

No. 18-223

IN THE

Supreme Court of the United States

IN RE CHRISTOPHER DAWSON,
Petitioner

CHRISTOPHER DAWSON,
Petitioner,

v.

LITTON LOAN SERVICING LP. (*Now Ocwen*),
OCWEN FINANCIAL CORPORATION,
OCWEN LOAN SERVICING, LLC, and
CONSUMER FINANCIAL PROTECTION
BUREAU; CFPB,
Respondents.

**REPLY TO BRIEF IN OPPOSITION
FOR A WRIT OF MANDAMUS / PROHIBITION**

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November 23, 2018

- QUESTION PRESENTED FOR REVIEW

Respondents, Litton Loan Servicing, LP, Ocwen Financial Corporation, and Ocwen Loan Servicing LLC, has called into question the petitioner's filing for the extraordinary relief of mandamus as seeking to vacate a lower court's judgement and subsequent denial of relief as he failed to appeal. Petitioner, Christopher Dawson, by means of bringing forth the facts and the documentary evidence appended with his original petition and Respondents' Reply Brief, corrects errors of fact & assertions introduced by the Respondents.

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28 U.S.C. § 1651(a) 1, 6



**REPLY TO BRIEF IN OPPOSITION
FOR A WRIT OF MANDAMUS /
PROHIBITION**

Petitioner has requested a writ of mandamus for the protection his of due process rights violated in the trial court and proceedings of his complaint to Consumer Financial Protection Bureau against the Respondents. His petition begs to invoke this Court's writ for Mandamus as its jurisdiction rests on 28 U. S. C. § 1651(a).

Petitioner is not appealing trial court's judgement in favor of the Respondents, nor it's denial of any remedies thereof. Petitioner is requesting writ of Mandamus for the protection of his Due Process Rights which were violated in the;

- A. Proceedings of Trial Court against the Respondents in Wareham District Court,
- B. Complaint against the Respondents with Consumer Financial Protection Bureau, (CFPB).

At the time of said proceedings against the Respondents, Petitioner was unaware but

Respondents, Consumer Financial Protection Bureau and Massachusetts Attorney General, all were well aware that Consumer Financial Protection Bureau along with 49 States and the District of Columbia had filed a complaint and had secured a "Consent Judgement" against the now Respondents, based on the same violations that Petitioner had for long alleged, the Respondents had committed in his individual case. *See Petitioner's original petition 15a.; Appendix C; Exhibit 2 and 41a. Exhibit 3.*

Contrary to Respondents long & voluminous effort to cite the entirety of Petitioner's case proceedings in the trial court/s as an attempt to declare his petition as an appeal and assertion that ***"Mandamus is an extraordinary relief, which is used to compel a judicial officer to exercise existing jurisdiction. It is not used to control a judge's decision, or not meant to vacate a decision made in the exercise of lawful jurisdiction, or to replace a party's right to appeal"***, Petitioner's request for Writ for Extraordinary relief is based on the exhibited and appended facts that;

- 1) Respondents did not follow the trial court proceedings, and Consumer Financial Protection Bureau proceedings with **Clean Hands**. The judgment in the state court against the petitioner and in favor of the Respondents was based on illegal; foreclosure, transfer & assignment of deed, and an inside deal which was an infraction on arm's length principals. Such judgement is in violation of due process rights of the petitioner and should be declared void. Please see **World-Wide Volkswagen Corp. v. Woodson**, 444 U.S. 286 (1980)

“A judgment rendered in violation of due process is void in the rendering State and is not entitled to full faith and credit elsewhere”.

Pennoyer v. Neff, 95 U. S. 714, 95 U. S. 732-733 (1878).

- 2) Trial Court/s proceedings could Not have offered Petitioner a fair trial on his complaint as Attorney General Massachusetts was fully aware of Respondents violations with regard to said Wrongful-Foreclosures practices and eventual Judgement/s from which

AG Massachusetts received certain proceedings.

- C. Consumer Financial Protection Bureau also did not protect Petitioner's due-process rights, refusing his application/s against the Respondents.

See Petitioner's original petition 66a.; Appendix D, Petitioner's Complaint / Letter to Consumer Financial Protection Bureau (CFPB) and 69a.; Appendix E, Petitioner's Complaint / Letter to Consumer Financial Protection Bureau.

As this juncture, Petitioner having no legal recourse left to secure any justice for the violations against him by the Respondents causing continues severe damages in terms of property and other harm.

Whether Christopher Dawson, a disable and indigent senior citizen of United States, has been denied his due process rights, guaranteed under the Fifth and Fourteenth Amendments to the United States Constitution by US District Court District of Massachusetts, Commonwealth of Massachusetts; Wareham District Court and Plymouth County Superior Court, Respondents and Consumer Financial Protection Bureau.

"The Due Process Clauses protect civil litigants who seek recourse in the courts." *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 429, 102 S.Ct. 1148 (1982).

"The Fourteenth Amendment's Due Process Clause has been interpreted as preventing the States from denying potential litigants use of established adjudicatory procedures, when such an action would be "the equivalent of denying them an opportunity to be heard upon their claimed right[s]". Page 455 U. S. 430. *Boddie v. Connecticut*, 401 U. S. 371, 401 U. S. 380 (1971).

This case presents the Court with an opportunity to resolve this issue before future, in addition to the current homeowners, are harmed by denial of due process resulting in loss of property and other damages. This question is recurring, it has and continues to have a significant impact on the modern economy.

**Reasons for Granting the Petition and
Denying the Respondents' demand to
reject it.**

Supreme Court is authorized by 28 U. S. C. §1651(a) to issue a writ for extraordinary relief when such writ will be:

- a) **in aid of the Court's appellate jurisdiction;** Petitioner, and home owners in similar circumstances, has the right as citizens of this country to the true resolution of the lingering situation where due process is denied by state courts and the government as it has in its possession the facts and evidence of wrongdoings on part of Respondents. Petitioner pleads this court to adjudicate on this a matter of huge significance to him and thousands of other American home owner.

- b) **that exceptional circumstances warrant the exercise of the Court's discretionary powers,** To the petitioner, the Government cannot hide or refute its own evidence against the Respondents.

c) **adequate relief cannot be obtained in any other form or from any other court.** Or issuance of the writ of mandamus is inappropriate, if less extreme alternatives of remedy were available, *Kerr v. United States District Court*, 426 U.S. 394 (1976). As evident by Petitioner's Exhibits in his original petition and further elaborated extensively by Respondents' brief, Petitioner sought relief from state & Federal courts, and Government Agency; Consumer Financial Protect Bureau (CFPB), all to No-Justice. His claims and any possible relieves were Denied due to the Falsehood of "facts" presented to the Courts & CFPB by the Respondents. The precise cause of denial for the Petitioner's due-process rights.

Petitioner's right to mandamus relief is clear and indisputable.

Relief Requested

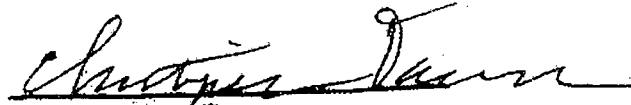
Petitioner, Christopher Dawson requests this court of appropriate Jurisdiction to

- A. Deny Respondents'; Litton Loan Servicing, LP, Ocwen Financial Corporation and Ocwen Loan Servicing, LLC request to deny his Petition.
- B. Vacate and Declare the Wareham District Court's Judgement on Docket Number 1160SU000102 void.
- C. Order examination of petitioner's foreclosure deed evidencing "Sales" to oneself; Respondent / Litton foreclosure sales to Litton, be subject to true test as set forth by CFPB.
- D. Order the Consumer Financial Protection Bureau an agency of the U.S. Government to provide the petitioner his rights as mandated by agency's own rules in pursuing the said wrongdoings by the defendants. Further order the agency to establish protective guideline to regulate "inside dealing" by mortgage servicers - such as Respondent / Litton. so that in future,

adequate and timely assistant will be available to consumers like petitioner.

E. Any other remedy that court deem justifiable for petitioner and consumers alike.

Respectfully submitted,


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