

NO: _____

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

GRACE RUNGU – PETITIONER

VS.

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE –
RESPONDENT(S)**

ON PETITION FOR A WRIT OF CERTIORARI TO

MASSACHUSETTS SUPREME JUDICIAL COURT

MOTION TO EXTEND DEADLINE FOR PETITION FOR WRIT OF CERTIORARI

GRACE RUNGU
44 KEENE ST.
LOWELL, MA 01852
(978) 804-3451



**MOTION FOR EXTENSION OF DEADLINE TO FILE PETITION FOR WRIT
OF CERTIORARI**

NOW COMES Petitioner Grace Rungu and requests an extension of time for 60 days to file her Writ of Certiorari requesting this Honorable Court's review. Below is the general posture of this controversy as background as to its public interest and then request for extraordinary consideration of this last minute request for extension of time to file.

Petitioner was denied reconsideration of her denial for Further Appellate Review on 8/5/24 by the Massachusetts Supreme Judicial Court in Deutsche Bank National Trust Company v. Grace Rungu docket no. FAR-29406. She attaches the relevant decisions in the manner that will be provided with her Petition as well as a Statement of issues and related cases including those of her four hopefully-joint petitioners.

Background and Public Interest

Petitioner Grace is one of five petitioners herewith. All are similarly situated as jointly being denied reconsideration on the same day by the Massachusetts Supreme Judicial Court. Together they had filed for a joining of their reconsiderations of denial of their individual requests for Further Appellate Review ("FAR") of the Appeals Court decisions in the Commonwealth of Massachusetts. (Petitioner files singly because it is not clear if they were joined for reconsideration of the denial of

their FARs or not but believes for effective economic use of judicial resources the US Supreme Court is best served by reviewing them together.)

These five cases represent denials of review in hundreds of Massachusetts cases similarly situated during this 20-year period of a historic rate of foreclosures in the United States.

The Commonwealth of Massachusetts was arguably the sixth hardest hit state, as measured during the height of this foreclosure period.

Massachusetts has a legislated, modified foreclosure by sale foreclosure scheme. However, in these five cases, and close to 100% of all purported foreclosures by sale in Massachusetts, numbering in the vicinity of 125,000, the legislatively mandated procedure of review by a court of competent jurisdiction as an element of foreclosure by sale auction scheme has been systematically omitted by the foreclosing entities/"person selling" (MGL Chapter 244 §§12 & 13.) This step enacted in two parts in 1851 & 1854 was complied with through at least 1996 according to available case law. Failure to comply with the statutes compromising the scheme voids the attempted foreclosure by operation of law. (This and numerous statutory and regulatory unwaivable requirements have been systematically omitted or directly contravened in these cases.)

Instead, the foreclosing entities, if they are the foreclosure purchaser or a third party purchaser (overwhelmingly investors) have impermissibly venue shopped to

avoid a court jurisdiction legislatively authorized to determine true title controversies. The eviction proceeding by Massachusetts statute and close to 200 years of jurisprudence cannot be used to settle a true title controversy.

The Housing Courts, which now adjudicate close to 100% of these cases post-purported foreclosure, explicitly both by recent jurisprudence and statutory law are only authorized to recognize a defendant's affirmative defense or counterclaim that they remain the property title holder. Explicitly omitted is adjudication in contradiction as to the title claim of a plaintiff who commences an eviction case in the Housing Courts. These cases are brought in the Summary Process subject matter only authorized to decide possession.

While a settled title was explicitly legislated when post-purported foreclosure situations were legislatively permitted to use the traditional tenant-landlord eviction procedure with enactment in 1879 (in direct legislative correction to Massachusetts Supreme Judicial Court decisions of that year). The legislated necessity of a predetermined "valid title" was written into the statutory language, in existence to this day.

Recent SJC *stare decisis*¹ has affirmed that once it becomes "apparent" to an eviction case judge that the eviction plaintiff may lack standing, because they are

¹ *Rental Property Management Services v. Hatcher*, 479 Mass. 542 (2018) [SJC-12373] and *Cambridge Street Realty, LLC v. Stewart*, 481 Mass. 121 (2018) [SJC 12440, SJC 12563]

either not the owner or not the lessor, the judge in question must first resolve that standing issue, before proceeding.

In these 5 cases and thousands of others, defendant-homeowners have filed in their Answer their challenge to the Plaintiff purported purchaser's claimed standing as the preexisting title holder. In these 5 cases (and in the majority of other cases known to the 5 petitioners' extensive network of homeowner foreclosure fighters) the eviction proceeding has never been suspended for adjudication of the title or for resolving the Plaintiff's burden of proof of the ownership-requirement .

Further, extensive evidence in social science research, which numerous courts have already relied upon, has made it well recognized that the unprecedented rate of default and foreclosure proceeds from an unprecedented extent of predatory loans, known in Massachusetts jurisprudence as "doomed to foreclosure". The Massachusetts Supreme Judicial Court in *HSBC as Trustee v. Morris*, 490 Mass. 322 (2022) has recently clarified the requirement that review of the origination of the loan as to predatory violations is required. In 3 of these cases, request for review under that new *stare decisis* was denied summarily.

Further, legitimate social science research several years ago documented clear racial and gender bias in Housing Court eviction case outcomes. These 5 cases include exemplifications documented and argued as to such biases. The Massachusetts

judiciary's Access to Justice Commission 2016 study found that 98% of the time defendants lose in eviction cases. All of the *prima facie* evidence of extensive and seriously damaging discrimination in the loss of your unalienable right to possession of real property under Article I of the Massachusetts Bill of Rights (Part the First of the Commonwealth's Constitution), without constitutional due process rights is also extensively documented in these 5 case records.

An associated proceeding in the Massachusetts Supreme Judicial Court in the ultimately combined 46 homeowner multi-party petition, known as *Adjarthey v. Central Housing Court*, 481 Mass. 830 (2019) documented to the SJC the unequal treatment and denial of extensive due process rights by the Housing Court in these post-purported foreclosure eviction cases up to the time of the filing of that petition. Since COVID, more explicitly, the Housing Court (and two of the other 3 courts with legislated jurisdiction over eviction proceedings in Massachusetts) have published suspension of the due process rules unique to eviction cases, known as the Uniform Summary Process Rules, and have announced they will continue to so suspend them indefinitely at this time.

In every one of these cases, therefore, the suspension of all due process rules

is published from the Housing Court Division to the world.²

Basis of Extension to File

The petitioners herein are requesting extension of the date to file, because there are two more Further Appellate Reviews of two similarly situated litigants and cases sitting at the Massachusetts Supreme Judicial Court at this time. One of them, the factual record is a far simpler exposition of the above denials. If the Supreme Judicial Court does not take that Further Appellate Review, nor the other similarly situated homeowner (whose case lacks only the possession part of the problems experienced herein) then this matter will be fully ripe for consideration by the U.S. Supreme Court.

If, instead, the Massachusetts Supreme Judicial Court takes these two cases,

² The Summary Process Rules, which are unique to eviction cases in Massachusetts, were specially created:

“The summary process statute, G.L. c. 239, and the Uniform Summary Process Rules, evidence the General Court’s clear intent that possession of residential dwellings be recovered through a carefully-constructed procedure which invokes vigilant judicial supervision in situations where fundamental rights to home and shelter are uniquely and commonly susceptible to abuse.” Brief, p.38, Mass. Attorney General Scott Harshbarger, *Attorney General v. Dime Savings Bank FSB*, 413 Mass. 284, (1992)

Summary Process Rule 1 includes that “Procedures in such actions that are not prescribed by these rules shall be governed by the Massachusetts Rules of Civil Procedure ...”. Therefore, all due process rules that could apply to these cases are, likewise, in suspension.

and:

(i) adjudicates all the implicated real property rights (especially as to title, mortgaging and foreclosure, but also as to possession). It would have to do so in conformance with the history of not only real property law and possession law which have further eroded since its first decision in the *U.S. Bank as Trustee v. Ibanez*, (Jan. 7, 2011). It would also have to enforce the legislated due process protective mandated statutory proceeding to review foreclosure by sale auctions, and reinstates the full panoply of summary process due process rules in their full bodied form.

Further, the Massachusetts Supreme Judicial Court needs to adjudicate these matters in compliance with the 1976 amendment to Massachusetts Bill of Rights Article I as to the explicit constitutional promulgation of equal property rights for the five protected classes listed therein.³

To date, in the almost 50 years since this constitutional amendment amendment, the Massachusetts Supreme Judicial Court has avoided all such review and enforcement. At best, this leaves to the lower courts what appears to be a discretionary

³ Massachusetts Constitution Amendment Article CVI: Article I of Part the First of the Constitution is hereby annulled and the following is adopted:-
All people are born free and equal and have certain natural, essential and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property; in fine, that of seeking and obtaining their safety and happiness. Equality under the law shall not be denied or abridged because of sex, race, color, creed or national origin.

obligation, which has, in the jurisprudence of this time period, been shown to be the equivalent of allowance of discrimination.⁴

However, it is not unreasonable to hope given that these matters have now devolved to the point, arguably, of no meaningful judicial enforcement in these areas, that the Massachusetts Supreme Judicial Court will finally act and intervene and this Honorable Court will not need to take up these matters.

Request for Last Minute Extension Given Extraordinary Circumstances

Petitioner Grace Rungu, as one these hopefully five joint petitioners, apologizes to the Court and requests extraordinary consideration.

The Petitioners realized from the rules, now, that they should have filed for this extension 10 days before the deadline. They had delayed in preparing, because there was every hope that the Massachusetts Supreme Judicial Court would pick up, by now, one of the other similarly situated Further Appellate Review petitions, or

⁴ In *Miller v. Countrywide Bank, N.A.* 571 F. Supp. 2d 251,254 (D. Mass. July 30,2008), Judge Nancy Gertner of the United States District Court for the District of Massachusetts held: “Where the allocation of subjective decision-making authority is at issue, the “practice” amounts to the *absence* of a policy that allows racial bias to seep into the process. Allowing this “practice” to escape scrutiny would enable companies responsible for complying with anti-discrimination laws to “insulate” themselves by “refrain[ing] from making standardized criteria absolutely determinative.” *Watson v. Fort Worth Bank*, 487 U.S. 977,990 (1988). . . .” The allowance of such “seepage” evades the special judicial role for enforcement of equal rights and due process.

address the case that the Supreme Judicial Court reopened for reconsideration that was heard.

This last is the *FNMA and Cardoso v. Branch*, SJC-13510 CASE. *Amicus* filings into that case by Grace C Ross included irrefutable demonstration of historic level fraud on the SJC and Massachusetts Court; this was provided with Massachusetts Registries of Deeds evidence of the front page of Foreclosure Deeds in some 19,000 foreclosure by sale situations (calculated from 814 actual hard copy examples submitted to the SJC.)

These Foreclosure Deeds show a violation of Massachusetts statutory consumer and real property statutory and regulatory law. The core violations was reaffirmed as still in force in, arguably, the most famous case in this historic foreclosure crisis of *U.S. Bank National Association v. Ibanez*, 458 Mass. 637 (2011). The proof of this violation is based upon the wording published on the front of each of these Foreclosure Deeds of exercising an exemption under Massachusetts Department of Revenue law which was not available to mortgagee who published and purportedly executed these foreclosures by sale; this proves up the facts of these estimated 19,000 illegal foreclosures. Because of Massachusetts judicial requirements, this also represents 19,000 to perhaps 60,000 fraudulently entered and prosecuted judicial proceedings.

Petitioners had full faith that either that case or the 3 FARs awaiting Supreme Judicial Court acceptance or denial meant that they would not need to seek this Court's review.

Secondly, they are all *pro se*. None of them have ever even looked at U.S. Supreme Judicial Court requirements. This is also 5 *pro se* litigants needing to coordinate and work together and with their extensive nonlawyer support team. Thereby, the process of getting all of the paperwork and all the filing together, alone, is, shall we say, more than daunting.

Third, they are unfamiliar with the rules. They had to fill out new paperwork, for which their extensive network has no templates, and learn the procedures and standards for the Court, the last of which they hope they have done an acceptable job of understanding.

Fourth, this is a case worthy of preserving. Given that the historic rate of foreclosures has led to unprecedented scale of impact and harm to U.S. households. For example, during the first 4 years of the historic foreclosure crisis between 2005-2009: Latino households lost 66% of median wealth; Black households lost 54% median wealth; Asian households lost the 53% median wealth loss with 34% attributable to foreclosures.⁵ While that research by the Pew Charitable Trust was only done

⁵ Kochhar R, Fry R, Taylor P. Twenty-to-One: Wealth Gaps Rise to Record Highs

for the first 4 years of historic rates of foreclosure, foreclosures continue at an unprecedented rate in this, the 20th year of this crisis.

Research by a Northeastern Law class, guided by their professor, has also just yielded a surprising, concerning and instructive result. In their commencing their review of states with similar fundamental property law as to that of Massachusetts (for instance, the Statute of Frauds as to real property first promulgated in English law in 1673), they have found in the 4 states whose lexicon they have researched extensively at this point: in none of those states, have the kind of litigated attempts to enforce their real property laws, as exist in now extensive Massachusetts jurisprudence, even appear. That is, this critical area of real property rights – one of three unalienable rights – which has been so profoundly endangered and done so in violation of the 14th and, often, 5th Amendment, are going unchallenged in any real measure in these four state's courts. The exception is herein the Massachusetts courts with the 16-year organized homeowner actions in the Commonwealth of Massachusetts. The cases must come up from this state it appears.

As this is one of the recognized most important areas of rights, and explicitly recognized as one of the “last vestiges of slavery” that the 14th Amendment was

between Whites, Blacks and Hispanics. Washington, D.C: Pew Research Center; 2011. Jul 26

passed to champion and finally achieve, the preservation of a full lower court record in 5 exemplary cases, (and, hopefully, a couple more added with the 60 day extension) is an opportunity for the adjudication of justice that is a unique opportunity for this Court in preserving this joint petition. This court's consideration could uniquely preserve these endangered rights and for the first time in our history, ensure them equally for all.

Respectfully submitted,



Grace Rungu
46 Keene St.
Lowell, MA 01852

Date: November 4, 2024

STATEMENT OF ISSUES

- Can the Massachusetts Courts allow the transfer of title to land as if legal, without adjudication and in direct violation of the land law and jurisprudence of the state and fail to adjudicate the title controversy put before it by the last clear title-holder in compliance with jurisprudence?
- Can a Massachusetts Court of limited jurisdiction order transfer of the right to occupy and determine who is in trespass, known as “possession”, in violation of the state’s statutory law, jurisdictional statutes, caselaw, and Supreme Judicial Court promulgated rule, when it is explicitly an unalienable property right element in Article I of the Commonwealth’s Bill of Rights requiring both Strict Judicial Scrutiny and Due Process and Procedures tailored uniquely to claims to gain possession?
- Can the equal rights as to the above unalienable property rights be refused and/or avoided in adjudication, both as to private discriminatory acts and judicial discriminatory acts?
- Can state and federal rule and law as to the limitations on the use of summary judgment be judicially ignored and functionally erased to provide the moving party and the court absolution from addressing the material difference presented by the well pled facts of the nonmoving party?
- Can the due process requirement of an evidentiary hearing and the production of proofs and the right to cross examination as to facts in material dispute be denied defendants, especially those in classes recognized to be presumptively disbelieved?
- Can all due process and any judicial review be denied as to a property right taking against the will of the present holder of that property right?

APPENDIX A

NOTICE: Summary decisions issued by the Appeals Court pursuant to M.A.C. Rule 23.0, as appearing in 97 Mass. App. Ct. 1017 (2020) (formerly known as rule 1:28, as amended by 73 Mass. App. Ct. 1001 [2009]), are primarily directed to the parties and, therefore, may not fully address the facts of the case or the panel's decisional rationale. Moreover, such decisions are not circulated to the entire court and, therefore, represent only the views of the panel that decided the case. A summary decision pursuant to rule 23.0 or rule 1:28 issued after February 25, 2008, may be cited for its persuasive value but, because of the limitations noted above, not as binding precedent. See Chace v. Curran, 71 Mass. App. Ct. 258, 260 n.4 (2008).

COMMONWEALTH OF MASSACHUSETTS

APPEALS COURT

21-P-931

DEUTSCHE BANK NATIONAL TRUST COMPANY, trustee,¹

vs.

GRACE RUNGU.

MEMORANDUM AND ORDER PURSUANT TO RULE 23.0

This appeal relates to a postforeclosure eviction. The defendant, Grace Rungu (Rungu) is the former owner of a residential property of which the plaintiff, Deutsche Bank National Trust Company (Deutsche Bank), trustee, is now the record owner. After a series of cross motions for summary judgment, a judge of the Housing Court awarded possession and use and occupancy payments to Deutsche Bank. In Rungu's pro se appeal, she makes several claims including that the judge of the Housing Court erred in granting summary judgment in favor of Deutsche Bank. Finding no error, we affirm.

Background. In March of 2004, Rungu's husband, Norman Emond, as the surviving joint tenant, became the sole owner of a

¹ For Morgan Stanley Home Equity Loan Trust 2006-03, Mortgage Pass Through Certificates, Series 2006-3.

two-family home located at 44-46 Keene Street in the city of Lowell (the property). In June of 2004, Emond borrowed approximately \$185,000 from Optima Mortgage Corporation that was secured by a mortgage granted to Mortgage Electronic Registration Systems, Inc. (MERS), as nominee for Optima Mortgage Corp. Prior to his death in 2005, Norman Emond was in default on the mortgage loan. Rungu purchased the property at foreclosure, signing a mortgage in 2006 for approximately \$210,800.² For about three years Rungu, for the most part, was able to pay the mortgage. Unfortunately, she then experienced financial difficulties and completely stopped paying the mortgage in 2009. That same year, Rungu's loan was assigned to Deutsche Bank. In 2017 Deutsche Bank sent notice to Rungu pursuant to G. L. c. 244, § 35A, to cure her default and information about her right to seek modification of the loan. Rungu did not cure the default and did not modify her monthly payments and in 2018 Deutsch Bank pursued foreclosure. At the foreclosure sale, Deutsch Bank was the highest bidder and purchased the property for approximately \$300,000. Deutsche

² In her answers to interrogatories, Rungu denies that she bid on the property and claims that her attorney at the time committed fraud and signed her name. In the statement of facts contained in her brief, however, she states that she signed the mortgage and note.

Bank then commenced this action in the Housing Court for possession and use and occupancy payments.

Discussion. On appeal, Rungu presents eight arguments with several sub-arguments and then attempts to preserve another eighteen arguments for "future argument." We note at the outset that the defendant, while acting pro se, is still required to abide by the Massachusetts Rules of Appellate Procedure and is held to the same standard as litigants represented by counsel. See Maza v. Commonwealth, 423 Mass. 1006, 1006 (1996). While we have offered some leniency to Rungu in her filings, her brief does not come close to presenting an acceptable appellate argument -- it does not contain one citation to the record appendix, the record appendix is mostly unnumbered, and her brief does not comply with page limitations, to mention just a few. Her failure to substantially comply with the rules of appellate procedure leaves us in a position that we are unable to analyze most of her arguments. We are not required to consider appellate arguments that fall below a minimal quality of competent legal argument. See Zora v. State Ethics Comm'n, 415 Mass. 640, 642 n.3 (1993); Mass. R. A. P. 16 (a) (9), as appearing in 481 Mass. 1628 (2019). As a result, we are lacking both a factual basis and legal argument with citations to the record and authorities to permit meaningful appellate review of most of the issues raised on appeal.

However, given her pro se status, we have reviewed the entire record and arguments in order to determine whether we can address any of the arguments raised on appeal. There are only two claims that Rungu has arguably presented sufficient legal authority and evidence to be addressed: first, whether the judge erred by failing to apply the correct standard for summary judgment and second, whether the judge erred in relying upon the affidavit of Melaney Atencio, the eviction manager at Deutsche Bank. We address each in turn.

1. Summary Judgement standard. We review a decision to grant summary judgment de novo. Ritter v. Massachusetts Cas. Ins. Co., 439 Mass. 214, 215 (2003). We look to see whether when "viewing the evidence in the light most favorable to the nonmoving party, all material facts have been established and the moving party is entitled to judgment as a matter of law." Augat, Inc. v. Liberty Mut. Ins. Co., 410 Mass. 117, 120 (1991).

Rungu claims that the judge erred by deciding disputed issues of material facts. This claim fails because at least in part, it relies upon an affidavit that was properly stricken from the record as it was filed with the court after the close of the hearing. Rungu makes no argument that striking the affidavit constituted an abuse of discretion. Therefore, the only "disputed" facts are Rungu's own self-contradictory statements and affidavits, which are insufficient to survive

summary judgment. The nonmoving party cannot defeat a motion for summary judgment by submitting self-contradicting affidavits because they are insufficient as a matter of law to create a genuine issue of material fact. See Locator Servs. Group Ltd. v. Treasurer & Receiver Gen., 443 Mass. 837, 864 (2005).

Finally, that some facts are in dispute will not defeat a motion for summary judgment. "The point is that the disputed facts must be material." Janzabar, Inc. v. David Crystal, Inc., 82 Mass. App. Ct. 648, 649 (2012), quoting Hudson v. Commissioner of Correction, 431 Mass. 1, 5 (2000). Rungu has not made that showing here.

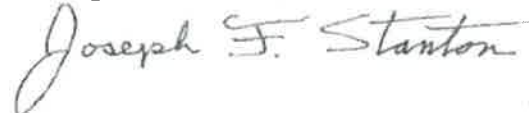
2. Atencio affidavit. The defendant claims that summary judgment should not have entered in favor of the plaintiff because Melaney Atencio's affidavit (the eviction manager for the loan servicer for Deutsche Bank), failed to attest to personal knowledge of the facts contained in her affidavit and instead averred that certain facts were "upon information and belief." Rungu is correct that Mass. R. Civ. P. 56 (e), 365 Mass. 824 (1974), requires that an affidavit submitted in support of summary judgment must be based upon personal knowledge of facts that would be admissible in evidence. "A useful rough test for evaluating the evidentiary sufficiency of an affidavit is simply: If the affiant were in court, testifying word-for-word in accordance with the contents of the

affidavit, would the judge sustain an objection on any ground whatsoever? If the answer is 'Yes' or even 'Probably' the affidavit is at risk." J.W. Smith & H.B. Zobel, Rules Practice § 56.6, at 281 (Supp. 2022-2023).

First, we note that the proper procedure would have been for Rungu to have filed a motion to strike the affidavit. See Fowles v. Lingos, 30 Mass. App. Ct. 435, 439-440 (1991). Second, and the reason that Rungu's argument cannot succeed, is that when read in its entirety, the affidavit states that Atencio had personal knowledge of the information provided in the affidavit as she was the eviction manager for Deutsche Bank's servicer and was familiar with the documents that she attached to the affidavit. See First Nat'l Bank of Cape Cod v. North Adams Hoosac Sav. Bank, 7 Mass. App. Ct. 790, 793-794 (1979). There was no error by the judge as her affidavit was sufficient. For these reasons, we affirm the judgments.

Judgments affirmed.

By the Court (Milkey, Walsh & Smyth, JJ.³),



Clerk

Entered: June 9, 2023.

³ The panelists are listed in order of seniority.

EXHIBIT B

EXHIBIT C

FAR-29406 - Notice: FAR denied

SJC Full Court Clerk SJCCommClerk@sjc.state.ma.us via geeseflight.com

12:50 PM

to grace

Supreme Judicial Court for the Commonwealth of Massachusetts

RE: Docket No. FAR-29406

DEUTSCHE BANK NATIONAL TRUST COMPANY, trustee

vs.

GRACE RUNGU

Housing Court. Northeast No. 18H77SP005705

A.C. No. 2021-P-0931

NOTICE OF DENIAL OF APPLICATION FOR FURTHER APPELLATE REVIEW

Please take note that on January 12, 2024, the application for further appellate review was denied.

Francis V. Kenneally Clerk

Dated: January 12, 2024

To: Jeffrey B. Loeb, Esquire
Kevin Polansky, Esquire
Christine Kingston, Esquire
Lyndsey Stults, Esquire
Grace Rungu
Dawn Thompson
Sarah McKee
Karen Merritt
Jeb Mays
Esther Ngotho
Lynne Layton
James Jennings
Jay H. Lively
Grace C. Ross
Alton King,

Fwd: FAR-29406 - Notice of docket entry

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

From: **SJC Full Court Clerk** <SJCCommClerk@sjc.state.ma.us>

Date: Fri, Apr 19, 2024, 6:00 PM

Subject: FAR-29406 - Notice of docket entry

To: <Kenyaqueen321@gmail.com>

Supreme Judicial Court for the Commonwealth of Massachusetts

Telephone

RE: No. FAR-29406

DEUTSCHE BANK NATIONAL TRUST COMPANY, trustee

vs.

GRACE RUNGU

NOTICE OF DOCKET ENTRY

Please take note the following entry was made on the docket.

Petition for en banc further appellate review filed by Grace Rungu. (4/19/2024: (Treating as a motion for reconsideration) The motion is denied).

Very truly yours,

The Clerk's Office

Dated: April 19, 2024

To:

Jeffrey B. Loeb, Esquire

Kevin Polansky, Esquire

Christine Kingston, Esquire

Lyndsey Stults, Esquire

Grace Rungu

Dawn Thompson

Sarah McKee

Karen Merritt

Jeb Mays

Esther Ngotho

Lynne Layton

James Jennings

Jay H. Lively

Grace C. Ross

Alton King, Jr.

EXHIBIT D

FAR-29406 - Notice of docket entry

From: **SJC Full Court Clerk** <SJCCommClerk@sjc.state.ma.us>

Date: Mon, Aug 5, 2024, 7:24 PM

Subject: FAR-29406 - Notice of docket entry

To: <Kenyaqueen321@gmail.com>

Supreme Judicial Court for the Commonwealth of Massachusetts

Telephone

RE: No. FAR-29406

DEUTSCHE BANK NATIONAL TRUST COMPANY, trustee

vs.

GRACE RUNGU

NOTICE OF DOCKET ENTRY

Please take note that on August 5, 2024, the following entry was made on the docket.

DENIAL of petition to reconsider denial of FAR application.

Very truly yours,

The Clerk's Office

Dated: August 5, 2024

To:

Jeffrey B. Loeb, Esquire

Kevin Polansky, Esquire

Christine Kingston, Esquire

Lyndsey Stults, Esquire

Grace Rungu

Dawn Thompson

Sarah McKee

Karen Merritt

Jeb Mays

Esther Ngotho

Lynne Layton

James Jennings

Jay H. Lively

Grace C. Ross

Alton King, Jr.

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


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been furnished on November 4, 2024 by US Mail upon the following:

PLAINTIFF/APPELLEE

Jeffrey B. Loeb, Esquire
% Rich May, P.C.
176 Federal Street 6th Floor
Boston, MA 02110

Kevin Polansky, Esquire
Christine Kingston, Esquire
Lyndsey Stults, Esquire
% Nelson Mullins Riley & Scarborough LLP
One Financial Center 35th Floor
Boston, MA 02111



Grace Rungu
46 Keene St.
Lowell, Massachusetts 01852
978-804-3451
kenyaqueen321@gmail.com