

22-5636  
CASE NUMBER:

---

**SUPREME COURT OF THE UNITED STATES**

---

KATHRYN SORRENTINO, ET AL

*Petitioner,*

*Vs.*

BANK OF AMERICA, NATIONAL ASSOCIATION, ET AL

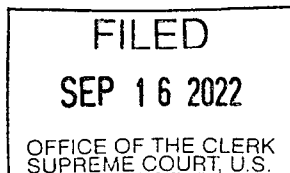
*Respondent,*

---

ON PETITION FOR A WRIT OF CERTIORARI TO  
UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT

---

**PETITION FOR A WRIT OF CERTIORARI**



**ORIGINAL**

Kathryn Sorrentino, Pro se  
212 Curtis Terrace  
Fairfield, Connecticut, 06825  
Telephone: 413-507-7169  
Email: katsorrentino0505@gmail.com

#### **IV. Questions Presented**

1. If a superior court is mandated to follow a void or erroneous order from an appellate court, then what does a litigant do to protect their Constitutional right to due process under the 14<sup>th</sup> amendment, federal statutory laws, and state laws when no court, except New Jersey, has a procedure set up for this situation?
2. What does a litigant do when the trial court and appellate court says two different things?

#### **V. List of Parties**

All parties appear in the caption of the case on the cover page.

#### **Related Cases**

Unknown

#### **VI. Table of Contents**

I.	Motion to Leave to Proceed In Forma Pauperis – Rule 39.....	Attached
II.	Affidavit of Declaration in Support of Motion for Leave to Proceed <i>In Forma Pauperis</i> .....	Attached
III.	Cover Page – Rule 34.....	Attached
IV.	Question(s) Presented.....	Attached
V.	List of Parties and Related Cases.....	Attached
VI.	Table of Contents.....	Attached

VII.	Index of the Appendices.....	Attached
VIII.	Table of Authorities.....	Attached
IX.	Opinions Below.....	1
X.	Jurisdiction.....	1
XI.	Constitutional and Statutory Provisions Involved.....	1,2,3
XII.	Statement of the Case.....	2,3,4
	1. Lack of Service of Original Complaint	
	2. Summary Judgment Denied Fraudulent Signature on Mortgage	
	3. Default Judgment Based on Fraud	
	4. Strict Foreclosure Based on Void Orders	
	5. Void Orders Remanded Back Form Appellate Court	
XIII.	<b>Reasons for Granting the Petition.....</b>	<b>4</b>
A.	To Avoid Erroneous Judicial Violations of Litigants Constitutional Rights and Statutory Laws, This Court Should Promulgate Rules of Procedure for all the United States Courts and Litigants to Follow When a Fact of Error, Mistake, or Oversight Has Been Made By the Appellate Court.	
	“The Federal Rules of Practice and Procedure govern the conduct of trials, appeals, and cases under Title 11 of the United States Code. The system of federal rules began with the Rules Enabling Act of 1934 ( <u>28 U.S.C. § 2071- 2077</u> ). The Act authorized the Supreme Court to promulgate rules of procedure, which have the force and effect of law.”	
XIV.	Conclusion.....	5
XV.	Proof of Service.....	6,7

## **VII. Index of the Appendices**

Appendix A Orders of State Court of Appeals

Appendix B Orders of the Trial Court

Appendix C Decision of State Supreme Court Denying Review

Appendix E Exhibit of Forensic Hand Writing Expert

Appendix F Exhibit of Petitioners Answers that Denied Signatures

## **VIII. Table of Authorities**

### **Constitutional Provisions**

United States Constitution, Amendment XIV

The Law of Void Judgments and Decisions Supreme Court Decisions on Void Orders:

Rose v. Himely (1808) 4 Cranch 241, 2 L ed 608; Pennoyer v. Neff (1877) 95 US 714, 24 L ed 565; Thompson v. Whitman (1873) 18 Wall 457, 21 L ed 897; Windsor v. McVeigh (1876) 93 US 274, 23 L ed 914; McDonald v. Mabee (1917) 243 US 90, 37 Sct 343, 61 L ed 608. "If a court grants relief, which under the circumstances it hasn't any authority to grant, its judgment is to that extent void." (1 Freeman on Judgments, 120c.) "A void judgment is no judgment at all and is without legal effect." (Jordon v. Gilligan, 500 F.2d 701, 710 (6th Cir. 1974) "a court must vacate any judgment entered in excess of its jurisdiction." (Lubben v. Selective Service System Local Bd. No. 27, 453 F.2d 645 (1st Cir. 1972). A void judgment does not create any binding obligation. Federal decisions addressing void state court judgments include Kalb v. Feuerstein (1940) 308 US 433, 60 S Ct 343, 84 L ed 370. Federal judges issued orders permanently barring Stich from filing any papers in federal courts. After Judges Robert Jones and Edward Jellen corruptly seized and started to liquidate Stich's assets, Judge Jones issued an unconstitutional order barring Stich from filing any objection to the seizure and liquidation. Void Orders Can Be Attacked At Any Time An order that exceeds the jurisdiction of the court, is void, or voidable, and can be attacked in any proceeding in any court where the validity of the judgment comes into issue. (See Rose v. Himely (1808) 4 Cranch 241, 2 L ed 608; Pennoyer v. Neff (1877)

95 US 714, 24 L ed 565; Thompson v. Whitman (1873) 18 Wall 457, 21 L ED 897; Windsor v. McVeigh (1876) 93 US 274, 23 L ed 914; McDonald v. Mabee (1917) 243 US 90, 37 Sct 343, 61 L ed 608. U.S. v. Holtzman, 762 F.2d 720 (9th Cir. 1985) ("Portion of judgment directing defendant not to import vehicles without first obtaining approval ... was not appropriately limited in duration and, thus, district court abused its discretion by not vacating it as being prospectively inequitable." Id at 722

### Statutes

#### 28 U.S.C. § 1257

Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 Kiugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).

#### § 240.15c1-2 Fraud and misrepresentation.

(a) The term *manipulative, deceptive, or other fraudulent device or contrivance*, as used in section 15(c)(1) of the Act (section 2, 52 Stat. 1075; 15 U.S.C. 78o(c)(1), is hereby defined to include any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

(b) The term *manipulative, deceptive, or other fraudulent device or contrivance*, as used in section 15(c)(1) of the Act, is hereby defined to include any untrue statement of a material fact and any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, which statement or omission is made with knowledge or reasonable grounds to believe that it is untrue or misleading.

(c) The scope of this section shall not be limited by any specific definitions of the term "manipulative, deceptive, or other fraudulent device or contrivance" contained in other rules adopted pursuant to section 15(c)(1) of the act.

(Sec. 2, 52 Stat. 1075; 15 U.S.C. 78o)

### Cases

After four month limitation: "A judgment rendered may be opened after the four month limitation if it is shown that the judgment was obtained by fraud, in the absence of actual consent, or because of mutual mistake." Richards v. Richards, 78 Conn. App. 734, 739, 829 A.2d 60 (2003). (Emphasis added.)

Section 52-212a does not abrogate the court's common law authority to open a judgment beyond the four month limitation upon a showing that the judgment was obtained by fraud, duress or mutual mistake. See *Nelson v. Charlesworth*, 82 Conn. App. 710, 713, 846 A.2d 923 (2004).

The common-law reasons for opening a judgment seek to preserve fairness and equity. (Internal quotation marks omitted.) *Bruno v. Bruno*, 146 Conn. App. 214, 230, 76 A.3d 725 (2013).

“To open a judgment pursuant to Practice Book § 17-43 (a) and General Statutes § 52-212 (a), the movant must make a two part showing that (1) a good defense existed at the time an adverse judgment was rendered; and (2) the defense was not at that time raised by reason of mistake, accident or other reasonable cause. . . .The party moving to open a default judgment must not only allege, but also make a showing sufficient to satisfy the two-pronged test [governing the opening of default judgments]. . . . The negligence of a party or his counsel is insufficient for purposes of § 52-212 to set aside a default judgment. . . . Finally, because the movant must satisfy both prongs of this analysis, failure to meet either prong is fatal to its motion.” (Internal quotation marks omitted.) *Little v. Mackeyboy Auto, LLC*, 142 Conn. App. 14, 18–19, 62 A.3d 1164 (2013).

“Although . . . § 52-212 . . . normally limit[s] the authority [of the trial court] to open judgments to a four month period, [this statute does] not preclude the opening of a default judgment that is rendered without jurisdiction over a defendant. . . . As a matter of law, in the absence of jurisdiction over the parties, a judgment is void ab initio and is subject to both direct and collateral attack. . . . A trial court’s authority to open such judgments does not arise from . . . § 52-212 (a)

or Practice Book [§ 17-43] but from its inherent power to open a judgment rendered without jurisdiction. In other words, a court always has the inherent authority to open a default judgment, irrespective of the four month rule and the valid defense and good cause requirement in Practice Book § 17-43 and General Statutes § 52-212 (a), if the judgment was rendered without jurisdiction of the parties or of the subject matter.”(Internal quotation marks omitted.) *Weinstein & Wisser, P.C. v. Cornelius*, 151 Conn. App. 174, 180–81, 94

A.3d 700 (2014). Applying the foregoing legal principles, the four month rule for filing a motion to open and vacate a judgment would not be applicable to a void judgment. If the defendant is correct that the procedural irregularities in obtaining the default judgment rendered that judgment void, then the court’s determination that the defendant’s motion was not timely filed would be erroneous.

When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192,194 (Tex. App.—Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at \*1 (Tex. App.—Tyler Aug. 30, 1999, no pet. h.).

A Party Affected by VOID Judicial Action Need Not APPEAL. *State ex rel. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J.,concurring). If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. Section 35-10-9: Sales contrary to article null and void. All sales of real estate, made under powers contained in mortgages or deeds of trust contrary to the provisions of this article, shall be null and void, notwithstanding any agreement or stipulation to the contrary. (Code 1907, §4134; Code 1923, §7849; Code 1940, T. 7, §561.).

The Appellate Division, Second Department (*Kluge v Fugazy*, 145 AD2d 537, 538 [2d Dept 1988]), held that a "foreclosure of a mortgage may not be brought by one who has no title to it and absent transfer of the debt, the assignment of the mortgage is a nullity." Citing *Kluge v Fugazy*, the Court (*Katz v East-Ville Realty Co.*, 249 AD2d 243 16 [1st Dept 1998], held that "[p]laintiff's attempt to foreclose upon a mortgage in which he had no legal or equitable interest was without foundation in law or fact. GMAC Mortgage LLC, aka Residential Capital wasn't the holder of the note when they created their illegal mortgage January 3, 2005. Their the U.S. Supreme Court stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers. A Party Affected by VOID Judicial Action Need Not APPEAL. *State ex rel. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J.,concurring). 17 When rule providing for relief

from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Omer. V. Shalala*, 30 F.3d 1307 (Cob. 1994). This cannot be ignored its fact recorded! Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 —*Kiugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985). 12 U.S. Code § 2605: Servicing of mortgage loans and administration of escrow accounts: Federal Rule of Civil Procedure 17(a)(1) which requires that "[a]n action must be prosecuted in the name of the real party in interest." See also, *In re Jacobson*, 402 B.R. 359, 365-66 (Bankr.W.D. Wash. 2009); *In re Hwang*, 396B.R. 757, 766-67 (Bankr. C.D. Cal. 2008). Federal Rule of Civil Procedure 17(a)(1) which requires that "[a]n action must be prosecuted in the name of the real party in interest." See also, *In re Jacobson*, 402 B.R. 359, 365-66 (Bankr. W.D. Wash. 2009); *In re Hwang*, 396 B.R. 757, 766-67 (Bankr. C.D. Cal. 2008). *Mortgage Electronic Registration Systems, Inc. v. Chong*, 824 N.Y.S.2d 764 (2006). MERS did not have standing as a real party in interest under the Rules to file the motion. The declaration also failed to assert that MERS, FMC Capital LLC or Homecomings Financial, LLC held the Note. When appeal is taken from a void judgment, the appellate court must declare the judgment void, because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See *E1-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.—Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at \*1 (Tex. App.—Tyler Aug. 30, 1999, no pet. h.). A Party Affected by VOID Judicial Action Need Not APPEAL. *State ex rd. Latty*, 907 S.W.2d at 486. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). If an appeal is taken, however, the appellate court may declare void any orders the trial court signed after it lost plenary power over the case, because a void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. Section 6-9-180: Jury trial on issues of fact. If the motion or application is to enter satisfaction of a judgment under the Alabama Rules of Civil Procedure or to set aside the entry of satisfaction of a judgment, on request of either party, the issue of fact must be tried by a jury. (Code 1886, §2870; Code 1896, §3340; Code 1907, §4146; Code 1923, §7861; Code 1940, T. 7, §573.). When appeal is taken from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at



any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.--Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at \*1 (Tex. App.--Tyler Aug. 30, 1999, no pet. h.). The law is well-settled that a void order or judgement is void even before reversal", *VALLEY v. NORTHERN FIRE & MARINE INS. CO.*, 254 U.S. 348, 41 S. Ct. 116 (1920) "Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal." *WILLIAMSON v. BERRY*, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850). When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, *Orner. V. Shalala*, 30 F.3d 1307 (Cob. 1994). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 - *Klugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985). 19 A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." *Ex parte Spaulding*, 687 S.W.2d at 745 (Teague, J., concurring). The Court Has A Responsibility To Correct a Void Judgment: The statute of limitations does not apply to a suit in equity to vacate a void judgment. (*Cadenasso v. Bank of Italy*, p. 569; *Estate of Pusey*, 180 Cal. 368, 374 [181 P. 648].) This rule holds as to all void judgments. In the other two cases cited, *People v. Massengale* and *In re Sandel*, the courts confirmed the judicial power and responsibility to correct void judgments. Section 6-9-180: Jury trial on issues of fact. If the motion or application is to enter satisfaction of a judgment under the Alabama Rules of Civil Procedure or to set aside the entry of satisfaction of a judgment, on request of either party, the issue of fact must be tried by a jury. (Code 1886, §2870; Code 1896, §3340; Code 1907, §4146; Code 1923, §7861; Code 1940, T. 7, §573.). When appeal is taken from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal. A void judgment may be attacked at any time by a person whose rights are affected. See *El-Kareh v. Texas Alcoholic Beverage Comm'n*, 874 S.W.2d 192, 194 (Tex. App.--Houston [14th Dist.] 1994, no writ); see also *Evans v. C. Woods, Inc.*, No. 12-99-00153-CV, 1999 WL 787399, at \*1 (Tex. App.--Tyler Aug. 30, 1999, no pet. h.). The law is well-settled that a void order or judgement is void even before reversal", *VALLEY v. NORTHERN FIRE & MARINE INS. CO.*, 254 U.S. 348, 41 S. Ct. 116 (1920) "Courts are

constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgements and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal." WILLIAMSON v. BERRY, 8 HOW. 945, 540 12 L. Ed. 1170, 1189 (1850). FRCP Rule 60(b) provides that the court may relieve a party from a final judgment and sets forth the following six categories of reasons for which such relief may be granted: (1) mistake, inadvertence, surprise, or excusable neglect; (2) newly-discovered evidence which by due diligence could not have been discovered in time to move for a new trial under Rule 59; (3) fraud, misrepresentation, or misconduct by an adverse party; (4) circumstances under which a judgment is void; (5) circumstances under which a judgment has been satisfied, released, or NA discharged, or a prior judgment upon which it is based has been reversed or otherwise vacated, or it is no longer equitable that the judgment should have prospective application; or (6) any other reason justifying relief from the operation of the judgment. F.R.C.P. Rule 60(b)(1)-(b)(6). To be entitled to relief, the moving party must establish facts within one Of the reasons enumerated in Rule 60(b). When rule providing for relief from void judgments is applicable, relief is not discretionary matter, but is mandatory, Orner. V. Shalala, 30 F.3d 1307 (Cob. 1994). Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 Kiugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985). A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights.' Ex parte Spaulding, 687 S.W.2d at 745 (Teague, J.,concurring). The Court Has A Responsibility To Correct a Void Judgment: The statute of limitations does not apply to a suit in equity to vacate a void judgment. (Cadenasso v. Bank of Italy, p. 569; Estate of Pusey, 180 Cal. 368, 374 [181 P. 648].) This rule holds as to all void judgments. In the other two cases cited, People v. Massengale and In re Sandel, the courts confirmed the judicial power and responsibility to correct void judgments. Section 35-10-9: Sales contrary to article null and void. All sales of real estate, made under powers contained in mortgages or deeds of trust contrary to the provisions of this article, shall be null and void, notwithstanding any agreement or stipulation to the contrary. (Code 1907, §4134; Code 1923, §7849; Code 1940, T. 7, §561.). A void judgment is a nullity from the beginning and is attended by none of the consequences of a valid judgment. It is entitled to no respect whatsoever because it does not affect, impair, or create legal rights." Ex parte Spaulding, 687 5.W.2d at 745 (Teague, J.,concurring). When appeal is taken

from a void judgment, the appellate court must declare the judgment void. Because the appellate court may not address the merits, it must set aside the trial court's judgment and dismiss the appeal.

### **IX. Opinions Below**

BANK OF AMERICA, NATIONAL  
ASSOCIATION

v. KATHI SORRENTINO ET AL.

(AC 43495)

Prescott, Alexander and Vitale, Js. Argued January

11—officially released January 19, 2021

Appeal by the named defendant from the Superior Court in the judicial district of Fairfield, *Spader, J.*

Per Curiam. The judgment is affirmed and the case is remanded for the purpose of setting new law days.

---

### **X. Jurisdiction**

Kathryn Sorrentino's petition for hearing to the Connecticut Supreme Court was denied on April 19, 2022. Kathryn Sorrentino invokes this Court's jurisdiction under 28 U.S.C. § 1257, having filed an extension of time within ninety days of the Supreme Court's judgment, and of this Court's granting an extension of time of 60 days to include September 16<sup>th</sup>, 2022.

### **XI. Constitutional and Statutory Provisions Involved**

United States Constitution, Amendment XIV:

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

28 U.S.C. § 1257

Judgment is a void judgment if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process, Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 *Kiugh v. U.S.*, 620 F.Supp. 892 (D.S.C. 1985).

§ 240.15c1-2 Fraud and misrepresentation.

Sec. 2, 52 Stat. 1075; 15 U.S.C. 78o

## **XII. Statement of the Case**

The Plaintiff filed a complaint, afterwards Plaintiff filed a Motion for Summary Judgement and it was denied as Petitioner did not sign mortgage papers and was not involved or in agreement with the mortgage. (Appendix A) Afterwards, Plaintiff tricked the court into granting a default judgments and a strict foreclosure based the reliance of misleading, deception, and fraud and/or mistake. Petitioners right to due process was violated as Petitioner was barred to argue her side in court as these were default judgments, yet the laws concerning void orders say the Courts did not have subject matter jurisdiction nor personal jurisdiction. Petitioner has been diligent in making the courts aware of these facts, yet, the trial court said,

“As all of the defendant’s motions basically seek to reargue the appeal, which resolved in favor of the plaintiff and certification was denied, the Court has to dismiss the motions as moot as there is no practical relief the Court can provide the defendant. This Court has no inherent authority to overturn a decision of either the Appellate Court or the Supreme Court. What this Court must do, however, is follow specific instructions set for it on a remand.” (Spader, J.)

The appellate court disposed of the Petitioners appeal as “frivolous” and the Connecticut supreme court denied the Petitioners Petition for Certification.

Petitioner now asks this Court to review this case.

### **Timeline of Void Orders**

On May 7, 2014, the Plaintiff filed a Summons and Complaint to foreclose Petitioner’s home without serving her, beyond the 6-year statute of limitations to file suit, and with signatures of Petitioner on mortgage documents that were not authored by Petitioner. On March 2, 2017, Petitioner disclose forensic handwriting expert who submitted proof that Petitioner did not sign mortgage documents. On May 10, 2017 Trial Court (Jenning’s J) DENIED Plaintiff’s Motion for Summary Judgement as there was a genuine issue of material fact (bona fide fraud) as said signatures on mortgage documents were not Petitioners. On February 2, 2017, Plaintiff filed Motion for Strict foreclosure then amended it three times (on July 20, 2017, July 21, 2017, and September 1, 2017) and it still does not comply with the Connecticut Practice Book requirements. On October 13, 2017. On October 24, 2017, Plaintiff deposed Petitioner and asked if she signed the mortgage documents. Petitioner DENIED signing mortgage documents. Later, Plaintiff told the Trial Court that Petitioner “failed to admit” to signing mortgage documents and was granted a default judgement. Plaintiff reclaimed original motion for strict foreclosure (instead of the September 1, 2017, amended “operative” complaint) and on September 16, 2019, Strict Foreclosure was granted and is a void judgement

based on the foregoing fraudulent and deception of Plaintiff. On January 11, 2021, the Appellate Court asked plaintiff's attorney, Scott Harrington, if he deposed Petitioner about signatures. Again, Scott Harrington, Esq. lied to the Appellate Court judges and said she did not "outright" deny them, so he got a default judgment against Petitioner. Again, the Petitioner did "outright" deny them. Petitioner received conflicting directives from the Appellate Court and the Trial Court. Plaintiff filed a motions falsely claiming Petitioners motions disputing issue were "frivolous." Trial court had issued an order that said Petitioner was right, but he was mandated to follow Appellate Order. The Clerk at the Appellate court said they never heard of the Appellate Court making a mistake and to file a motion for reconsideration (even though it was nearly two year old). The Trial Court issued an order saying that the motion for reconsideration is untimely and Petitioner would not prevail, so it would be considered another frivolous motion. The Plaintiff filed, and was granted, a Motion to Terminate all Future Stays of Appeals. Trial Court denies Petitioners Motions without hearings, and no longer grants fee waivers for motions nor appeals. The Petitioner asks this Court to review this case as it is a clear example of the injustice that affects all of the United States. The orders are obviously void and the Appellate Court clearly overlooked the fact that the default judgments relied on the fraud and deception of the Plaintiff. Appellate Court disposed of Appeal claiming it as "frivolous." Supreme Court Denied Certification.

### **XIII. Reasons for Granting the Petition**

To Avoid Erroneous Judicial Violations of Litigants Constitutional Rights and Statutory Laws, This Court Should Promulgate Rules of Procedure for all the United States Courts and Litigants to Follow When a Fact of Error, Mistake, or Oversight Has Been Made By the Appellate Court.

This case presents this Court with an opportunity to set a standard in the face of judicial actions that violate the 14<sup>th</sup> Amendment Due Process rights of litigants. Absent intervention by this Court, the Appellate Courts will work to undermine the carefully-crafted procedural rights of litigants that this Court has spent the past 156 years upholding.

### **X. Conclusion**

For the foregoing reasons and good faith, Kathryn Sorrentino respectfully requests that this Court issue a writ of certiorari to review the judgment of the Connecticut Appellate Court.

Dated this 16<sup>th</sup>, day of September, 2022.

Respectfully submitted by,

PETITIONER

K Sorren  
Kathryn Sorrentino, Self-represented  
212 Curtis Terrace  
Fairfield, Connecticut, 06825  
Telephone: 413-507-7169  
Email: katsorrentino0505@gmail.com