

OCT - 5 2026

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

No. **26A 489**

(Petition for Writ of Certiorari pending / contemporaneously filed)

JAMIE P. LABRANCHE and KIM M. LABRANCHE,
Applicants / Petitioners

v.

AMOS FINANCIAL LLC, as successor-in-interest to NESTOR I LLC,
Respondent

ON APPLICATION FOR EMERGENCY STAY
FROM THE SUPREME COURT OF LOUISIANA
No. 2026-CC-01129 (Stay denied; Writ denied, September 30, 2026)
denying review of Louisiana Fifth Circuit No. 26-C-324

**EMERGENCY APPLICATION FOR STAY
OF SHERIFF'S SALE SCHEDULED FOR OCTOBER 14, 2026
UNDER SUPREME COURT RULE 23**

Sheriff's sale of Applicants' 30-year family home is set for October 14, 2026 — approximately eleven days from this filing. All three district judges of the 40th Judicial District Court have recused; the Louisiana Supreme Court has failed to appoint an ad hoc judge.

Jamie P. Labranche, Pro Se
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I. INTRODUCTION AND RELIEF REQUESTED

Pursuant to Rule 23 of this Court, Applicants Jamie P. Labranche and Kim M. Labranche respectfully apply for an emergency stay of the Sheriff's sale of their family home of thirty years, located at 2173 Carmel Valley Drive, LaPlace, Louisiana 70068, currently scheduled for **October 14, 2026**.

The Louisiana Supreme Court denied a stay and denied the writ application on September 30, 2026 (No. 2026-CC-01129). **All three judges of the 40th Judicial District Court — Judges Snowdy, Fiffie, and Lewis — have recused themselves.** An emergency injunction to stop the sale was filed on August 12, 2026, together with more than ten related pleadings. The Louisiana Supreme Court has failed to appoint an ad hoc judge. There is a total judicial vacuum. Without immediate relief from this Court, the home will be sold to a third-party purchaser and the status quo will be irreversibly destroyed.

II. OUTSTANDING ISSUES REQUIRING IMMEDIATE STAY

Applicants respectfully pinpoint the following outstanding issues that make a stay imperative:

- 1. Constitutional Crisis / Total Judicial Vacuum.** Every judge of the 40th Judicial District Court (Snowdy, Fiffie, and Lewis) has recused. The emergency injunction filed August 12, 2026, and more than ten related pleadings seeking to stop the sale of a 30-year family home, remain unheard because the Louisiana Supreme Court denied the writ and failed to appoint an ad hoc judge. No court is available to rule before the October 14 sale. Separation of powers has collapsed into what Applicants describe as "one dirty South branch."
- 2. Bankruptcy Discharge Injunction (11 U.S.C. § 524).** Kim M. Labranche received a full Chapter 7 discharge in 2011. The permanent discharge injunction bars any act to collect a discharged debt as a personal liability. The 2018 "Reformed Judgment" imposes personal money liability on a discharged debtor and is void to that extent as a matter of federal law. The 2010 stay-lift orders addressed only in rem rights and do not authorize post-discharge personal collection.
- 3. TILA Rescission — *Jesinoski v. Countrywide Home Loans, Inc.*, 574 U.S. 259 (2015).** On August 3, 2008, within the three-year period, Jamie Labranche gave timely written notice of rescission under 15 U.S.C. § 1635. This Court held that written notice alone effects rescission; no lawsuit need be filed within the three-year period. Once rescinded, the note and mortgage cease to exist. A later state-court money judgment enforcing a rescinded obligation is a nullity. No Louisiana court has ever adjudicated the 2008 rescission on the merits.
- 4. Absolute Nullities — Forgery, False Dual Notarization, Robo-Signed Assignment, Procedural Nullity.** Expert Document Examiner Curtis Baggett concluded under oath that the signature of Jamie P. Labranche was forged. Two notarizations purport to have occurred at the same time in different parishes — a physical impossibility. Standing was

manufactured through a robo-signed assignment by Tamara Price. The original judgment was quashed; a different judge later “reformed” a non-existent judgment into a money judgment — a legal impossibility. Absolute nullities may be raised at any time. La. C.C. art. 2030; La. C.C.P. art. 2002.

5. \$21 Million Federally Mandated National Mortgage Settlement Funds Diverted. Contemporaneous Louisiana Department of Justice budget records show a \$21,741,560 Mortgage Settlement. The funds were stipulated by court order for mortgage and consumer-related purposes, including law-enforcement efforts against financial fraud by the five major banks. Those funds “went up in smoke.” California was ordered to return \$331 million under analogous circumstances. The judicial branch’s refusal to supply a judge while the executive participates in the cover-up compounds the due-process violation.

6. Irreparable Harm — 30-Year Family Home, Hurricane Ida Damage, Withheld Insurance. The home is worth approximately \$151,000 after Hurricane Ida damage. Amos Financial continues to withhold approximately \$20,000 in insurance proceeds. Once sold to a third party, the status quo cannot be restored. Monetary damages cannot compensate for the loss of the homestead under these circumstances.

7. Direct Conflict Within the Louisiana Fifth Circuit. In 2019 (No. 19-CA-277) the Fifth Circuit (Judge Marc E. Johnson on the panel) held that caption does not control and courts must look to substance (La. C.C.P. art. 865; *Atchley*). In 2026 (No. 26-C-324) the same court (same Judge) held that form controlled. The conflict is irreconcilable; no court has heard the merits of the 2019 suspensive appeal; transcripts ordered by Supreme Court-appointed Judge Walter Lanier III remain missing after 2½ years.

III. THE STAY FACTORS ARE SATISFIED

Under this Court’s traditional stay standards: (1) there is a fair prospect that a majority of the Court will vote to grant certiorari and reverse — the case presents pure federal questions under the Bankruptcy Code, TILA/*Jesinoski*, and the Due Process Clause, plus a constitutional crisis created by the total judicial vacuum; (2) Applicants will suffer irreparable harm — the irreversible loss of their 30-year family home on October 14, 2026, with no judge available to hear their emergency injunction; (3) the balance of equities favors Applicants — Respondent has waited nearly twenty years; Applicants face immediate homelessness; and (4) the public interest favors enforcement of the discharge injunction, TILA, due process, the integrity of the National Mortgage Settlement, and the basic principle that a court must exist to hear an emergency request before property is sold.

IV. PRAYER FOR RELIEF

WHEREFORE, Applicants respectfully pray that this Honorable Court:

- A. Immediately STAY the Sheriff’s sale of the property at 2173 Carmel Valley Drive, LaPlace, Louisiana 70068, scheduled for October 14, 2026, and all further execution under any writ of fieri facias based on the January 22, 2018 Reformed Judgment;
- B. ORDER the appointment of a neutral ad hoc judge forthwith to hear the August 12, 2026 emergency injunction and all related pleadings, or retain jurisdiction to protect Applicants’ due-process rights in light of the total judicial vacuum created by the recusal of all three 40th JDC judges and the Louisiana Supreme Court’s failure to appoint a replacement;
- C. CONTINUE the stay pending this Court’s disposition of the Petition for a Writ of Certiorari; and
- D. Grant all other relief this Court deems just and proper.

Respectfully submitted,



JAMIE P. LABRANCHE

Applicant / Petitioner, Pro Se

2173 Carmel Valley Drive

LaPlace, Louisiana 70068

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On behalf of himself and KIM M. LABRANCHE

Date: 10-5, 2026

DECLARATION OF JAMIE P. LABRANCHE
IN SUPPORT OF EMERGENCY APPLICATION FOR STAY

I, Jamie P. Labranche, declare under penalty of perjury under the laws of the United States as follows:

1. I am a Petitioner/Applicant in this matter and am competent to make this Declaration. I make this Declaration on personal knowledge and on the basis of the court records and documents in this case.

2. My wife Kim M. Labranche and I have lived in our family home at 2173 Carmel Valley Drive, LaPlace, Louisiana 70068, for thirty years. The home has been severely damaged by Hurricane Ida. Its current value is approximately \$151,000. Amos Financial LLC continues to withhold approximately \$20,000 from insurance settlement proceeds.

3. A Sheriff's sale of our home is scheduled for **October 14, 2026** — approximately eleven days from the date of this Application. If the sale proceeds, a third-party purchaser will acquire the property and we will lose our home of thirty years permanently. The status quo cannot be restored after the sale.

4. **All three judges of the 40th Judicial District Court — Judges Snowdy, Fiffie, and Lewis — have recused themselves.** On August 12, 2026, I filed an emergency injunction to stop the sale, followed by more than ten related pleadings requesting hearings. Because every district judge has recused, there is no judge available to rule on the emergency injunction or any of the related pleadings.

5. The Louisiana Supreme Court denied our application for stay and denied our writ application on September 30, 2026 (No. 2026-CC-01129). The Louisiana Supreme Court has **failed to appoint an ad hoc judge** to hear the emergency injunction. The result is a total judicial vacuum. Our 30-year family home is set to be sold with no court available to hear our claims.

6. The outstanding issues that remain unheard include: (a) the absolute nullity of the January 22, 2018 Reformed Judgment based on forgery, false dual notarization, a robo-signed assignment, and the procedural impossibility of "reforming" a previously quashed judgment; (b) the 2008 Truth in Lending Act rescission, which under this Court's decision in *Jesinoski v. Countrywide Home Loans, Inc.*, 574 U.S. 259 (2015), extinguished the note and mortgage upon timely written notice; (c) the permanent bankruptcy discharge injunction of 11 U.S.C. § 524 protecting Kim M. Labranche from personal collection after her 2011 Chapter 7 discharge; (d) the diversion of approximately \$21 million in federally mandated National Mortgage Settlement funds that were supposed to protect homeowners such as us; and (e) the direct conflict between the Louisiana Fifth Circuit's 2019 substance-over-form ruling and its 2026 form-over-substance ruling.

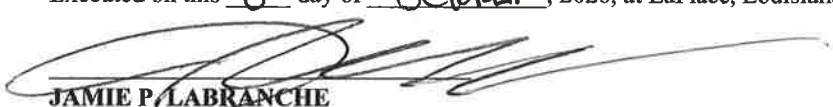
7. No Louisiana court has ever heard the merits of our 2019 suspensive appeal. Transcripts ordered by Louisiana Supreme Court-appointed Judge Walter Lanier III of the Judge Fiffie recusal proceedings have been missing for more than two and one-half years.

8. I am proceeding in forma pauperis. I cannot post a bond or pay the costs of further proceedings. The loss of our only home will leave my family without housing.

9. I respectfully request that this Court immediately stay the October 14, 2026 Sheriff's sale and order the appointment of a neutral ad hoc judge (or otherwise protect our due-process rights) so that the outstanding issues identified above can be heard on the merits before our home of thirty years is sold.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 5 day of OCTOBER, 2026, at LaPlace, Louisiana.


JAMIE P. LABRANCHE

Declarant / Applicant, Pro Se

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Emergency Application for Stay, with supporting Declaration, has been served on counsel for Respondent (Conor T. Lutkewitte and John M. Theriot, Carver Darden, 1100 Poydras Street, Suite 3100, New Orleans, LA 70163; lutkewitte@carverdarden.com; jtheriot@carverdarden.com), the Clerk of the Supreme Court of Louisiana, the 40th Judicial District Court, and the Sheriff of St. John the Baptist Parish, by overnight mail and/or electronic transmission on this 5 day of OCTOBER, 2026, in accordance with Rule 29.


JAMIE P. LABRANCHE, Pro Se

PROPOSED ORDER

Upon consideration of the Emergency Application for Stay and the supporting Declaration of Jamie P. Labranche:

IT IS ORDERED that the Sheriff's sale of the property located at 2173 Carmel Valley Drive, LaPlace, Louisiana 70068, scheduled for October 14, 2026, and all further execution under any writ of fieri facias based on the January 22, 2018 Reformed Judgment, are hereby STAYED pending further order of this Court.

IT IS FURTHER ORDERED that, in light of the recusal of all three judges of the 40th Judicial District Court (Snowdy, Fiffie, and Lewis) and the Louisiana Supreme Court's failure to appoint an ad hoc judge to hear the August 12, 2026 emergency injunction and related pleadings, a neutral ad hoc judge shall be appointed forthwith to hear those matters on the merits, or this Court shall retain jurisdiction to protect Applicants' due-process rights pending disposition of the Petition for a Writ of Certiorari.

Washington, D.C., this ____ day of _____, 2026.

Chief Justice / Associate Justice
Supreme Court of the United States

APPENDIX

The Appendix to this Petition includes (or will include upon final assembly):

App. 1 — Order of the Supreme Court of Louisiana, No. 2026-CC-01129 (Sept. 30, 2026) (Stay denied; Writ denied).

App. 2 — Disposition of the Louisiana Fifth Circuit Court of Appeal, No. 26-C-324 (Aug. 11, 2026).

App. 3 — Opinion of the Louisiana Fifth Circuit, No. 19-CA-277 (Nov. 27, 2019) (substance-over-form).

App. 4 — Louisiana Department of Justice Mortgage Settlement budget documents showing \$21,741,560 settlement and subsequent allocations/expenditures (the two pages attached to this filing).

App. 5 — Courthouse News Service report: “California Ordered to Return \$331 Million to Troubled Homeowners” (Apr. 3, 2019).

App. 6 — Petition for Injunctive Relief under La. C.C.P. art. 2298(A)(4) and supporting Note of Evidence (forgery opinion, TILA rescission notice, robo-signing materials, bankruptcy discharge).

App. 7 — Any additional lower-court orders, the Motion to Recuse Attorney General Liz Murrill, and the orders concerning the missing transcripts ordered by Judge Walter Lanier III.

Petitioners will bind the Appendix in the form required by Rule 33.2 / the IFP Guide and will supply any additional financial information required by the Clerk for the in forma pauperis application.

The Supreme Court of the State of Louisiana

**AMOS FINANCIAL LLC, AS SUCCESSOR-IN-
INTEREST TO NESTOR I LLC**

No. 2026-CC-01129

VS.

**JAMIE P. LABRANCHE AND KIM M.
LABRANCHE**

IN RE: Jamie P. LaBranche - Applicant Defendant; Kim M. Labranche - Applicant Defendant; Applying For Writ Of Certiorari, Parish of St. John the Baptist, 40th Judicial District Court Number(s) 54,549, Court of Appeal, Fifth Circuit, Number(s) 26-C-324;

September 30, 2026

Stay denied. Writ application denied.

JMG

JLW

JDH

JBM

PDG

CRC

WHB

(APP. 1)

**Additional material
from this filing is
available in the
Clerk's Office.**