**
Marvin Mejias

Quality Contractors

(240) 498-9739

q.contractorllc@gmail.com

19231 Wheatfield Terrace, Gaithersburg, MD 20879, USA

PREPARED FOR
Valeriia Solodka

Redfin

valeriia.solodka@redfin.com

3831 Elbert Ave, Alexandria, VA 22305, USA

SELECTIONS DETAILS**3831 Elbert Avenue**

3831 Elbert Ave, Alexandria, VA 22305, USA

Price does not include paint. Paint will be provided by owner. Additional charge if paint is needed.

Project Start & Completion Date 08/20/2026 to 08/21/2026.

DESCRIPTION	QTY	UNIT PRICE	TOTAL
Painting - Custom (Per Hour) Complete custom paint work as specified.	8 HR	\$120.00	\$960.00
Description of work needed: Repair and touch up ceiling and walls throughout the house. Repair pop nails and stress cracks. Touch up repaired area only.			
TOTAL			\$960.00

PAYMENTS STARTING FROM \$25/month for a \$1,000 loan on  **Acorn** [Learn More →](#)



Nikolay Valov <nik.buzz@gmail.com>

Have you vacated 3831 Elbert Avenue?1 message

Leonard P. Buscemi <buscemilaw@aol.com>

Sat, Sep 26, 2026 at 12:25 PM

To: Nikolay Valov <nickvalov@gmail.com>

Cc: Benjamin Ader <bader@tatebywater.com>, "valeriia.solodka@redfin.com" <valeriia.solodka@redfin.com>, lpb <buscemilaw@aol.com>

Mr. Valov,

Would you please let me know whether have vacated the premises and left the keys in the lockbox?

If you have not, be advised that Monday morning I will file for a writ of eviction.

Leonard P. Buscemi
Attorney At Law
624 N. Irving Street
Arlington, VA 22201
(703) 309-2192 (phone)
(703) 528-8474 (fax)
BuscemiLaw@aol.com (E-mail)
WashingtonMetroLaw.Com (Website)

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday, the 24th day of September, 2026.

IN RE: NIKOLAY MIHAYLOV VALOV, PETITIONER

Record No. 260843

UPON A PETITION FOR WRITS OF MANDAMUS AND PROHIBITION AND
RULE TO SHOW CAUSE

On September 16, 2026, came the petitioner, who is self-represented, and filed a request to correct the name of the respondent in this case.

On September 21, 2026, came again the petitioner and filed an “emergency supplement and motion for definite disposition of the underlying verified petition” and other relief.

Upon consideration whereof, the Court grants the request to correct the respondent’s name and the motion to supplement the petition with the additional exhibits appended to the September 21, 2026 motion. The Court denies all other relief requested.

Upon further consideration, a rule is hereby issued on the petitioner to show cause why the above-styled petition for writs of mandamus and prohibition should not be dismissed for failure to file a return of service, or acceptance of service, for the named respondent, pursuant to Rule 5:7(b)(2)(i) (“petition must be accompanied by a return of service executed by the appropriate officer evidencing service of a copy thereof on the respondent or by an acceptance of service signed by the respondent”) and Code § 8.01-644 (“application for a writ of mandamus or a writ of prohibition shall be on petition verified by oath, after the party against whom the writ is prayed has been served with a copy of the petition”). Petitioner may cure this defect by filing a duly executed return of service, or signed acceptance of service, for any named respondent by October 26, 2026. If the petitioner fails to file a timely response to this rule to show cause, or if such response is insufficient, the petition for writs of mandamus and prohibition may be dismissed.

A Copy,

Teste:



2026-09-24

T: 14:28:01 EDT

VIRGINIA:

IN THE SUPREME COURT OF VIRGINIA

IN RE: NIKOLAY MIHAYLOV VALOV,
Petitioner.

Original Jurisdiction
SCV Record No. 260843

Underlying Circuit Court
Case No. CL25-002218-00

**PETITIONER'S RESPONSE TO RULE TO SHOW CAUSE AND NOTICE
OF CURE OF RULE 5:7(b)(2)(i) SERVICE DEFECT**

Petitioner Nikolay Mihaylov Valov, pro se, respectfully responds to this Court's September 24, 2026 Rule to Show Cause. This filing is intentionally limited to the precise service defect identified by the Court and to filing the duly executed return of service authorized by the Court as the means of cure. It does not renew the interim relief denied on September 24 or reargue the merits of the underlying Petition.

1. On September 24, 2026, this Court granted Petitioner's request to correct the respondent's name and granted the motion to supplement the Petition with the additional exhibits appended to the September 21 filing. The Court denied the other relief requested and issued a Rule to Show Cause why the Petition should not be dismissed for failure to file a return of service or acceptance of service for the named respondent under Rule 5:7(b)(2)(i) and Code § 8.01-644.
2. The September 24 Order expressly provides that Petitioner may cure the identified defect by filing a duly executed return of service, or signed acceptance

of service, for any named respondent by October 26, 2026.

3. Earlier on September 24, 2026, at 10:01 a.m. EDT, private process server George Illidge of Capitol Process Services, Inc. personally served Hon. Kathleen M. Uston, Chief Judge, at 520 King Street, 4th Floor, Alexandria, Virginia 22314.

4. Capitol Process Services' contemporaneous ServeManager record identifies the service type as "Personal/Individual," the status as "Served," and the recipient as "Hon. Kathleen M. Uston Chief Judge."

5. The documents identified by Capitol Process Services as personally served were Petitioner's Verified Petition for Writ of Mandamus and Narrow Alternative Writ of Prohibition and Emergency Request for Temporary Suspension of Activated Vacatur/Possession Mechanism.

6. Exhibit A is the duly executed return of service prepared by the private process server. Petitioner files Exhibit A directly in response to the September 24 Rule to Show Cause and certifies that Exhibit A is a true and correct copy of the return received from the private process server.

7. The personal service reflected in Exhibit A occurred at 10:01 a.m. EDT on September 24, before the Court's September 24 Order bearing a 2:28:01 p.m. EDT document timestamp. At the time the Order was entered, personal service had occurred, but the duly executed return had not yet been filed in this Court.

8. By filing the duly executed return, Petitioner has supplied the precise form of proof the September 24 Order identifies as the authorized cure for the Rule 5:7(b)(2)(i) service defect. Petitioner therefore respectfully submits that the specific service defect identified in the Rule to Show Cause has been cured.
9. This Response does not amend or expand the underlying Petition, does not renew the service-direction request previously denied, and does not reargue the interim possession relief denied by the September 24 Order.
10. This limited service-cure response does not withdraw, abandon, waive, or narrow the Fourth Amendment and Fourteenth Amendment questions previously presented and preserved in SCV Record No. 260843, or Petitioner's previously presented challenge to possession-changing enforcement under the August 21, 2026 contempt order and August 26, 2026 praecipe.
11. If the Court determines that Exhibit A is insufficient to satisfy the specific service requirement identified in the September 24 Rule to Show Cause, Petitioner respectfully requests that any resulting order identify the precise remaining defect, the controlling rule, statute, subsection, or doctrine, and whether any dismissal is with prejudice or without prejudice. This request is made solely to preserve an accurate disposition record and does not ask the Court to revisit the merits of relief denied on September 24.

WHEREFORE, Petitioner respectfully requests that the Court:

- A. ACCEPT Exhibit A as the duly executed return of service filed in response to the September 24, 2026 Rule to Show Cause;
- B. FIND that the specific Rule 5:7(b)(2)(i) service defect identified in the September 24 Order has been cured and DISCHARGE the Rule to Show Cause on that ground;
- C. DECLINE to dismiss the underlying Petition on the absence-of-return ground identified in the September 24 Order;
- D. If the Court determines that Exhibit A remains insufficient, IDENTIFY the precise remaining service defect and controlling authority and state whether any resulting dismissal is WITH PREJUDICE or WITHOUT PREJUDICE; and
- E. GRANT only such further procedural relief as is necessary to maintain an accurate record of the disposition of the September 24 Rule to Show Cause.

Respectfully submitted,
/s/ Nikolay Mihaylov Valov
Nikolay Mihaylov Valov
Petitioner, pro se
3831 Elbert Avenue
Alexandria, Virginia 22305
Telephone: 571-274-8910
Email: nickvalov@gmail.com
Date: September 24, 2026

CERTIFICATE OF ELECTRONIC NOTICE

I certify that immediately before filing this Response on September 24, 2026, I transmitted a true and correct copy of this Response and its attached Exhibit A by electronic mail to Benjamin E. Ader, Esq. (bader@tatebywater.com), Leonard P. Buscemi (buscemilaw@aol.com), Valeriia Solodka (valeriia.solodka@redfin.com), and Redfin Corporation through Redfin Legal (legal@redfin.com).

/s/ Nikolay Mihaylov Valov

EXHIBIT A

DULY EXECUTED RETURN OF PERSONAL SERVICE

Recipient: Hon. Kathleen M. Uston, Chief Judge

Date of Service: September 24, 2026

Time of Service: 10:01 a.m. EDT

Service Address: 520 King Street, 4th Floor, Alexandria, Virginia 22314

Process Server: George Illidge, Capitol Process Services, Inc.

Service Type Reported: Personal/Individual

IN THE SUPREME COURT OF VIRGINIA

In Re Nikolay Mihaylov Valov

Case No: CL25- 002218-00

AFFIDAVIT OF SERVICE

I, George Illidge, a Private Process Server, being duly sworn, depose and say:

That I am over the age of eighteen (18) years, doing business at 7500 Greenway Center Drive, Suite 420, Greenbelt, Maryland 20770, and not a party to or otherwise interested in this action.

That I have been duly authorized to make service of the Verified Petition for Writ of Mandamus and Narrow Alternative Writ of Prohibition; Emergency Request for Temporary Suspension of Activated Vacatur/Possession Mechanism in the above entitled case.

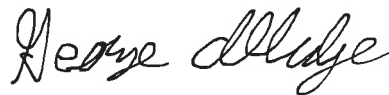
That on 09/24/2026 at 10:01 AM, I personally served Hon. Kathleen M. Uston, Chief Judge, with the Verified Petition for Writ of Mandamus and Narrow Alternative Writ of Prohibition; Emergency Request for Temporary Suspension of Activated Vacatur/Possession Mechanism at 520 King Street, 4th Floor, Alexandria, Virginia 22314.

Hon. Kathleen M. Uston, Chief Judge is described herein as:

Gender: Female Ethnicity: Caucasian Age: 53 Weight: 120 Height: 5'4" Hair: Brown

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Executed on 09/24/2026



George Illidge

Capitol Process Services, Inc.
7500 Greenway Center Drive, Suite 420
Greenbelt, Maryland 20770
(202) 667-0050

Client Ref Number:
Job #:16895730

VIRGINIA:
IN THE SUPREME COURT OF VIRGINIA

IN RE: NIKOLAY MIHAYLOV
VALOV,
Petitioner.

Original Jurisdiction
SCV Record No. 260843

Underlying Circuit Court
Case No. CL25-002218-00

**EMERGENCY APPLICATION TO A JUSTICE OF THE SUPREME
COURT OF VIRGINIA FOR SUSPENSION OF POSSESSION-CHANGING
ENFORCEMENT PURSUANT TO VA. CODE § 8.01-651**

Petitioner Nikolay Mihaylov Valov, pro se, respectfully presents this Emergency Application to a Justice of this Court pursuant to Virginia Code § 8.01-651. A petition seeking writs of mandamus and prohibition remains pending in SCV Record No. 260843. This Application does not ask the Court to reconsider the merits of relief denied on September 24, 2026. It invokes the separate statutory suspension mechanism that becomes available after a refusal to suspend proceedings and asks only to preserve the status quo against possession-changing enforcement until final decision of the pending prohibition cause.

I. CURRENT POSTURE AND THE POST-ORDER SERVICE CURE

1. On September 24, 2026, this Court entered an Order granting Petitioner's request to correct the respondent's name, granting supplementation with the additional exhibits appended to Petitioner's September 21 filing, denying all other relief requested, and issuing a Rule to Show Cause concerning the absence of a return or signed acceptance of service under Rule 5:7(b)(2)(i) and Virginia Code § 8.01-644.

The Court expressly authorized cure by filing a duly executed return of service or signed acceptance by October 26, 2026. Exhibit A.

2. Earlier that same day, at 10:01 a.m. EDT, private process server George Illidge personally served Hon. Kathleen M. Uston, Chief Judge, with the Verified Petition for Writ of Mandamus and Narrow Alternative Writ of Prohibition and the Emergency Request for Temporary Suspension of Activated Vacatur/Possession Mechanism at 520 King Street, 4th Floor, Alexandria, Virginia 22314.

3. When the Court entered its September 24 Order at 2:28:01 p.m. EDT, the executed return documenting that 10:01 a.m. personal service was not yet before the Court. Petitioner does not contend that the service issue caused the Court's denial of other relief. The chronology is material only because the record is now different from the record that existed when the September 24 Order was entered.

4. After obtaining Mr. Illidge's executed Affidavit of Service, Petitioner filed through VACES on September 24, 2026, at 5:35 p.m., a Response to Rule to Show Cause and Notice of Cure together with the executed return as Exhibit A to that Response. The filing was transmitted under VACES Confirmation No. 360584. A true copy of that service-cure filing and executed return is attached here as Exhibit B.

5. The pending prohibition proceeding therefore remains before this Court, and Petitioner has now supplied the form of service proof that the September 24 Order

expressly identified as an authorized cure. This Application does not ask a Justice to adjudicate the Rule to Show Cause; it identifies the completed cure because possession-changing enforcement is approaching while the underlying prohibition cause remains pending.

II. THE POSSESSION-CHANGING MECHANISM REMAINS OPERATIVE

6. The Circuit Court's entered August 21, 2026 civil-contempt Order imposed an eviction sanction but suspended its execution subject to purge conditions. It further provided that if Petitioner violated any condition in Paragraphs A through F, the Special Commissioner would file and serve a praecipe giving notice to vacate within thirty days; thirty days after filing that praecipe, the Special Commissioner would receive full possession of 3831 Elbert Avenue and authority to seek a writ of eviction. Exhibit C.

7. On August 26, 2026, Special Commissioner Leonard P. Buscemi filed a praecipe asserting a violation of Paragraph B based on nonpayment of \$960 and stating that Petitioner must vacate 3831 Elbert Avenue no later than 11:59 p.m. on September 25, 2026 or face eviction thereafter. Exhibit D.

8. On September 9, 2026, the Circuit Court denied Petitioner's Emergency Motion to Suspend Execution and Enforcement of the August 21 civil-contempt Order. Petitioner's contemporaneous Rule 5A:8(c) Written Statement records the stated ground as the interlocutory/non-final character of the contempt order and the

absence of a present right to appeal it. The same statement records that three separate motions attacking the August 21 Order and August 26 praecipe were not heard that day. Exhibit E.

9. No written order located in the present record suspends the September 25 vacatur deadline, the asserted transfer-of-possession mechanism, or the Special Commissioner's claimed post-deadline authority to seek a writ of eviction. The September 24 Order likewise denied the other relief requested while leaving the underlying prohibition petition pending subject to the service cure.

III. VIRGINIA CODE §§ 8.01-650 AND 8.01-651 PROVIDE A SPECIFIC INTERIM SUSPENSION MECHANISM

10. Virginia Code § 8.01-650 provides that, on petition for a writ of prohibition, the court may suspend the proceedings sought to be prohibited until final decision of the cause. Virginia Code § 8.01-651 then provides that whenever a court having jurisdiction refuses to suspend proceedings as provided in § 8.01-650, a copy of the proceedings and orders may be presented to a justice of the Supreme Court when the prohibition application is pending here, and the justice may award a suspension until final decision of the cause. Section 8.01-649 directs that appellate prohibition procedure otherwise follows the Rules of Court.

11. The statutory prerequisites are now presented on this record: the prohibition application is pending in SCV Record No. 260843; suspension has been refused; the September 24 Order left the prohibition proceeding pending; and the service-

return defect identified by that Order has now been answered through the executed return filed September 24.

12. Petitioner invokes § 8.01-651 as a distinct statutory presentation to a Justice following refusal of suspension. He does not ask an individual Justice to sit in appellate review of the full Court's September 24 Order, and he does not ask for reconsideration of the merits previously denied. He asks only for the temporary preservation remedy the statute itself authorizes while the prohibition cause remains undecided.

13. If the Court or Justice concludes that § 8.01-651 is procedurally unavailable after the September 24 refusal by the Court, Petitioner respectfully requests a definite written disposition identifying that threshold ground. That request is made solely to preserve an accurate procedural record and not to expand the merits of the underlying Petition.

IV. NARROW SUSPENSION IS NECESSARY TO PRESERVE THE STATUS QUO PENDING FINAL DECISION

14. The August 26 praecipe places the asserted vacatur deadline at 11:59 p.m. on September 25, 2026. Under the August 21 Order, expiration of the thirty-day period is asserted to transfer full possession to the Special Commissioner and to authorize him to seek a writ of eviction. The requested suspension therefore concerns a concrete possession-changing mechanism, not ordinary case administration.

15. A narrow suspension would preserve the existing possession status while this Court decides the still-pending prohibition cause. Without interim protection, an application for a writ of eviction, issuance of eviction process, lockout, or other possession-changing enforcement could occur before the Court reaches final disposition of the prohibition proceeding, materially changing the circumstances the Petition asks the Court to review.

16. The requested relief is intentionally limited. Petitioner does not ask to halt ordinary sale administration, lawful marketing, scheduled showings, open houses, or other activity that does not itself compel vacatur, transfer possession, cause a lockout, or seek or execute a writ of eviction. Nor does this Application ask the Justice to decide the underlying Fourth Amendment, Fourteenth Amendment, contempt-merits, partition, fee, or accounting questions.

17. The requested suspension would expire upon final decision of the pending prohibition cause or further order of the Court or a Justice. It therefore tracks the temporal limit stated in §§ 8.01-650 and 8.01-651 rather than seeking an open-ended stay.

V. REQUESTED RELIEF

WHEREFORE, Petitioner respectfully requests that a Justice of this Court:

A. ACCEPT this Application as a presentation under Virginia Code § 8.01-651 in the existing prohibition proceeding, SCV Record No. 260843;

B. SUSPEND, until final decision of the pending prohibition cause or further order, enforcement of the August 21, 2026 civil-contempt Order and August 26, 2026 praecipe only to the extent they compel or effect forced vacatur, transfer of possession, lockout, application for a writ of eviction, issuance of a writ of eviction, or execution of eviction process against Petitioner;

C. PROVIDE that ordinary court-authorized sale administration and lawful marketing activity may continue to the extent it does not itself change possession or effect a lockout;

D. PRESERVE the status quo without adjudicating the merits of the underlying Petition or reconsidering the Court's September 24 merits disposition; and

E. ALTERNATIVELY, if relief under § 8.01-651 is denied or deemed unavailable, ENTER a definite written disposition identifying the controlling threshold ground and whether the merits of the requested statutory suspension were reached.

Respectfully submitted,
/s/ Nikolay Mihaylov Valov
Nikolay Mihaylov Valov
Petitioner, pro se
3831 Elbert Avenue
Alexandria, Virginia 22305
Telephone: 571-274-8910
Email: nickvalov@gmail.com
Date: September 25, 2026

**VIRGINIA:
IN THE COURT OF APPEALS OF VIRGINIA**

NIKOLAY MIHAYLOV VALOV,
Appellant,

Record No. 1015-26-4

v.

DANIEL FINN,
Appellee.

Appeal from the Circuit Court
of the City of Alexandria

Case No. CL25-002218-00

**APPELLANT'S NOTICE OF COMPLIANCE WITH SEPTEMBER 25, 2026
DIRECTION AND RENEWED REQUEST FOR IMMEDIATE
DISPOSITION
OF PENDING EMERGENCY SUSPENSION MOTION**

Appellant Nikolay Mihaylov Valov, pro se, submits this Notice in direct response to the Court of Appeals' September 25, 2026 direction concerning Appellant's pending request for suspension in Record No. 1015-26-4.

1. On September 25, 2026, Deputy Clerk-Motions Tara Williamson advised Appellant and opposing counsel that, before the Court would consider the pending stay request, the Court required: (1) the trial court's order denying the request for a stay; and (2) either a transcript of the hearing or a stipulation between Appellant and opposing counsel, signed by both, stating what evidence was introduced at the hearing and the reasons the trial court gave for denying the motion to stay.

2. Appellant now submits the first requested item as Exhibit A: the entered and signed September 16, 2026 Order of the Circuit Court of the City of Alexandria following the September 9, 2026 hearing. The Order expressly identifies Defendant's Emergency Motion to Suspend Execution and Enforcement of the August 21, 2026 Civil-Contempt Order Pending Rule 1:1 Review and Appeal and orders that Defendant's motions are denied.

3. Appellant also submits the second requested item as Exhibit B: the Joint Stipulation Regarding September 9, 2026 Hearing, signed by both Appellant and Benjamin E. Ader, counsel for Appellee, on September 25, 2026.

4. The Joint Stipulation states that no court reporter was present; the matter proceeded on the filed pleadings and oral argument; no testimony was taken and no new exhibits were admitted during the hearing; the Circuit Court denied the suspension motion; and, in explaining the denial, the Court stated that the August 21, 2026 contempt order was interlocutory/non-final and was not presently appealable. The stipulation further states that the Court did not provide a detailed statement of any additional grounds for the denial.

5. The Joint Stipulation expressly preserves the parties' positions and provides that it does not resolve, settle, adopt, supersede, or waive any position concerning Defendant's separately filed Rule 5A:8(c) Written Statement. Appellant's Rule 5A:8(c) Written Statement therefore remains separate from this limited Rule 1:1B compliance submission.

6. The two documents identified by the Court of Appeals in its September 25 direction are therefore submitted with this Notice. Appellant respectfully requests immediate consideration and disposition of the pending emergency suspension request.

7. Appellant's pending emergency filings identify September 25, 2026 at 11:59 p.m. as the asserted possession/vacatur deadline under the August 26, 2026

praecipe. Appellant therefore respectfully requests that the Court act before possession-changing enforcement renders the requested emergency appellate review practically ineffective.

RELIEF REQUESTED

- A. ACCEPT Exhibit A, the entered and signed September 16, 2026 Circuit Court Order;
- B. ACCEPT Exhibit B, the Joint Stipulation Regarding September 9, 2026 Hearing signed by both Appellant and counsel for Appellee;
- C. FIND that Appellant has supplied the two documents identified in the Court's September 25, 2026 direction for consideration of the pending suspension request;
- D. IMMEDIATELY CONSIDER AND DISPOSE OF Appellant's pending emergency suspension request in Record No. 1015-26-4; and
- E. PENDING that determination, preserve the status quo as to possession-changing enforcement to the extent necessary to prevent the requested appellate review from becoming practically ineffective before the Court can act.

Respectfully submitted,
/s/ Nikolay Mihaylov Valov
Nikolay Mihaylov Valov
Appellant, pro se
3831 Elbert Avenue
Alexandria, Virginia 22305
Telephone: 571-274-8910
Email: nickvalov@gmail.com

Date: September 25, 2026

CERTIFICATE OF SERVICE

I certify that on September 25, 2026, a true and correct copy of the foregoing filing and Exhibits A and B was transmitted by electronic mail to Benjamin E. Ader, Esq. (bader@tatebywater.com), Leonard P. Buscemi (buscemilaw@aol.com), Valeriia Solodka (valeriia.solodka@redfin.com), and Redfin Corporation through Redfin Legal (legal@redfin.com).

/s/ Nikolay Mihaylov Valov

CERTIFICATE OF COMPLIANCE

I certify that this filing is formatted on 8.5-by-11-inch pages with one-inch margins in Times New Roman 14-point type and that the filing text is double-spaced except for the caption, headings, signature material, certificates, and reproduced exhibits, consistent with Rule 5A:4.

/s/ Nikolay Mihaylov Valov

EXHIBIT INDEX

Exhibit A - Entered and signed September 16, 2026 Order of the Circuit Court of the City of Alexandria following the September 9, 2026 hearing.

Exhibit B - Joint Stipulation Regarding September 9, 2026 Hearing, signed by Nikolay Mihaylov Valov and Benjamin E. Ader, Esq., on September 25, 2026.

DEFENDANT'S OBJECTION TO FORM OF ORDER

Defendant objects because the proposed Order omits the Court's stated grounds for the September 9 rulings and omits the three motions that were not heard or adjudicated that day. Objection continued on page 2.

VIRGINIA:**IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA****DANIEL FINN,****Plaintiff,****v.****NIKOLAY MIHAYLOV VALOV,****Defendant.****Case No.: CL25-002218-00****ORDER**

This CAUSE came before the Court on September 9, 2026, upon (1) Defendant's Motion to Remove and Replace Court-Appointed Broker; To Preserve Broker-Misconduct Allegations; and to Appoint Successor Broker; (2) Defendant's Emergency Motion for Immediate Judicial Review to Prevent Entry of Contempt Order that Materially Rewrites and Hardens the August 12 Ruling; to Preserve the Status Quo; and to Postpone Coercive Execution if Contempt Judgement Enters; (3) Defendant's Motion for Targeted Production, Preservation, Search Certification, Cross-Custodian Disclosure, and Privilege Log; (4) Defendant's Emergency Motion to Suspend Execution and Enforcement of the August 21, 2026 Civil-Contempt Order Pending Rule 1:1 Review and Appeal. After consideration of pleadings and oral argument, it is hereby

ORDERED that Defendant's Motions are denied.

THIS MATTER CONTINUES

Entered this 16th day of September, 2026.

Rebecca Wade
Judge, Alexandria City Circuit Court

SEEN AND AGREED:



Benjamin E. Ader, VSB# 92072
TATE BYWATER
2740 Chain Bridge Road
Vienna, Virginia 22181
Phone: 703-938-5100
Fax: 703-991-0605
bader@tatebywater.com
Counsel for Plaintiff

SEEN AND AGREED:

Leonard P. Buscemi (By Permission)

Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, Virginia 22201
Phone: 703-309-2192
Fax: 703-528-8474
Email: buscemilaw@aol.com
Special Commissioner of Sale

SEEN AND OBJECTED:

Nikolay Mihaylov Valov
3831 Elbert Avenue
Alexandria, VA 22305
nickvalov@gmail.com

DEFENDANT'S OBJECTION TO FORM OF ORDER

Defendant objects to the form of this proposed Order and does not agree that it accurately and completely memorializes the September 9, 2026 proceedings. At the hearing, the Court stated that, to avoid ambiguity, the written order should identify the motions addressed and the reasons for the Court's rulings.

The proposed Order instead states only that "Defendant's Motions are denied" without stating the Court's grounds. It also omits the three motions Chambers excluded from the September 9 hearing, which were not heard or adjudicated on the merits that day:

- Defendant's Rule 1:1 Motion to Reconsider, Modify, Vacate, and Clarify the August 21, 2026 Civil-Contempt Order;
- Defendant's Emergency Supplemental Motion for Broader Suspension of Sale Implementation, Third-Party Obligations, Compelled Absence, and Possession Enforcement; and for Prompt Ruling; and
- Defendant's Emergency Supplemental and Renewed Motion to Vacate the August 21, 2026 Civil-Contempt Order in its Entirety and to Strike/Nullify the August 26, 2026 Praecipe, together with the relief requested therein.

Defendant therefore endorses this proposed Order **SEEN AND OBJECTED** and preserves his competing proposed order and all objections to any omission, expansion, or characterization inconsistent with the oral record.

VIRGINIA:

IN THE COURT OF APPEALS OF VIRGINIA

NIKOLAY MIHAYLOV VALOV,
Appellant,

Record No. 1015-26-4

Appeal from Alexandria Circuit
Court

v.

Case No. CL25-002218-00

DANIEL FINN,
Appellee.

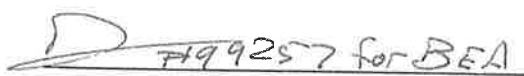
JOINT STIPULATION REGARDING SEPTEMBER 9, 2026 HEARING

For the limited purpose of the Court of Appeals of Virginia's consideration of Appellant's pending request for suspension, the undersigned parties stipulate as follows:

1. On September 9, 2026, the Circuit Court of the City of Alexandria, the Honorable Rebecca J. Wade presiding, heard Defendant's Emergency Motion to Suspend Execution and Enforcement of the August 21, 2026 Civil-Contempt Order Pending Rule 1:1 Review and Appeal.
2. No court reporter was present. The matter proceeded on the filed pleadings and oral argument. No testimony was taken and no new exhibits were admitted during the hearing.
3. The Circuit Court denied the motion.
4. In explaining the denial, the Court stated that the August 21, 2026 contempt order was interlocutory/non-final and was not presently appealable. The Court did not provide a detailed statement of any additional grounds for the denial.
5. This stipulation records only the foregoing hearing facts. It does not constitute agreement by either party with the correctness of the Circuit Court's ruling, waive any argument, or resolve, settle, adopt, supersede, or waive any position concerning Defendant's separately filed Rule 5A:8(c) Written Statement.

AGREED:


Nikolay Mihaylov Valov
Appellant, pro se
Date: 9/25/2026


Benjamin E. Ader, Esq.
VSB No. 92072
Counsel for Appellee Daniel Finn
Date: 9/25/2026

VIRGINIA:

IN THE SUPREME COURT OF VIRGINIA

IN RE: NIKOLAY MIHAYLOV VALOV,

Original Jurisdiction

SCV Record No. 260843

Petitioner,

Underlying Circuit Court

Case No. CL25-002218-00

**EMERGENCY SUPPLEMENTAL MOTION AND NOTICE OF SUBSEQUENT
EVENTS IN SUPPORT OF VERIFIED PETITION FOR WRIT OF MANDAMUS AND
NARROW ALTERNATIVE WRIT OF PROHIBITION; REQUEST FOR VACATUR OR
ALTERNATIVE IMMEDIATE INTERIM SUSPENSION AND DEFINITE JUDICIAL
DISPOSITION**

Petitioner Nikolay Mihaylov Valov, pro se, respectfully submits this

EMERGENCY SUPPLEMENTAL MOTION AND NOTICE OF SUBSEQUENT
EVENTS in support of the Verified Petition already filed with this Court. (Ex. J,
Filing Package p. 87.)

For clarity, the sole intended respondent in this original-jurisdiction proceeding is
the Hon. Lisa B. Uston, Judge of the Circuit Court of the City of Alexandria,
against whom the writ relief is sought. Daniel Finn and counsel Benjamin E. Ader,
Special Commissioner Leonard P. Buscemi, court-appointed broker Valeriia
Solodka, and Redfin Legal are notice recipients or interested participants only and
are not respondents in this original-jurisdiction proceeding.

**THE EMERGENCY HAS NOW MOVED FROM THREATENED HARM
TO COMPLETED GOVERNMENT-COMPELLED DEPRIVATION**

1. The Verified Petition advised this Court that the August 21, 2026 civil-contempt Order compelled Petitioner to leave his sole residence for contractor activity and photography and subjected violations of Paragraphs A through F to a praecipe - thirty-day vacatur - possession - eviction mechanism. (Exs. B & J, Filing Package pp. 24-25, 68-69.)

2. THAT CONSTITUTIONAL HARM IS NO LONGER PROSPECTIVE. IT HAS OCCURRED.

3. PETITIONER COMPLIED. THE PRIVATE SALE ACTIVITY DID NOT. THE VACATUR CLOCK CONTINUES TO RUN.

I. AUGUST 28: EIGHT HOURS OF COMPELLED EXCLUSION. NO CONTRACTOR. NO WORK.

4. Paragraph C of the August 21 Order required Petitioner to leave 3831 Elbert Avenue from 9:00 a.m. until 5:00 p.m. on August 28, 2026, for Quality Contractor LLC to perform repair work. Petitioner complied for the entire eight-hour period; no representative of Quality Contractor LLC appeared, and no contractor work occurred. (*Ex. B, Filing Package p. 24; Verification, Filing Package p. 16.*)

II. AUGUST 29: EIGHT MORE HOURS OF COMPELLED EXCLUSION. AGAIN, NO CONTRACTOR. NO WORK.

5. Paragraph C required the same absence from 9:00 a.m. until 5:00 p.m. on August 29. Petitioner again complied for the entire eight-hour period; no representative of Quality Contractor LLC appeared, and no contractor work

occurred. Petitioner has not been informed why the contractor did not appear and makes no assertion about the reason. (*Ex. B, Filing Package p. 24; Verification, Filing Package p. 16.*)

III. AUGUST 31: PETITIONER WAS COMPELLED OUT OF HIS HOME ON HIS FIRST DAY OF NEW EMPLOYMENT. NO PHOTOGRAPHER APPEARED. NO PHOTOGRAPHY OCCURRED.

6. Paragraph D separately required Petitioner to leave his home from 9:00 a.m. until 12:00 p.m. on August 31, 2026, while a photographer selected through court-appointed broker Valeriia Solodka was to photograph the Property through lockbox access. Although August 31 was Petitioner's first day of new employment, Petitioner complied for the full three-hour period; no photographer appeared, and no photography occurred. (*Ex. B, Filing Package p. 24; Verification, Filing Package p. 16.*)

IV. NINETEEN HOURS OF COURT-COMPELLED ABSENCE PRODUCED NO CONTRACTOR WORK AND NO PHOTOGRAPHY

7. Petitioner therefore surrendered approximately nineteen hours of occupancy on August 28, August 29, and August 31, yet no contractor work or photography occurred. The August 26 praecipe nevertheless remains operative and states that Petitioner must vacate by 11:59 p.m. on September 25, 2026, or face possession and eviction consequences thereafter. (*Exs. B-C, Filing Package pp. 24-25, 29; Verification, Filing Package p. 16.*)

V. ON SEPTEMBER 1, REDFIN'S PAGE IDENTIFYING VALERIIA SOLODKA AS THE LISTING BROKER DISPLAYED 'COMING SOON ON SEP 30' - NOT 'ACTIVE'

8. Paragraph E of the August 21 Order required court-appointed broker Valeriia Solodka to place the Property in 'Active' status on September 1, 2026. On September 1, Redfin's public page identified 'Listed by Redfin' and Valeriia Solodka as the Redfin Corp broker for 3831 Elbert Avenue, Bright MLS #VAAX2063076. The same page displayed 'COMING SOON ON SEP 30' and 'This home isn't listed yet,' rather than 'Active.' (Exs. B & E, Filing Package pp. 25, 39.)

9. The September 1 Redfin page identifying Valeriia Solodka as the listing broker therefore did not display the court-ordered 'Active' status and did not display 'Pending' status. It displayed 'COMING SOON ON SEP 30' for 3831 Elbert Avenue, Bright MLS #VAAX2063076, and stated 'This home isn't listed yet.' The compelled absences had already occurred, the designated contractor work and photography did not occur, and the vacatur and possession mechanism continued to operate. (Exs. B & E, Filing Package pp. 25, 39; Verification, Filing Package p. 16.)

VI. THE APPELLATE SERVICE GATEWAY HAS ALREADY FAILED ONCE, AND PETITIONER REMAINS WITHOUT A FUNCTIONING ROUTE TO MERITS REVIEW WHILE POSSESSION ENFORCEMENT CONTINUES

10. In the related Court of Appeals original-jurisdiction writ proceeding, Petitioner attempted to satisfy Rule 5:7 through the ordinary official-service channel. On July

27, 2026, he delivered four separately identified process items to the Alexandria Sheriff's Office, which accepted them and collected four \$12 fees. On July 28, the Sheriff's Office returned the process 'NOT FOUND,' stating: 'CANNOT SERVE A SITTING JUDGE. VA. CODE 2.2-507.' See Ex. F. (Ex. F, Filing Package pp. 41-45.)

11. On August 13, 2026, the Court of Appeals issued a Rule 5:7(b)(2)(i) deficiency notice because the return did not establish completed service and stated that the Court would take no action on the filing. See Ex. G. Petitioner did not claim otherwise; he filed a response requesting a lawful service method, five business days to cure after direction, preservation of the proceeding, or a definite procedural disposition. See Ex. H. (Ex. G, Filing Package p. 47; Ex. H, Filing Package pp. 49-57.)

12. Petitioner therefore remains outside the merits gateway despite attempting official service and requesting a lawful cure or definite ruling, while the August 26 praecipe, vacatur clock, possession mechanism, and potential eviction continue to operate. (Ex. C, Filing Package p. 29; Exs. F-H, Filing Package pp. 41-57.)

VII. PETITIONER ALSO ATTEMPTED VOLUNTARY ACCEPTANCE FOR THIS SUPREME COURT PROCEEDING

13. Before filing the present Supreme Court petition, Petitioner also attempted the signed-acceptance alternative contemplated by Rule 5:7(b)(2)(i). On August 27, 2026, he emailed Savannah Jelks, Chambers Clerk, transmitting the Verified

Petition, supporting materials, and an Acceptance of Service form solely for transmission to the judicial respondent to determine whether she would voluntarily accept service under Va. Code § 8.01-327 and Rule 5:7(b)(2)(i). The communication sought no substantive ruling or ex parte relief and copied the interested participants. See Ex. I. (Ex. I, Filing Package pp. 59-63.)

14. On August 28, Petitioner followed up after receiving neither a response nor a signed acceptance. The email chain is offered only as evidence of a good-faith attempt to use the rule's signed-acceptance path, not as proof that service was completed. See Ex. I. (Ex. I, Filing Package pp. 59-63.)

15. Petitioner does not ask the Court to excuse Rule 5:7. He asks the Court to prevent the service prerequisite from becoming an impossible condition that forecloses merits review while the coercive possession mechanism proceeds faster than the procedural gateways can be made functional. (Exs. F-I, Filing Package pp. 41-63.)

VIII. ACCESS WAS THE LEGITIMATE OBJECTIVE. FORCED EXCLUSION WAS NOT SHOWN TO BE NECESSARY.

16. Petitioner has not sought to prevent reasonable court-authorized access; his position is access without unnecessary exclusion. The August 21 Order contains no finding that his noninterfering presence would prevent contractor work, photography, marketing, a showing, or an open house, or that remaining away

from the work area or a photographer's frame would be inadequate. (Ex. B, Filing Package pp. 24-26.)

17. The completed events confirm the distinction: Petitioner was absent, yet neither the contractor nor the photographer appeared. Forced exclusion and access are not synonymous. (*Verification, Filing Package p. 16.*)

IX. THE FOURTH AMENDMENT QUESTION IS NOW CONCRETE

18. The Fourth Amendment protects the home, and governmental action meaningfully interfering with possessory interests constitutes a seizure. *Soldal v. Cook County*, 506 U.S. 56, 61-63 (1992). A governmental restriction on access to one's own home is constitutionally significant. See *Illinois v. McArthur*, 531 U.S. 326, 331-36 (2001).

19. *McArthur* involved probable cause, a specific risk that criminal evidence would be destroyed, a temporary restraint tied to obtaining a warrant, and concrete necessity. Here, the Order contains no finding that Petitioner threatened the Property or any contractor, photographer, broker, or prospective purchaser; created a safety risk; would prevent authorized access; or that a less restrictive protocol would fail. The restraint has already produced approximately nineteen hours of exclusion, and Paragraph F makes future absences recurring. (Ex. B, Filing Package pp. 24-26; *Verification, Filing Package p. 16.*)

**X. THIS CASE IS EVEN FURTHER REMOVED FROM THE EXIGENCY
FOUND SUFFICIENT IN McARTHUR**

20. Petitioner is not a suspect obstructing preservation of destructible criminal evidence. He is a resident co-owner responsible for the residence and his personal property, and he seeks to retain the Property through statutory allotment under Va. Code § 8.01-83 and mortgage assumption. The governmental objective is access for private-sale implementation, which can be provided without stripping the resident co-owner of physical occupancy. (*Verification, Filing Package p. 16.*)

**XI. THE FOURTEENTH AMENDMENT MAKES THE SAME NECESSITY
PROBLEM UNAVOIDABLE**

21. The Fourteenth Amendment protects possessory property interests against governmental deprivation without constitutionally adequate process, including temporary deprivation. *Fuentes v. Shevin*, 407 U.S. 67, 80-81 (1972). *United States v. James Daniel Good Real Property*, 510 U.S. 43, 53-62 (1993), requires attention to necessity and less restrictive means when government interferes with continued control, use, and occupancy of real property. Here, the less restrictive measure is access plus noninterference - not access conditioned on forced removal backed by contempt, praecipe, vacatur, possession, and eviction. (See also Ex. D, *Filing Package pp. 32-37.*)

XII. THE CONSTITUTIONAL QUESTION IS NOW CONCRETE

22. The burden is no longer theoretical: Petitioner surrendered approximately nineteen hours of occupancy, including three hours on his first day of new

employment, but the contractor and photographer did not appear and no designated work occurred. (*Ex. B, Filing Package p. 24; Verification, Filing Package p. 16.*)

23. The constitutional question is whether a court may compel a resident co-owner, under threat of contempt, loss of possession, and eviction, to leave his home for private sale activities that do not occur, where the record contains no finding that his presence threatens property or persons, prevents authorized access, or makes a less restrictive protocol inadequate.

XIII. PARAGRAPH F MAKES THE CONSTITUTIONAL DEPRIVATION PROSPECTIVE AND RECURRING

24. Although the fixed dates in Paragraphs C and D have passed, Paragraph F remains live and requires Petitioner's absence during future showings and open houses upon specified notice. Each asserted violation may support another praecipe and the same vacatur, possession, and eviction mechanism; the controversy therefore remains prospective and recurring. (*Ex. B, Filing Package p. 25.*)

XIV. THE ENFORCEMENT STRUCTURE IS NOW OPERATING ASYMMETRICALLY

25. Enforcement is asymmetric: Petitioner's noncompliance can cost him possession, while the sale actors' failure to perform does not stop the praecipe, toll the vacatur clock, restore the nineteen hours of occupancy, remove Paragraph F, or prevent the next compelled exclusion. Immediate interim judicial control is necessary before enforcement outruns review. (*Ex. B, Filing Package p. 25; Ex. C, Filing Package p. 29; Verification, Filing Package p. 16.*)

**XV. THIS SUPPLEMENT DOES NOT ASK THE COURT TO STOP
ORDINARY SALE ACTIVITY**

26. Petitioner does not ask the Court to stop reasonable authorized access, lawful repairs, photography, marketing, an otherwise lawful listing, showings, or open houses. He asks the Court to separate access and sale administration from unnecessary exclusion and coercive loss-of-possession machinery, preserving the status quo long enough for a judicial ruling and meaningful appellate review.

**XVI. THE FEDERAL QUESTIONS ARE SEPARATELY AND
EXPRESSLY PRESERVED**

27. FOURTH AMENDMENT FEDERAL QUESTION: Whether a State court may compel a resident co-owner to surrender physical occupancy of his home, under threat of contempt, loss of possession, and eviction, for private sale activities that do not occur, absent findings of danger, threatened destruction, interference, exigency, or inadequacy of less restrictive access measures.

28. FOURTEENTH AMENDMENT FEDERAL QUESTION: Whether continued enforcement of compulsory exclusion, vacatur, possession, and eviction mechanisms against a resident co-owner, without findings establishing the necessity of those restrictions and while less restrictive access measures remain available, deprives him of protected possessory and occupancy interests without constitutionally adequate process.

29. Petitioner raises and preserves each federal constitutional question independently and does not waive either claim by simultaneously pursuing relief under Virginia law.

**XVII. A DEFINITE JUDICIAL DISPOSITION IS REQUIRED BEFORE
ENFORCEMENT DESTROYS MEANINGFUL REVIEW**

30. Petitioner requests an immediate written judicial disposition granting, denying, or expressly declining to reach each material category of requested relief. The active vacatur and possession mechanism makes administrative inaction or indefinite deferral functionally destructive of meaningful review because the coercive process continues to operate while review remains unresolved. (Ex. C, Filing Package p. 29.)

31. Petitioner does not ask for a substantive explanation addressing every subparagraph. He asks for a definite judicial act that creates a reviewable record as to the emergency preservation request and the separately preserved Fourth and Fourteenth Amendment questions.

**XVIII. THE CAV AND SCV ORIGINAL-JURISDICTION PROCEEDINGS
ARE DISTINCT**

32. The Court of Appeals original-jurisdiction prohibition proceeding challenges the July 22 Rule to Show Cause and remains subject to its own service and procedural track. This Supreme Court proceeding concerns the separately filed

verified petition for mandamus and narrow alternative prohibition, the Rule 5:7 service barrier, and emergency preservation of possession. Petitioner maintains both tracks without merging them and seeks definite disposition in each court. (Ex. G, Filing Package p. 47; Ex. H, Filing Package pp. 49-57; Ex. J, Filing Package pp. 65, 87.)

33. Petitioner seeks preservation and finality, not habeas-style exhaustion. He does not contend that a present order necessarily establishes jurisdiction in the Supreme Court of the United States. He seeks a record in which the federal claims, requested relief, subsequent harm, and state-court disposition are unmistakable.

**XIX. IMMEDIATE SUPPLEMENTAL RELIEF REQUESTED
WHEREFORE, Petitioner respectfully requests that this Court:**

A. VACATE AND SET ASIDE THE JULY 22, 2026 RULE TO SHOW CAUSE, THE AUGUST 21, 2026 CIVIL-CONTEMPT ORDER, THE AUGUST 26, 2026 PRAECIPE, AND THE DERIVATIVE VACATUR, POSSESSION, LOCKOUT, AND EVICTION PROCESS because the contempt chain has imposed and continues to impose compulsory exclusion and loss-of-possession consequences without the findings necessary to justify those restrictions. (Ex. A, Filing Package pp. 21-22; Ex. B, Filing Package pp. 24-27; Ex. C, Filing Package pp. 29-30.)

B. ALTERNATIVELY, IMMEDIATELY SUSPEND THE ENTIRE CONTEMPT ENFORCEMENT CHAIN, including the July 22 Rule to Show Cause, August 21 civil-contempt Order, August 26 praecipe, running of the thirty-day vacatur period,

asserted September 25, 2026 deadline, transfer of possession, lockout, change of locks, application for a writ of eviction, and execution of any eviction process, pending definite judicial disposition. (Ex. A, Filing Package pp. 21-22; Ex. B, Filing Package pp. 24-27; Ex. C, Filing Package pp. 29-30.)

C. PROHIBIT ANY EXISTING OR SUBSTITUTE PRAECIPE from initiating, continuing, restarting, shortening, or supplying the basis for any vacatur period, possession transfer, lockout, or eviction while review remains unresolved.

D. PRESERVE PETITIONER'S PRESENT POSSESSION AND OCCUPANCY of 3831 Elbert Avenue pending further order and prohibit implementation of the asserted September 25, 2026 vacatur deadline. (Ex. C, Filing Package p. 29.)

E. PRESERVE ORDINARY NONCOERCIVE SALE ADMINISTRATION, including reasonable authorized access, lawful repairs, photography, marketing, listing, showings, and open houses, provided those activities are not conditioned upon Petitioner's unnecessary physical exclusion and are not converted into possession or eviction consequences.

F. DIRECT THE CIRCUIT COURT TO RULE by promptly entering a written order granting or denying Petitioner's pending stay or suspension request, without directing the substantive result. (Ex. J, Filing Package pp. 83-85.)

G. ENTER AN IMMEDIATE WRITTEN DISPOSITION granting, denying, or expressly declining to reach each material category of emergency preservation

relief and, to the extent the Court reaches constitutional merits, separately addressing or expressly declining to reach the Fourth Amendment and Fourteenth Amendment federal questions.

H. GRANT THE TEMPORARY PRESERVATION RELIEF REQUESTED IN THE VERIFIED PETITION AND THE ALIGNED PROPOSED EMERGENCY ORDER so that enforcement does not defeat meaningful review. (Ex. J, Filing Package pp. 83-84.)

I. GRANT SUCH FURTHER NARROWLY TAILORED RELIEF as is necessary to prevent the contempt, vacatur, possession, and eviction process from overtaking this Court's review.

SUPPLEMENTAL EXHIBIT INDEX

Exhibit	Document	Filing Package Page(s)	Required Citations / Purpose
A	July 22, 2026 Rule to Show Cause	21-22	Procedural history; primary vacatur request; aligned proposed order.
B	August 21, 2026 civil-contempt Order	24-27	Paragraphs A-F; \$960 condition; compelled absence; September 1 Active-status directive; A-F enforcement mechanism.
C	August 26, 2026 Special	29-30	Asserted September 25,

	Commissioner's praecipe		2026 deadline; possession and eviction consequences.
D	August 18, 2026 Emergency Motion and sworn Declaration of Present Inability to Pay \$960	32-37	Present ability to pay; notice before entry of the August 21 Order; due- process record.
E	September 1, 2026 Redfin public listing capture for 3831 Elbert Avenue, Bright MLS #VAAX2063076	39	Actual Redfin capture identifying 'Listed by Redfin' and Valeriia Solodka as the Redfin Corp broker while displaying 'COMING SOON ON SEP 30' and 'This home isn't listed yet'; not 'Active' and not 'Pending'; Section

			V and Verification.
F	Alexandria Sheriff receipts and July 28, 2026 'NOT FOUND' return	41-45	Rule 5:7 official-service attempt and nonservice return.
G	Court of Appeals of Virginia August 13, 2026 Rule 5:7(b)(2)(i) deficiency notice	47	CAV procedural barrier; notice that no action would be taken absent compliant proof of service.
H	Petitioner's August 13, 2026 Response and renewed service-direction request	49-57	Attempted cure; request for lawful service direction, fixed cure period, preservation, or definite disposition.
I	August 27-28, 2026 Jelks emails and Acceptance of Service form	59-63	SCV voluntary-acceptance attempt; not offered as completed service.
J	Controlling SCV Verified Petition and August 31, 2026 VACES acceptance confirmation no. 358476	65-87	Separate SCV original-jurisdiction track; pending emergency requests; accepted filing record.

VERIFICATION

I, Nikolay Mihaylov Valov, state under oath that the factual allegations in this Supplemental Motion concerning my compliance with the compelled-absence requirements on August 28, August 29, and August 31, 2026; my absence from the Property during those required periods; the nonappearance of the contractor during the August 28 and August 29 periods; the nonappearance of the photographer during the August 31 period; the absence of contractor work and photography during those periods; and August 31 being my first day of new employment are based upon my personal knowledge and are true and correct. I further state that Paragraph E of the August 21, 2026 Order required Solodka to place the Property in 'Active' status on September 1, 2026, and that the September 1 Redfin capture for 3831 Elbert Avenue, Bright MLS #VAAX2063076, identified 'Listed by Redfin' and Valeriia Solodka as the Redfin Corp broker while displaying 'COMING SOON ON SEP 30' and 'This home isn't listed yet,' rather than 'Active' or 'Pending.'

I further state that I have not threatened to destroy the Property and have not threatened a contractor, photographer, broker, prospective purchaser, or other person entering the Property in connection with authorized sale activity.

I continue to seek preservation of my ownership and occupancy interests, including my preserved allotment and mortgage-assumption position, while providing reasonable authorized access and complying with lawful court directives.



NIKOLAY MIHAYLOV VALOV

Petitioner, Pro Se

Date: September 1, 2026

CERTIFICATE OF ELECTRONIC NOTICE

I certify that on September 1, 2026, a true and correct copy of the foregoing
Emergency Supplemental Motion and Notice of Subsequent Events was
transmitted by electronic mail to:

Benjamin E. Ader, Esq.

Counsel for Daniel Finn

bader@tatebywater.com

Leonard P. Buscemi

Special Commissioner

buscemilaw@aol.com

Valeriia Solodka

Court-Appointed Broker

valeriia.solodka@redfin.com

Redfin Corporation Legal Department

legal@redfin.com

Electronic notice to these interested participants is not asserted as formal initial service upon the judicial respondent.



NIKOLAY MIHAYLOV VALOV

Petitioner, Pro Se

3831 Elbert Avenue

Alexandria, Virginia 22305

571-274-8910

nickvalov@gmail.com

CERTIFICATE OF COMPLIANCE

I certify that this filing uses Times New Roman 14-point type on 8.5-by-11-inch pages with one-inch margins, exclusive of reproduced exhibits.

/s/ Nikolay Mihaylov Valov

Nikolay Mihaylov Valov

APPENDIX J

SEPTEMBER 28, 2026

**TRANSMITTAL EMAIL AND
REQUEST FOR WRIT OF EVICTION**

App. 50a-62a

SEPTEMBER 28, 2026 TRANSMITTAL EMAIL

From: Leonard P. Buscemi <buscemilaw@aol.com>
To: Nikolay Valov <nickvalov@gmail.com>; Benjamin Ader <bader@tatebywater.com>;
Valeriia Solodka <valeriia.solodka@redfin.com>; lpb <buscemilaw@aol.com>
Date: Monday, September 28, 2026, approximately 11:13 a.m. EDT
Subject: Filing made in CL 25-2218-00

Attached is the the filing I made in CL 25-2218-00 this morning.

Leonard P. Buscemi
Attorney At Law
624 N. Irving Street
Arlington, VA 22201
(703) 309-2192 (phone)
(703) 528-8474 (fax)
BuscemiLaw@aol.com (E-mail)

Reproduced from the contemporaneous email received by Applicant; attachment filename: 9-28-26 filing.pdf.

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

Plaintiff,

v.

NIKOLAY MIHAYLOV VALOV

Defendant.

:

:

:

:

:

CL25-2218-00

REQUEST FOR WRIT OF EVICTION

TO THE COURT:

I, Leonard P. Buscemi, Special Commissioner of Sale in this proceeding, requests that this court issue the attached proposed writ of eviction against the Defendant Nikolay Mihaylov Valov in regard to the following premises: 3831 Elbert Avenue, Alexandria Virginia 22305.

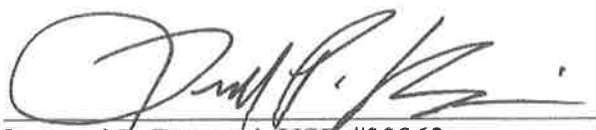


Map-Block-Lot Number: 007.03-06-27 / Legal Description: LOT 21 & 22 SUNNYSIDE

This request is made upon a judgment for possession pursuant to the order of this court entered by Chief Judge Katheen M. Uston on August 21, 2026 (order attached) and notice given to Defendant Valov more than 30 days ago, on August 26, 2026, to vacate 3831 Elbert Avenue, Alexandria Virginia 22305 on or before by September 25, 2026, at 11:59 p.m. (praecipe attached) and which Defendant Valov has failed to do and continues to occupy.

SEP 28 2026

Date



Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, VA 22201-2004
(703) 309-2192 (phone)
(703) 528-8474 (fax)
BuscemiLaw@aol.com (email)

Special Commissioner of Sale in CL 25-2218-00

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2026 I served the foregoing Request for Writ of Eviction and the proposed Writ of Eviction via email on the following persons.

Benjamin Ader, Esq., Tate Bywater bader@tatebywater.com
Counsel for Plaintiff

Nikolay Valov nickvalov@gmail.com
Pro Se Defendant



Leonard P. Buscemi

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

:

Plaintiff,

:

v.

:

CL25-2218-00

NIKOLAY MIHAYLOV VALOV

:

Defendant.

:

WRIT OF EVICTION

TO ANY AUTHORIZED OFFICER:

You are commanded in the name of the Commonwealth to cause Special Commissioner of Sale Leonard P. Buscemi to have possession of 3831 Elbert Avenue, Alexandria Virginia 22305 from the defendant, Nikolay Mihaylov Valov.

You are further commanded to make a return before me within 30 days of this date as to the day and manner of executing this writ.

DATE

[] CLERK [] JUDGE

CAME TO HAND

DATE AND TIME

SHERIFF

EXECUTED by taking into possession the within named premises and delivering possession of it to Leonard P Buscemi, Special Commissioner of Sale

DATE

I understand that I am required, pursuant to Va. Code §8.01-471, to return this executed writ of eviction to the clerk's office of the court that issued this writ.

CITY OF ALEXANDRIA, SHERIFF

By

DEPUTY SHERIFF

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

:

Plaintiff,

:

v.

:

CL25-2218-00

NIKOLAY MIHAYLOV VALOV

:

Defendant.

:

ORDER

THIS CAUSE came before the court on 12th day of August, 2026 for show cause proceedings against Defendant Nikolay Valov pursuant to a Petition to Show Cause sworn to and filed by Special Commissioner of Sale Leonard P. Buscemi on June 26, 2026.

Present and participating were Defendant Nikolay Valov, *pro se*, Counsel for the Plaintiff Benjamin Ader, Special Commissioner of Sale Leonard P. Buscemi, Redfin real estate agent Valeriia Solodka, and her counsel, Alexander R. Green.

Petitioner's Exhibit Nos. 1 through 3 were the only exhibits introduced or admitted in evidence and Valeriia Solodka was the only witness to testify at the hearing.

Upon consideration of the record in this case, the exhibits admitted into evidence, and the testimony heard in open court, this Court finds by clear and convincing evidence the following:

Defendant Valov has evidenced contempt of Court for knowingly, intentionally, and willfully defying, and refusing and failing to comply with, court order entered in this case on June 3, 2026, by failing to cooperate with and to purposely interfere with the judicial sale process ordered by this court of 3831 Elbert Avenue Alexandria Virginia 22305 (herein "the Property").

WHEREFORE, it is ORDERED that Nikolay Valov is hereby found in civil contempt of this court as a result of his knowing, willful, and intentional violations of this court's order of June 3, 2026, and it is further

ORDERED that the sanction of eviction from the Property is hereby imposed against Defendant Valov and its execution is suspended. PROVIDED, HOWEVER, that Defendant Valov may purge this contempt and avoid the imposition of this sanction by fully complying with each and every one of the following orders on or before the dates specified herein, and it is further,

- A. ORDERED that by no later than one day following the entry of this order Defendant Valov shall hand deliver to Valeriia Solodka of Redfin Realty keys for lockbox access to the Property by Ms. Solodka, her assistant(s), other real estate agents or prospective buyers, and it is further
- B. ORDERED that on or before August 24, 2026 Defendant Valov shall pay \$960.00 for the repair services described in Petitioner Exhibit No. 1 to Quality Contractor LLC utilizing their payment link, and it is further
- C. ORDERED that on August 28, 2026, between the hours of 9:00 a.m. to 5:00 p.m. and on August 29, 2026, between the hours of 9:00 a.m. to 5:00 p.m. Defendant Valov shall vacate the Property for Quality Contractor LLC to perform repair services described in Petitioner Exhibit No. 1., and it is further
- D. ORDERED that on August 31, 2026 between the hours of 9:00 a.m. and 12:00 p.m. Defendant Valov shall vacate the Property for a photographer, appointed by Valeriia Solodka, to access via lockbox the entire property to photograph the interior and exterior of the Property, and it is further,

E. ORDERED that September 1, 2026, Valeriia Solodka shall place the property on the open market, in and "Active" status, and it is further,

F. ORDERED that provided Valeriia Solodka gives Defendant Valov at least 24 hours advance notice (sent to email address nickvalov@gmail.com), Defendant Valov must vacate the Property during any open house or showing of the Property scheduled by Valeriia Solodka on any the following days of the week and time periods,

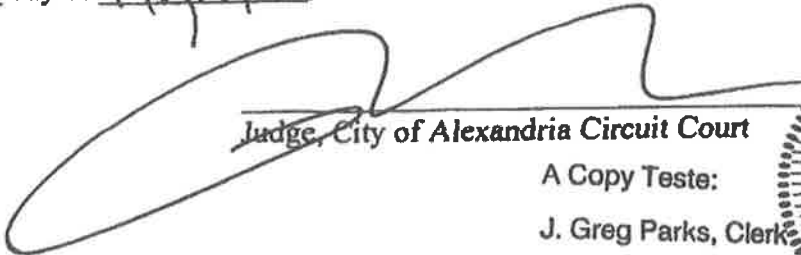
Monday: 10:00 AM - 01:00 PM
Tuesday: 04:00 PM - 08:00 PM
Wednesday: 04:00 PM - 08:00 PM
Thursday: 10:00 AM - 01:00 PM
Friday: 04:00 PM - 08:00 PM
Saturday: 12:00 PM - 03:00 PM
Sunday: 01:00 PM - 04:00 PM and it is further,

ORDERED that upon proof satisfactory to this Court that Defendant Valov has fully satisfied these purge conditions, this contempt citation shall be dismissed, and it is further,

ORDERED that in the event, Defendant Valov violates any one of the orders contained in Paragraphs A through F, above, Special Commissioner of Sale shall forthwith file with the Court and serve by email on the parties, a praecipe notifying the court of the violation, and serving as notice to Defendant Valov to vacate the Property within thirty (30) days (herein "the Praecipe") and 30 days after filing of the Praecipe, Special Commissioner of Sale Leonard P. Buscemi is granted by this order full possession of 3831 Elbert Avenue Alexandria Virginia 22305 and authorization to seek a writ of eviction against Defendant Nikolay Valov.

THIS MATTER CONTINUES.

Entered this 21st day of August, 2026.


Judge, City of Alexandria Circuit Court

A Copy Teste:

J. Greg Parks, Clerk

By

Certified this

day of

. 20



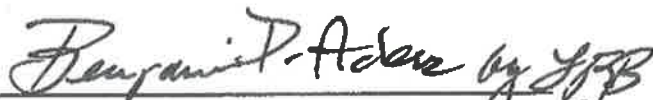
I ASK FOR THIS:



Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, Virginia 22201
Phone: (703) 309-2192
Fax: (703) 528-8474
E-Mail: BuscemiLaw@aol.com

Special Commissioner of Sale

SEEN AND AGREED :



Benjamin D. Ader, VSB #92072
TATE BYWATER
2740 Chain Bridge Rd.
Vienna, VA 22181
P: 703-938-5100
F: 703-991-0605
bader@tatebywater.com

with authority

Counsel for Plaintiff

SEEN AND _____ :

*Appended; Signature waived pursuant
to Rule 1:13*

Nikolay Mihaylov Valov
3831 Elbert Avenue
Alexandria, VA 22305
nickvalov@gmail.com

Pro Se Defendant

VIRGINIA :

IN THE CIRCUIT COURT OF FOR THE CITY OF ALEXANDRIA

DANIEL FINN

Plaintiff,

v.

NIKOLAY MIHAYLOV VALOV

Defendant.

:
:
:
:
:

CL25-2218-00

**PRAECIPE- NOTICE OF VIOLATION OF AUGUST 21, 2026 ORDER AND
NOTICE TO DEFENDANT TO VACATE 3831 ELBERT AVENUE WITHIN 30 DAYS**

This praecipe serves as notice that Defendant Valov has violated Paragraph B of the court's order of August 21, 2026, having failed to pay by August 24, 2026 the sum of \$960.00 to Quality Contractor LLC for the repair services described in Petitioner Exhibit No. 1 and as a result of this violation, the deadlines ordered by the court in Paragraphs C through F of the August 21, 2026 order cannot be practically met.

Defendant Valov has also threatened "formal litigation" against Redfin and their agent, Valeriia Solodka, serving a preservation notice. Defendant Valov has also informed Redfin and Ms. Solodka that *"a complaint concerning Ms. Solodka and Redfin has been submitted to the Virginia Department of Professional and Occupational Regulation / Virginia Real Estate Board"* (August 25, 2026 8:30 a.m. email from Nikolay Valov to Redfin Legal with cc: to Ms. Solodka is attached to this praecipe).

Pursuant to the court's order of August 21, 2026, this praecipe serves as notice to Defendant Valov Nikolay that he must vacate 3831 Elbert Avenue, Alexandria Virginia 22305 by no later than 11:59 p.m. on September 25, 2026 or face eviction thereafter.

Respectfully submitted:



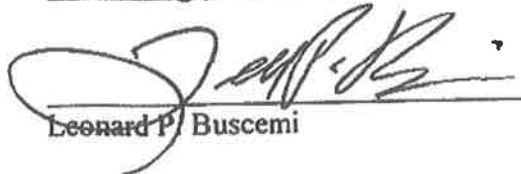
Leonard P. Buscemi, VSB #30869
624 N. Irving Street
Arlington, VA 22201-2004
(703) 309-2192 (phone)
(703) 528-8474 (fax)
BuscemiLaw@aol.com (email)

Special Commissioner of Sale

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2026 I served the foregoing Praccipe via email on the following persons.

Benjamin Ader, Esq., Tate Bywater bader@tatebywater.com
Nikolay Valov nickvalov@gmail.com



Leonard P. Buscemi

Fwd: Formal Litigation Hold and Preservation Notice - Finn v. Valov, CL25-002218-00 / Valeriia Solodka

From: Valeriia Solodka <valeriia.solodka@redfin.com>

To: Leonard P. Buscemi

Date: Aug 25, 2026, 3:39 PM

Please see below



Valeriia Solodka

Premier Agent | Licenses - #DC: SP98378432 VA: 0225220348 MD: 68079

T (202) 431-3412

Redfin.com

2001 S Street NW, Ste 200 Washington, DC 20009

Important Notice:

Redfin will never email you wire instructions.

[Find more tips related to wire fraud here.](#)



----- Forwarded message -----

From: **Nikolay Valov** <nickvalov@gmail.com>

Date: Tue, Aug 25, 2026 at 8:30 AM

Subject: Formal Litigation Hold and Preservation Notice - Finn v. Valov, CL25-002218-00 / Valeriia Solodka

To: <legal@redfin.com>

CC: Valeriia Solodka <valeriia.solodka@redfin.com>

Redfin Legal,

This email places Redfin Corporation on formal notice of its obligation to preserve evidence relating to Valeriia Solodka's conduct as court-appointed broker in Finn v. Valov, Circuit Court of the City of Alexandria, Case No. CL25-002218-00.

Redfin should take immediate steps to suspend any routine deletion, auto-deletion, overwrite, archival destruction, device replacement, account cleanup, CRM purge, or other retention process that could affect responsive material.

The evidence to be preserved includes, without limitation:

- all communications between **Valeriia Solodka and Daniel Finn** concerning the Property, Nikolay Valov, access, sale implementation, listing activity, contempt, enforcement, willingness to sell, broker replacement, or related disputes;
- all communications between **Valeriia Solodka and Leonard P. Buscemi** concerning those subjects;
- all communications between **Valeriia Solodka and Benjamin E. Ader** concerning those subjects;
- all Redfin internal emails, texts, CRM entries, notes, messages, supervisory communications, compliance communications, escalation records, and internal discussions concerning **3831 Elbert Avenue, Nikolay Valov, Daniel Finn, or the court-supervised sale**;
- all records concerning when, how, and to whom any private conversation attributed to Nikolay Valov concerning his willingness to sell was first disclosed, discussed, transmitted, characterized, or prepared for use in litigation or contempt proceedings;
- all listing agreements, amendments, disclosures, compensation records, commission arrangements, access logs, appointment logs, showing records, listing-status records, contractor communications, photography communications, key or lockbox records, and transaction records;
- all records identifying the **principal broker, supervising broker, manager, compliance personnel, or other Redfin personnel responsible for supervising Ms. Solodka or this transaction**;
- all records concerning Redfin's knowledge of Ms. Solodka's prior professional or financial relationship with Daniel Finn;
- all records concerning any Redfin review, approval, ratification, supervision, escalation, investigation, or response relating to Ms. Solodka's conduct in this matter;
- all attachments, metadata, backups, archived material, deleted-item repositories, mobile-device communications, and recoverable electronically stored information responsive to the categories above.

This preservation obligation should be treated broadly. **Selective preservation is not sufficient.** Responsive material should be preserved in its native or reasonably usable form with available metadata intact.

Redfin is also on notice that:

1. a motion concerning Ms. Solodka's removal and prior conduct is pending in the Alexandria Circuit Court;
2. targeted production and preservation of relevant communications has been placed before that Court;
3. a complaint concerning Ms. Solodka and Redfin has been submitted to the **Virginia Department of Professional and Occupational Regulation / Virginia Real Estate Board**; and
4. the underlying conduct may become relevant to further regulatory, appellate, accounting, compensation, or civil proceedings.

Accordingly, Redfin should immediately issue an internal litigation hold to all relevant custodians and preserve all responsive evidence.

Please confirm in writing that:

- Redfin has implemented a preservation hold;
- routine deletion or destruction of potentially responsive material has been suspended;
- *relevant custodians have been notified*;
- and responsive Redfin systems and records are being preserved.

This notice is not a request that Redfin determine the merits of any allegation at this time. It is a demand that the evidence be preserved intact so that no later proceeding is forced to rely on a curated, incomplete, or reconstructed record.

Nothing in this notice waives any claim, objection, remedy, appellate right, regulatory position, compensation objection, accounting issue, or other right concerning Ms. Solodka, Redfin, or any other participant.

Regards,

Nikolay Mihaylov Valov

Defendant, pro se

Finn v. Valov

CL25-002218-00

3831 Fibert Avenue

Alexandria, VA 22305

571-274-8910

nickvalov@gmail.com

Disclosure: Emails received Monday through Friday between 9:00 a.m. and 5:00 p.m. will be answered within 24 hours. Emails received on Saturday, Sunday, or a court holiday will be answered on the next business day within 24 to 48 hours.