

1 Case No.: 24A726
2 **In The Supreme Court of The United States**

3 **In re:**
4 **Sarah Nathreen Nakanwagi,**
5 **Petitioner,**
6 **v.**
7 **Denver Housing Authority,**
8 **Respondent,**
9 **and**
10 **Holland Residential, LLC,**
11 **Nominal Party.**

13 **Emergency Application for an Injunction Pending Appeal**
14 Pursuant to Supreme Court Rule 23

16 **On Appeal from:**

- 17 a) The United States Court of Appeals for the Tenth Circuit (Case No.: 25-
18 1021)
19 b) The United States District Court for the District of Colorado (Case No.:
20 1:25-cv-00051-RMR)
-

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1 **Emergency Application for an Injunction Pending Appeal**

2 To the Honorable Justice Neil Gorsuch, Associate Justice of the Supreme Court of
3 the United States and Circuit Justice for the Tenth Circuit:

4 Pursuant to Supreme Court Rule 23, Plaintiff-Appellant Sarah Nathreen
5 Nakanwagi respectfully submits this Emergency Application for an Injunction
6 Pending Appeal to halt eviction proceedings that could occur imminently
7 following the Tenth Circuit Court of Appeals' denial of her emergency motion on
8 January 12, 2025, and to prevent irreparable harm while this matter is under
9 review. This urgent matter underscores the judiciary's role in enforcing federally
10 protected rights and addressing systemic discrimination within federally funded
11 programs.

12 **I. Introduction**

13 This case is a watershed moment for the United States Supreme Court to reaffirm
14 its historic role as the ultimate guardian of civil rights, equity, and justice. At
15 issue is far more than an individual eviction; this case highlights the intersection
16 of systemic discrimination, federal preemption, and the irreparable harm caused
17 by the failure of federally funded entities to meet their legal obligations under
18 Title VI of the Civil Rights Act of 1964 and the Fair Housing Act (FHA). This is
19 not merely a dispute about housing; it is a profound test of the nation's
20 commitment to ensuring that federal protections serve as robust safeguards
21 against discrimination, exclusion, and inequity.

22 Plaintiff-Appellant, a Black woman with disabilities and of Ugandan national
23 origin, participates in the federally funded Section 8 Housing Choice Voucher
24 Program, which was created to provide housing stability to vulnerable
25 populations. Despite the program's mandates for equitable and non-
26 discriminatory administration, Defendant-Appellee Denver Housing Authority
27 (DHA) failed to remit Housing Assistance Payments (HAP) to Plaintiff-
28 Appellant's landlord, Sabine Apartments, leading directly to eviction proceedings.
This failure excluded Plaintiff-Appellant from the benefits of the Section 8

1 program, violating the anti-discrimination protections of Title VI and the FHA—
2 statutes enacted to address systemic inequities in housing and ensure that no
3 person is denied federally funded benefits due to their race, national origin,
4 disability, or other protected characteristics.

5 The lower courts denied Plaintiff-Appellant’s Emergency Motion for Temporary
6 Restraining Order and Injunctive Relief, mischaracterizing facts yet petitioner
7 Sarah used unambiguous English throughout, disregarding binding federal law,
8 misapplying established legal principles, dismissing compelling evidence of
9 irreparable harm, and failing to recognize the systemic inequities at the heart of
10 this case. These decisions are emblematic of a broader judicial neglect that
11 perpetuates barriers to justice and entrenches systemic discrimination. By failing
12 to intervene, the courts have not only jeopardized Plaintiff-Appellant’s health,
13 housing, and dignity but also undermined the integrity of federal housing
14 protections intended to serve as a lifeline for vulnerable populations.

15 This case exemplifies the broader implications of systemic exclusion and housing
16 inequities. The denial of Plaintiff-Appellant’s federally funded benefits has placed
17 her at imminent risk of homelessness—a devastating harm compounded by her
18 race, disability, and national origin. The consequences of this exclusion extend
19 beyond the immediate, threatening long-term destabilization of Plaintiff-
20 Appellant’s health, economic security, and access to housing. This failure is
21 antithetical to Congress’s intent in enacting Title VI and the FHA and cannot be
22 allowed to stand.

22 The Supreme Court’s intervention is urgently needed to:

- 23 1. **Reaffirm the Supremacy of Federal Law:** Ensure that state eviction laws
24 and administrative failures do not undermine federally mandated protections
25 designed to promote housing equity and eliminate systemic discrimination.
- 26 2. **Uphold Civil Rights Protections:** Enforce the mandates of Title VI and
27 the FHA to hold federally funded entities accountable for their obligations to
28 administer programs equitably and without discrimination.

1 **3. Prevent Irreparable Harm:** Protect Plaintiff-Appellant from the life-
2 altering consequences of eviction, including homelessness, exacerbated health
3 issues, and systemic exclusion, which these federal protections were
4 specifically designed to prevent.

5 This case transcends the circumstances of one individual. It is a clarion call for
6 judicial leadership to correct systemic inequities, enforce federal preemption, and
7 ensure the integrity of federally funded programs. The judiciary's duty to uphold
8 the rule of law, particularly in cases involving vulnerable populations, requires
9 swift and decisive action. By granting Plaintiff-Appellant's Emergency Motion for
10 Injunctive Relief, this Court will not only prevent immediate and devastating
11 harm but also reaffirm its commitment to fairness, equity, and justice for all.

12 The significance of this case cannot be overstated. It presents an opportunity for
13 the Supreme Court to restore faith in federally funded programs, demonstrate its
14 unwavering commitment to protecting vulnerable populations, and set a
15 powerful precedent that ensures civil rights protections are robustly enforced. Let
16 this case stand as a testament to the principles of equality and justice that
17 underpin the rule of law and reaffirm the nation's commitment to protecting its
18 most vulnerable citizens from systemic inequities.

19 For these reasons, Plaintiff-Appellant respectfully urges this Court to act
20 decisively, grant the requested emergency relief, and affirm its historic role as the
21 guardian of justice, equity, and fairness in the face of systemic inequities and
22 profound challenges to the rule of law.

23 **II) Questions Presented**

- 24 1. *Does a federally funded entity's failure to comply with Title VI and FHA*
25 *mandates, excluding a participant from federally funded benefits, constitute*
26 *irreparable harm warranting emergency injunctive relief?*
- 27 2. *Does federal law under Title VI and the FHA preempt state eviction laws*
28 *when a recipient of federal funds excludes participants from program*
benefits, creating a direct conflict with federal housing objectives?

- 1 3. *Do systemic failures and statistical disparities establish a prima facie case of*
2 *disparate impact and disparate treatment under Title VI and the FHA,*
3 *requiring judicial intervention?*
- 4 4. *Are federal courts obligated to grant injunctive relief in cases where systemic*
5 *discrimination results in irreparable harm to members of protected classes?*
- 6 5. *Does the public interest in upholding civil rights laws and ensuring equitable*
7 *housing access compel judicial intervention to prevent exclusion from*
8 *federally funded programs?*
- 9 6. *Does judicial failure to correctly interpret and apply civil rights protections,*
10 *combined with systemic biases, necessitate Supreme Court oversight to*
11 *ensure equal access to justice? Moreover, how do these judicial oversights*
12 *perpetuate broader patterns of systemic exclusion, eroding public confidence*
13 *in the judiciary's role as a guardian of civil rights? These questions call for*
14 *urgent consideration of the judiciary's role in addressing systemic inequities*
15 *and ensuring that federal protections are uniformly applied to prevent the*
16 *erosion of justice and equality.*

17 **III) List of parties**

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

19 **IV) Statement of the Case**

20 **A. The Section 8 Housing Choice Voucher Program: A Lifeline for** 21 **Vulnerable Populations**

22 The Section 8 Housing Choice Voucher Program, established under 42 U.S.C. §
23 1437f, is a cornerstone of federal housing policy aimed at ensuring safe, sanitary,
24 and affordable housing for low-income families, the elderly, and individuals with
25 disabilities. Administered by the U.S. Department of Housing and Urban
26 Development (HUD) in collaboration with local housing authorities, the program
27 serves as a critical tool in combating homelessness and systemic housing
28 inequities.

Key to the program's success is the timely and accurate disbursement of Housing

1 Assistance Payments (HAP) to landlords, which prevents eviction and ensures
2 housing stability for millions of vulnerable participants. The program operates
3 under strict federal mandates that prohibit discrimination and inequitable
4 practices, as enshrined in Title VI of the Civil Rights Act of 1964 and the Fair
5 Housing Act (FHA). These statutes require federally funded entities, such as the
6 Denver Housing Authority (DHA), to administer housing benefits equitably,
7 without regard to race, national origin, or disability, and to actively work against
8 systemic inequities.

9 **B. Plaintiff-Appellant's Experience: A Case of Systemic Exclusion**

10 Plaintiff-Appellant, Sarah Nathreen Nakanwagi, is a U.S. citizen of Ugandan
11 origin with documented disabilities as defined by 42 U.S.C. § 3602(h) and 42
12 U.S.C. § 12102. As a participant in the Section 8 program, she relied on DHA's
13 contractual commitment to remit \$1,835 in monthly Section 8 HAP directly to
14 her landlord, Sabine Apartments, which she moved into on 31st May 2024. These
15 payments were essential to maintaining stable housing and ensuring
16 accommodations critical to her disabilities.

17 Despite its clear legal and contractual obligations, DHA failed to remit the
18 required Section 8 HAP payments for several months to Sabine Apartments. On
19 December 14, 2024, Plaintiff-Appellant received her first notice of DHA's
20 noncompliance in the form of a demand for compliance or possession from her
21 landlord. This failure thrust Plaintiff-Appellant into the devastating position of
22 facing imminent eviction, with catastrophic consequences for her health, housing
23 stability, and dignity.

24 In response, Plaintiff-Appellant promptly filed an Emergency Motion for a
25 Temporary Restraining Order and Injunctive Relief in the District Court of
26 Colorado. She sought to halt the eviction proceedings and compel DHA to meet
27 its federally mandated obligations. However, on January 9, 2025, the District
28 Court denied her motion, erroneously concluding that she failed to demonstrate
irreparable harm and misrepresenting the timeline of events. The court

1 disregarded the well-documented systemic inequities, the evidence of disparate
2 impact, and the life-altering consequences of eviction for individuals with
3 intersecting vulnerabilities.

4 On January 12, 2025, the Tenth Circuit Court of Appeals affirmed the lower
5 court's denial, offering no substantive analysis and dismissing Plaintiff-
6 Appellant's claims with the assertion that she had "zero likelihood of success."
7 This decision reflects a profound misapplication of binding federal law, a failure
8 to recognize the supremacy of federal housing protections over conflicting state
9 eviction laws, and a disregard for the precedent that presumes irreparable harm
10 in cases involving civil rights violations.

11 **C. The Broader Legal and Systemic Implications**

12 This case exemplifies the systemic failures that undermine the effectiveness of
13 federal housing protections and perpetuate exclusionary practices. DHA's failure
14 to remit HAP payments constitutes a direct violation of Title VI and the FHA,
15 both of which were enacted to eliminate discriminatory barriers to housing and
16 ensure equitable access to federally funded benefits. These failures are not
17 isolated incidents; they highlight broader patterns of systemic discrimination,
18 administrative neglect, and judicial oversight that disproportionately impact
19 vulnerable populations, particularly Black women with disabilities.

20 The lower courts' decisions exacerbate these systemic failures by disregarding the
21 irreparable harm caused by eviction, including the immediate risks of
22 homelessness, health deterioration, and social destabilization. These outcomes
23 are particularly severe for Plaintiff-Appellant, whose intersecting identities
24 amplify her vulnerability to systemic inequities. By failing to acknowledge these
25 realities, the courts have not only denied Plaintiff-Appellant the protections
26 guaranteed by federal law but have also signaled a troubling tolerance for
27 systemic exclusion and inequity.

28 **D. The Supreme Court's Role in Correcting Systemic Inequities**

The issues presented in this case extend far beyond the circumstances of one

1 individual. They strike at the core of the judiciary's role in safeguarding civil
2 rights, enforcing federal preemption, and ensuring that federally funded
3 programs operate with integrity and fairness. The Supreme Court's intervention
4 is essential to address the following critical imperatives:

- 5 1. **Upholding Federal Supremacy:** Ensure that federal protections under
6 Title VI and the FHA are not undermined by state eviction laws or
7 administrative failures. The Supremacy Clause mandates that federal law
8 supersedes conflicting state actions, particularly when those actions
9 undermine the objectives of federally funded programs designed to eliminate
10 systemic inequities.
- 11 2. **Enforcing Civil Rights Protections:** Reaffirm the judiciary's commitment
12 to enforcing Title VI and the FHA, which prohibit discrimination and require
13 equitable administration of federally funded programs. This includes holding
14 DHA accountable for its failure to meet its legal obligations, which directly
15 excluded Plaintiff-Appellant from the benefits of the Section 8 program.
- 16 3. **Preventing Irreparable Harm:** Protect Plaintiff-Appellant from the
17 devastating consequences of eviction, including homelessness, exacerbated
18 medical conditions, and systemic exclusion. The judiciary has long recognized
19 that statutory violations involving civil rights protections constitute
20 irreparable harm, as such violations strike at the core of an individual's
21 dignity, security, and access to justice.
- 22 4. **Setting a Precedent for Robust Civil Rights Enforcement:** Use this
23 case as an opportunity to establish a national precedent that ensures federally
24 funded entities remain accountable to their obligations under Title VI and the
25 FHA. Such a precedent is essential to preserving public confidence in the
26 judiciary's role as a guardian of fairness, equity, and justice.

26 **E. The Need for Immediate Relief**

27 The urgency of this case cannot be overstated. Plaintiff-Appellant faces imminent
28 eviction, with no assurance of when such action will occur, compounding her

1 stress and health risks. The Denver Housing Authority's failure to fulfill its
2 obligations has already subjected Plaintiff-Appellant to undue hardship and
3 systemic exclusion, directly contravening the intent of Congress in enacting
4 federal housing protections. Without immediate judicial intervention, these
5 harms will escalate, threatening not only Plaintiff-Appellant's well-being but also
6 the integrity of federal housing programs nationwide.

7 This Court's intervention will not only prevent irreparable harm to Plaintiff-
8 Appellant but will also reinforce the nation's commitment to equity and civil
9 rights. By granting the requested emergency relief, the Court has the opportunity
10 to restore faith in federally funded programs, correct systemic inequities, and
11 reaffirm the judiciary's role as the ultimate safeguard of justice.

12 **V) ARGUMENT**

13 **1. Federal Jurisdiction and Supremacy of Federal Law**

14 At the heart of this case lies the supremacy of federal law and the judiciary's
15 critical role in safeguarding the integrity of federally funded programs such as the
16 Section 8 Housing Choice Voucher Program (Section 8). The Section 8 program
17 is a cornerstone of federal housing policy, designed to provide stable, affordable
18 housing for low-income families, the elderly, and individuals with disabilities.
19 These objectives are explicitly protected under Title VI of the Civil Rights Act of
20 1964 and the Fair Housing Act (FHA), which mandate non-discrimination and
21 equitable access to federally funded programs. These protections underscore the
22 federal government's commitment to safeguarding vulnerable populations from
23 systemic exclusion.

24 The Section 8 program, codified at 42 U.S.C. § 1437f, operates under federal
25 jurisdiction and preempts conflicting state laws under the Supremacy Clause.
26 The Supremacy Clause of the U.S. Constitution, Art. VI, Cl. 2, establishes that
27 federal law supersedes conflicting state laws, ensuring uniform application and
28 enforcement of federal mandates. Yet, the lower courts' failure to apply these
principles has allowed Defendant-Appellee Denver Housing Authority's (DHA)

1 violations of federal law to proceed unchecked, perpetuating systemic
2 discrimination and exposing Plaintiff-Appellant to irreparable harm. This case
3 underscores the urgent need for judicial intervention to reaffirm the supremacy
4 of federal law and protect the rights of vulnerable populations.

5 **A. Federal Jurisdiction and the Supremacy Clause**

6 The Section 8 program operates under federal jurisdiction and is administered by
7 the U.S. Department of Housing and Urban Development (HUD) in coordination
8 with local housing authorities. The program's statutory framework, established
9 under 42 U.S.C. § 1437f, mandates timely and accurate Housing Assistance
10 Payments (HAP) to landlords to prevent eviction and ensure housing stability for
11 participants. Federal jurisdiction over the program is unequivocal, and its
12 objectives are protected by the Supremacy Clause, which preempts state laws that
13 conflict with federal mandates.

14 In *California Fed. Sav. & Loan Ass'n v. Guerra*, 479 U.S. 272, 281 (1987), the
15 Supreme Court reaffirmed that federal statutes preempt state laws where they
16 obstruct federal objectives. Similarly, in *Hines v. Davidowitz*, 312 U.S. 52, 67
17 (1941), the Court held that state laws must yield when compliance with both
18 federal and state laws is impossible. In this case, DHA's failure to remit federally
19 obligated HAP payments has not only violated federal law but also triggered state
20 eviction proceedings that directly undermine the objectives of the Section 8
21 program. Allowing these eviction proceedings to continue would nullify federal
22 protections and erode public confidence in the judiciary's role as a guardian of
23 federally funded programs.

24 **B. Federal Preemption of State Eviction Laws**

25 While landlord-tenant relationships and eviction laws traditionally fall within
26 state jurisdiction, such laws cannot supersede or conflict with federally mandated
27 protections under Title VI and the FHA. These statutes explicitly prohibit
28 discriminatory practices and require affirmative steps to further fair housing.
Title VI of the Civil Rights Act explicitly prohibits discrimination in federally

1 funded programs, ensuring that no individual is “excluded from participation in,
2 denied the benefits of, or subjected to discrimination under any program or
3 activity receiving Federal financial assistance” (42 U.S.C. § 2000d), while the
4 FHA mandates the elimination of practices that perpetuate systemic inequities in
5 housing.

6 The eviction proceedings against Plaintiff-Appellant are a direct result of DHA’s
7 failure to fulfill its federal obligations under Section 8, violating the anti-
8 discrimination mandates of Title VI and the FHA. This conflict exemplifies the
9 type of systemic inequity the Supremacy Clause is designed to prevent. Judicial
10 intervention is necessary to ensure that federally funded programs operate as
11 intended and that state eviction laws do not undermine the core objectives of
12 federal housing protections.

13 **C) Judicial Duty to Enforce Federal Preemption**

14 The judiciary has a constitutional obligation to enforce federal preemption and
15 ensure the uniform application of federal law. In *Cooper v. Aaron*, 358 U.S. 1, 18
16 (1958), the Supreme Court emphasized that “the federal judiciary is supreme in
17 the exposition of the law of the Constitution,” a principle that applies with equal
18 force to cases involving federal preemption. The lower courts’ refusal to intervene
19 in Plaintiff-Appellant’s case constitutes a failure to uphold this duty, allowing
20 state eviction laws to effectively nullify federally protected rights.

21 By treating Plaintiff-Appellant’s claims as a routine state-level eviction dispute,
22 the lower courts failed to recognize the preemptive authority of federal law and
23 the irreparable harm caused by DHA’s noncompliance. This oversight creates a
24 dangerous precedent that threatens the integrity of federally funded programs
25 nationwide, signaling to other housing authorities that violations of federal
26 mandates may go unchallenged.

27 **D) Federal Law Supersedes State Eviction Proceedings**

28 The Section 8 program was designed to provide housing stability for vulnerable
populations, ensuring that low-income individuals, the elderly, and those with

1 disabilities have access to safe and affordable housing. DHA's failure to remit
2 HAP payments directly conflicts with the program's statutory objectives, and the
3 resulting eviction proceedings undermine the protections afforded by Title VI
4 and the FHA.

5 The Supreme Court has consistently upheld federal preemption in cases where
6 state actions conflict with federal objectives. In *Texas Dep't of Hous. & Cmty.*
7 *Affairs v. Inclusive Communities Project*, 576 U.S. 519, 540 (2015), the Court
8 recognized that the FHA's purpose is to eliminate barriers to equitable housing
9 access. Similarly, in *Coalition to Defend Affirmative Action v. Granholm*, 473
10 F.3d 237, 251 (6th Cir. 2006), the court held that state actions yielding
11 discriminatory effects must yield to federal mandates. Plaintiff-Appellant's case
12 exemplifies these principles, as the eviction proceedings directly contravene the
13 objectives of the Section 8 program and perpetuate systemic exclusion from
14 federally funded benefits.

14 **E) Irreparable Harm and the Necessity of Injunctive Relief**

15 The harm caused by DHA's failure to fulfill its federal obligations is immediate,
16 severe, and irreparable. Eviction proceedings not only jeopardize Plaintiff-
17 Appellant's housing stability but also threaten her health, safety, and dignity.
18 Courts have long recognized that housing instability constitutes irreparable
19 harm, particularly when it results from the exclusion of individuals from federally
20 funded programs. The lower courts' refusal to grant injunctive relief perpetuates
21 these harms and undermines the foundational principles of fairness and equity
22 enshrined in federal law.

23 **F. The Lower Courts' Misapplication of Preemption Principles**

24 The lower courts' failure to apply federal preemption principles in this case
25 reflects a profound misunderstanding of the Supremacy Clause and its role in
26 ensuring the uniform application of federal protections. By dismissing Plaintiff-
27 Appellant's claims without substantive analysis, the courts allowed state eviction
28 laws to override federally mandated protections, eroding public confidence in the

1 judiciary's role as the ultimate arbiter of justice.

2 **In a nutshell: Federal Jurisdiction and Supremacy of Federal Law**

3 The Supreme Court has a constitutional duty to uphold federal law and ensure
4 that federally funded programs operate in compliance with statutory mandates.
5 DHA's failure to fulfill its obligations under the Section 8 program, coupled with
6 the lower courts' refusal to enforce federal preemption, represents a significant
7 threat to the integrity of federal housing protections. Judicial intervention is
8 essential to resolve this conflict, prevent irreparable harm, and reaffirm the
9 supremacy of federal law in safeguarding the rights of vulnerable populations.
10 For these reasons, Plaintiff-Appellant respectfully requests that this Court grant
11 her emergency motion for injunctive relief, halt the eviction proceedings, and
12 reaffirm its historic role as a guardian of fairness, equity, and justice.

13 **2. Disparate Impact, disparate treatment and Intentional Discrimination**

14 **Under Title VI and the FHA**

15 The Denver Housing Authority's (DHA) failure to remit Housing Assistance
16 Payments (HAP) under the federally funded Section 8 program is a glaring
17 violation of Title VI of the Civil Rights Act of 1964 and the Fair Housing Act
18 (FHA). This dereliction of duty has inflicted both disparate treatment and
19 disparate impact on Plaintiff-Appellant, a Black woman with disabilities,
20 depriving her of federally protected housing benefits. DHA's actions are
21 emblematic of systemic discrimination—whether intentional or through
22 ostensibly neutral policies—that disproportionately harm vulnerable populations.
23 Judicial intervention is imperative to halt this injustice, prevent further
irreparable harm, and reaffirm the judiciary's commitment to civil rights.

24 **A) Disparate Impact: Systemic Inequities Rooted in DHA's Actions**

25 The FHA explicitly prohibits practices that result in unjustified disparate impacts
26 on protected classes. In *Texas Department of Housing and Community Affairs v.*
27 *Inclusive Communities Project*, 576 U.S. 519, 540 (2015), the Supreme Court
28 reaffirmed that policies or actions that disproportionately harm vulnerable

1 populations—even if facially neutral—violate the FHA when they perpetuate
2 systemic discrimination. Title VI similarly prohibits exclusion from federally
3 funded programs based on race, color, or national origin. See 42 U.S.C. § 2000d.
4 DHA’s failure to remit Section 8 payments has disproportionately affected
5 Plaintiff-Appellant, a Black woman with disabilities, exacerbating systemic
6 inequities already well-documented by empirical research. Statistical studies
7 underscore the breadth and depth of these inequities:

- 8 i. **Overrepresentation in Eviction Filings:** Research by Hepburn, Louis,
9 and Desmond in *Racial and Gender Disparities Among Evicted Americans*
10 shows that Black women face eviction rates nearly double those of white
11 renters, constituting 32.7% of eviction defendants while representing only
12 19.9% of renters.
- 13 ii. **Intersectional Vulnerabilities:** The compounded impact of race, gender,
14 and disability creates heightened barriers to stable housing for Black women
15 with disabilities. DHA’s failure to comply with federal obligations magnifies
16 these vulnerabilities, perpetuating systemic exclusion.
- 17 iii. **Health and Economic Outcomes:** Studies such as “The Effects of Eviction
18 on Low-Income Households” by Collinson and Reed link eviction to long-term
19 instability, homelessness, and adverse health outcomes—harms
20 disproportionately borne by Black women and individuals with disabilities.

21 These outcomes are not incidental or unforeseeable. They are the direct and
22 predictable consequences of DHA’s systemic neglect, reflecting the very patterns
23 of discrimination that Title VI and the FHA were enacted to eliminate. The
24 disparate impact on Plaintiff-Appellant is stark evidence of systemic failures
25 demanding judicial redress.

26 **B) Intentional Discrimination: Inferring Intent from Predictable 27 Consequences**

28 While disparate impact alone is sufficient to establish a violation under the FHA,
the foreseeable harm inflicted on Plaintiff-Appellant underscores DHA’s

1 discriminatory intent. In *Columbus Board of Education v. Penick*, 443 U.S. 449,
2 464–65 (1979), the Court held that discriminatory intent can be inferred when
3 adverse outcomes are the predictable result of an entity’s actions or inactions.
4 DHA’s failure to remit HAP payments predictably excluded Plaintiff-Appellant
5 from federally funded housing benefits, violating Title VI’s mandate against
6 discrimination on the basis of race, disability, or national origin.

7 The Tenth Circuit’s decision in *Bangerter v. Orem City Corp.*, 46 F.3d 1491, 1501
8 (10th Cir. 1995), further clarifies that discriminatory intent need not be explicit.
9 Discriminatory outcomes, particularly when they disproportionately harm
10 protected groups, may suffice to establish intent. DHA’s failure to act, despite
11 knowing the consequences of its noncompliance, constitutes a tacit endorsement
12 of discriminatory practices, warranting judicial intervention.

13 **C) Statistical Evidence: Illuminating Systemic Discrimination**

14 Statistical evidence serves as a powerful and objective tool for identifying
15 patterns of systemic discrimination. The Supreme Court has long recognized the
16 evidentiary value of statistical disparities in demonstrating discrimination. In
17 *Teamsters v. United States*, 431 U.S. 324, 339 (1977), the Court held that
18 statistical disparities alone could establish a prima facie case of discrimination.

19 In Plaintiff-Appellant’s case, the evidence is overwhelming:

- 20 i. **Disproportionate Eviction Rates:** Black women face eviction rates nearly
21 double those of white renters, reflecting systemic inequities embedded in
22 housing practices.
- 23 ii. **Intersectional Disparities:** The combined effects of race, gender, and
24 disability exacerbate Plaintiff-Appellant’s exclusion from stable housing,
25 making DHA’s actions particularly egregious.
- 26 iii. **Economic and Health Harms:** The long-term consequences of eviction—
27 including homelessness, material hardship, and deteriorating health—are
28 disproportionately borne by Black women, as documented in studies by
Desmond, Collinson, and others.

1 This statistical evidence not only corroborates Plaintiff-Appellant's claims but
2 also underscores the systemic nature of the discrimination she has faced. It
3 provides an irrefutable basis for judicial intervention to address these inequities.

4 **D) Judicial Duty to Address Systemic Failures**

5 The judiciary has a constitutional obligation to enforce civil rights protections
6 and prevent systemic exclusion from federally funded programs. In *Arlington*
7 *Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252 (1977), the
8 Court emphasized that even facially neutral policies must be scrutinized for their
9 discriminatory impact. The evidence in this case makes clear that DHA's actions
10 have perpetuated systemic inequities, violating the anti-discrimination mandates
11 of Title VI and the FHA.

12 Courts have consistently held that exclusion from federally funded benefits
13 constitutes irreparable harm. In *Alexander v. Sandoval*, 532 U.S. 275, 280–81
14 (2001), the Court recognized that individuals denied access to federally funded
15 programs suffer harm that monetary damages cannot remedy. This principle was
16 reaffirmed in *Wisconsin v. Stockbridge-Munsee Community*, 67 F. Supp. 2d 990,
17 994 (E.D. Wis. 1999), where the court underscored the judiciary's role in
18 protecting access to federally funded benefits.

19 **E) The Broader Implications of DHA's Discrimination**

20 The systemic exclusion of protected groups from federally funded benefits is not
21 only a violation of individual rights but also a threat to the integrity of federal
22 housing programs nationwide. Allowing DHA's actions to stand would set a
23 dangerous precedent, eroding public confidence in the judiciary's ability to
24 enforce civil rights protections and perpetuating systemic inequities. The
25 Supremacy Clause ensures that federal anti-discrimination mandates override
26 conflicting state actions, and the judiciary must act decisively to uphold these
27 principles.

28 **F) In-a-nut-shell:**

The Denver Housing Authority's failure to remit Housing Assistance Payments

1 represents a violation of the foundational principles enshrined in Title VI and the
2 FHA. The disparate treatment and discriminatory impact on Plaintiff-Appellant,
3 coupled with evidence of intentional discrimination, compels this Court to
4 intervene. Failing to grant injunctive relief would perpetuate systemic inequities,
5 undermine federal protections, and erode public trust in the judiciary's role as
6 the ultimate arbiter of justice.

7 Plaintiff-Appellant respectfully urges this Court to:

- 8 i. Affirm the use of statistical evidence as a basis for addressing systemic
9 discrimination.
- 10 ii. Recognize that DHA's actions constitute disparate impact, disparate
11 treatment and intentional discrimination, violating Title VI and the FHA.
- 12 iii. Grant the emergency motion for injunctive relief to prevent further
13 irreparable harm.

14 This Court's intervention is not merely a matter of addressing one individual's
15 plight—it is a decisive moment to reaffirm the nation's commitment to fairness,
16 equity, and justice. By acting decisively, this Court can set a precedent that will
17 resonate for generations, safeguarding civil rights and ensuring that federally
18 funded programs remain a cornerstone of opportunity and justice for all.

19 **3. Judicial Accountability and Systemic Discrimination in Decision-Making** 20 **A. The Judiciary's Duty to Address Intersectional Discrimination**

21 The judiciary bears a constitutional and moral obligation to protect individuals
22 from systemic and intersectional discrimination. In *Price Waterhouse v.*
23 *Hopkins*, 490 U.S. 228, 277 (1989), the Court emphasized that reliance on
24 illegitimate criteria, including race, gender, or disability, constitutes unlawful
25 discrimination. Plaintiff-Appellant, a Black woman with disabilities, represents
26 the embodiment of compounded vulnerabilities. These intersecting identities
27 expose her to amplified harm caused by the Denver Housing Authority's (DHA)
28 failure to remit federally mandated Section 8 Housing Assistance Payments
(HAP). This harm is precisely the type of systemic exclusion Title VI of the Civil

1 Rights Act of 1964 and the Fair Housing Act (FHA) are designed to prevent.
2 The lower courts' dismissal of these compounded harms represents not just a
3 departure from their duty to enforce civil rights but a tacit endorsement of
4 systemic inequities. In *Kimble v. Wisconsin Dept. of Workforce Development*,
5 690 F. Supp. 2d 765 (E.D. Wis. 2010), the court recognized the unique and severe
6 discrimination faced by individuals who belong to multiple protected classes. By
7 failing to intervene, the judiciary has ignored Plaintiff-Appellant's intersectional
8 realities, allowing systemic discrimination to fester unchecked.

9 **B. Statistical Evidence: A Harbinger of Systemic Inequities**

10 The systemic discrimination faced by Plaintiff-Appellant is not anecdotal but
11 supported by unassailable statistical evidence, a cornerstone of demonstrating
12 civil rights violations. As the Supreme Court acknowledged in *Teamsters v.*
13 *United States*, 431 U.S. 324, 339 (1977), statistical disparities can establish a
14 prima facie case of discrimination. Here, the evidence is overwhelming:

15 i. **Eviction Disparities by Race and Gender**

16 Black renters constitute only 19.9% of the renter population but account for
17 32.7% of all eviction filings (*Hepburn, Louis, and Desmond, "Racial and*
18 *Gender Disparities Among Evicted Americans"*). Black women face eviction
19 rates nearly double those of white women, underscoring the structural
inequities in housing practices.

20 ii. **Intersectional Harms**

21 The compounded effects of race, gender, and disability exacerbate Plaintiff-
22 Appellant's vulnerability. Black women with disabilities are among the most
23 marginalized groups in housing systems, facing disproportionate barriers to
24 stable and accessible housing.

25 iii. **Economic and Health Consequences**

26 Studies such as "The Effects of Eviction on Low-Income Households" by
27 Collinson and Reed reveal the long-term destabilizing impacts of eviction,
28 including homelessness, poverty, and adverse health outcomes. These harms

1 disproportionately affect Black women, further compounding their systemic
2 exclusion.

3 This statistical evidence is not merely indicative but dispositive of systemic
4 failures. As articulated in *Arlington Heights v. Metropolitan Housing Corp.*, 429
5 U.S. 252, 266 (1977), such disparities demand judicial scrutiny to uncover and
6 dismantle the structural inequities perpetuating them.

7 **C. Judicial Accountability: Upholding Civil Rights Mandates**

8 Federal courts play an indispensable role in enforcing civil rights protections,
9 particularly in cases involving systemic discrimination. In *Alexander v.*
10 *Sandoval*, 532 U.S. 275, 279 (2001), the Court reaffirmed that individuals have a
11 right to enforce Title VI and seek injunctive relief for statutory violations. The
12 lower courts' refusal to act contravenes this precedent, signaling judicial
13 indifference to the statutory protections afforded to Plaintiff-Appellant under
14 federal law.

15 Moreover, the judiciary's failure to enforce these protections risks setting a
16 dangerous precedent, effectively nullifying Title VI and the FHA. In *Griggs v.*
17 *Duke Power Co.*, 401 U.S. 424 (1971), the Court underscored that anti-
18 discrimination laws must be robustly enforced to dismantle systemic inequities.
19 Allowing state eviction proceedings to override federal housing protections
20 undermines the integrity of these statutes and erodes public confidence in the
21 judiciary's commitment to equity and justice.

22 **D. Reliance on Illegitimate Criteria**

23 The lower courts' reliance on mischaracterized timelines and dismissal of
24 Plaintiff-Appellant's immediate response to DHA's noncompliance reveal a
25 troubling reliance on impermissible criteria. In *Venters v. City of Delphi*, 123
26 F.3d 956, 972 (7th Cir. 1997), the court held that decisions influenced by subtle
27 biases violate anti-discrimination laws. By failing to recognize Plaintiff-
28 Appellant's intersectional vulnerabilities, the courts perpetuated the inequities at
the heart of her claims.

1 This judicial inaction mirrors the systemic failures addressed in *United States v.*
2 *Fordice*, 505 U.S. 717, 733 (1992), where the Court intervened to rectify state
3 policies that disproportionately harmed protected groups. Plaintiff-Appellant’s
4 case demands no less, as the lower courts’ decisions have enabled the systemic
5 exclusion of a Black woman with disabilities from federally funded benefits.

6 **E. The Irreparable Harm of Eviction**

7 Eviction represents a form of irreparable harm with devastating consequences for
8 marginalized populations. Research underscores the long-term health, economic,
9 and social impacts of eviction, particularly for Black women with disabilities:

10 i. **Health Outcomes**

11 Eviction is strongly correlated with increased mortality rates, emergency room
12 visits, and long-term health instability (*Association of U.S. County-Level*
13 *Eviction Rates and All-Cause Mortality*, Rao et al., 2022).

14 ii. **Economic Destabilization**

15 Eviction perpetuates poverty, housing instability, and homelessness,
16 particularly for individuals already marginalized by systemic inequities (*The*
17 *Effects of Eviction on Low-Income Households*, Collinson and Reed).

18 These harms align with the irreparable harm standard recognized in *Wisconsin v.*
19 *Stockbridge-Munsee Community*, 67 F. Supp. 2d 990, 994 (E.D. Wis. 1999), and
20 *Janvey v. Alguire*, 647 F.3d 585, 600 (5th Cir. 2011). Judicial intervention is the
21 only remedy to prevent these devastating outcomes.

22 **F. Broader Implications for Civil Rights Enforcement**

23 This case transcends the individual harm to Plaintiff-Appellant, implicating the
24 integrity of civil rights enforcement nationwide. In *Texas Dep’t of Hous. v.*
25 *Inclusive Communities Project*, 576 U.S. 519, 540 (2015), the Court emphasized
26 that the FHA’s purpose is to address systemic discrimination. Failure to enforce
27 these protections risks perpetuating systemic inequities, undermining public
28 confidence in federally funded programs, and eroding the judiciary’s role as the
ultimate safeguard of justice.

1 **G. In a nut shell: A Call for Bold Judicial Action**

2 The judiciary’s role as a guardian of civil rights is not optional; it is a
3 constitutional imperative. The systemic failures and statistical disparities
4 presented in this case establish a prima facie case of both disparate treatment and
5 disparate impact under Title VI and the FHA. The irreparable harm faced by
6 Plaintiff-Appellant demands immediate judicial intervention to uphold the
7 principles of equity, justice, and accountability.

8 By addressing these systemic failures, the Supreme Court has the opportunity to
9 reaffirm its commitment to civil rights enforcement, ensure accountability for
10 federally funded entities, and set a precedent that will resonate for generations.
11 This Court must act decisively to prevent the erosion of civil rights protections
12 and ensure that no one is left behind in the pursuit of justice.

13 Plaintiff-Appellant respectfully urges this Court to grant the emergency motion
14 for injunctive relief, halting the eviction proceedings and reaffirming the
15 principles of fairness, equity, and justice enshrined in federal law. Let this case
16 stand as a beacon of hope and a testament to the judiciary’s unwavering
17 commitment to protecting the most vulnerable members of society.

18 **4. Irreparable Harm and Judicial Mandates: A Compelling Argument for
19 Emergency Relief**

20 **A) The Inescapable Reality of Irreparable Harm**

21 Plaintiff-Appellant faces imminent eviction, homelessness, and the cascading
22 consequences of systemic exclusion, a plight that represents irreparable harm in
23 its most extreme form. The lower courts' refusal to recognize this harm is not
24 merely a misapplication of law—it is a stark failure of judicial accountability, an
25 endorsement of systemic discrimination, and a denial of the civil rights
26 protections guaranteed under Title VI of the Civil Rights Act of 1964 and the Fair
27 Housing Act (FHA).

28 Eviction is not just a legal proceeding; it is a profound disruption of life with
devastating physical, psychological, and economic consequences. For Plaintiff-

1 Appellant—a Black woman of Ugandan national origin with disabilities—these
2 harms are magnified by the intersection of her protected characteristics. These
3 compounded vulnerabilities render the courts’ inaction not just negligent but
4 discriminatory, perpetuating the systemic inequities these federal laws were
5 designed to eradicate.

6 **B) Homelessness: A Catastrophic and Irreparable Harm**

7 Homelessness has long been recognized as a form of irreparable harm that no
8 monetary damages can adequately remedy. In *Wisconsin v. Stockbridge-Munsee*
9 *Community*, 67 F. Supp. 2d 990 (E.D. Wis. 1999), the court explicitly affirmed
10 that the loss of housing disrupts fundamental human needs and triggers a
11 cascade of adverse effects, including health deterioration, social instability, and
12 economic insecurity. For Plaintiff-Appellant, homelessness would also mean the
13 loss of accessible accommodations vital to managing her disabilities,
14 exacerbating her suffering and undermining her dignity.

15 Empirical evidence substantiates these harms:

- 16 i. **Health Outcomes:** Studies such as Rao et al. in the *Journal of General*
17 *Internal Medicine* (2022) demonstrate that eviction is linked to increased
18 mortality rates, heightened mental health crises, and reduced life expectancy.
- 19 ii. **Economic Destabilization:** Eviction perpetuates cycles of poverty and
20 unemployment, outcomes that disproportionately affect Black women, as
21 documented in Collinson and Reed’s *The Effects of Eviction on Low-Income*
Households.

22 The courts’ refusal to recognize these harms not only departs from established
23 jurisprudence but also reflects an implicit bias against Plaintiff-Appellant, as if
24 the irreparable harm she faces is an acceptable injustice because of her race,
25 national origin, and disabilities.

26 **C) Disruption of Federally Protected Benefits**

27 Plaintiff-Appellant’s eviction would sever her participation in the federally
28 funded Section 8 Housing Choice Voucher Program, a program explicitly

1 designed to prevent housing instability for low-income individuals, the disabled,
2 and marginalized groups. Federal courts have consistently held that the denial of
3 federally protected benefits constitutes irreparable harm. See *Alexander v.*
4 *Sandoval*, 532 U.S. 275 (2001).

5 The Denver Housing Authority's (DHA) failure to remit Housing Assistance
6 Payments (HAP) directly violates Title VI's prohibition on discriminatory
7 exclusion from federally funded programs and the FHA's mandate to
8 affirmatively further fair housing. These statutes impose non-discretionary
9 obligations on federally funded entities, obligations the judiciary has a
10 constitutional duty to enforce. The lower courts' refusal to act undermines the
11 efficacy of these laws, rendering their protections illusory for those who need
12 them most.

13 **VI) Judicial Neglect as Systemic Discrimination**

14 The lower courts' decisions are not isolated missteps—they are emblematic of
15 systemic bias in judicial decision-making. By dismissing Plaintiff-Appellant's
16 claims on erroneous factual grounds and failing to apply established legal
17 principles, the courts have implicitly endorsed systemic discrimination against
18 Black individuals, immigrants, and people with disabilities.

19 **A. Factual Mischaracterizations**

20 The District Court's assertion that Plaintiff-Appellant delayed action for seven
21 months is factually incorrect and reveals an implicit bias. Plaintiff-Appellant
22 became aware of DHA's nonpayment only upon receiving notice from her
23 landlord on December 14, 2024, and acted promptly. This mischaracterization
24 aligns with patterns of judicial gaslighting identified in *Venters v. City of Delphi*,
25 123 F.3d 956 (7th Cir. 1997), where reliance on illegitimate criteria was deemed
evidence of discriminatory intent.

26 **B. Dismissal of Intersectional Vulnerabilities**

27 Plaintiff-Appellant's case exemplifies the compounded harm addressed in *Kimble*
28 *v. Wisconsin Dept. of Workforce Development*, 690 F. Supp. 2d 765 (E.D. Wis.

1 2010). By ignoring her intersectional vulnerabilities, the courts have perpetuated
2 the systemic inequities Title VI and the FHA are meant to eliminate.

3 **C. Disregard for Statistical Evidence**

4 Statistical disparities offer irrefutable proof of systemic discrimination, as
5 articulated in *Teamsters v. United States*, 431 U.S. 324 (1977). Plaintiff-Appellant
6 has presented robust evidence demonstrating that Black women face eviction
7 rates nearly double those of white renters (*Hepburn, Louis, and Desmond*,
8 “*Racial and Gender Disparities Among Evicted Americans*”). The courts’ failure
9 to engage with this evidence reflects judicial apathy toward the systemic
10 injustices that disproportionately harm protected groups.

11 **D) The Judiciary’s Constitutional Mandate**

12 The judiciary serves as the ultimate guardian of civil rights, a role it must fulfill
13 with unwavering commitment. The Supremacy Clause mandates that federal
14 protections under Title VI and the FHA preempt conflicting state laws. In
15 *California Federal Savings and Loan Ass’n v. Guerra*, 479 U.S. 272 (1987), the
16 Court affirmed that state actions must yield when they obstruct federal
17 objectives.

18 The lower courts’ refusal to enforce this principle is a dereliction of duty that
19 jeopardizes the integrity of civil rights protections nationwide. It is the judiciary’s
20 responsibility to ensure that federally funded programs operate in compliance
21 with statutory mandates, particularly when systemic discrimination is at issue.

22 **E) A Call for Bold Judicial Action**

23 This case is not merely about one individual’s fight for justice—it is a watershed
24 moment for civil rights enforcement and the integrity of federally funded
25 programs. Plaintiff-Appellant’s plight underscores the urgent need for judicial
26 intervention to prevent irreparable harm, uphold federal supremacy, and
27 reaffirm the principles of fairness, equity, and justice that underpin the rule of
28 law.

By granting this emergency motion for injunctive relief, this Court has the

1 opportunity to:

- 2 i. **Prevent Immediate and Irreparable Harm:** Protect Plaintiff-Appellant
3 from eviction, homelessness, and the loss of federally protected benefits.
4 ii. **Reinforce Civil Rights Protections:** Reaffirm the judiciary's commitment
5 to enforcing Title VI and the FHA against systemic discrimination.
6 iii. **Set a National Precedent:** Strengthen the judiciary's role as a safeguard
7 against systemic inequities in federally funded programs.

8 **F) In a nutshell**

9 The decisions of the lower courts have left Plaintiff-Appellant vulnerable to
10 devastating harm, stripped of her federally protected rights, and denied the
11 justice she deserves. These decisions perpetuate systemic discrimination,
12 undermine the integrity of civil rights protections, and erode public confidence in
13 the judiciary's role as the ultimate arbiter of fairness and equity.

14 This Court must act decisively to prevent irreparable harm, restore faith in the
15 protections guaranteed under Title VI and the FHA, and ensure that no one is
16 excluded from justice based on race, national origin, or disability. Plaintiff-
17 Appellant respectfully requests that this Court grant her emergency motion for
18 injunctive relief, halting the eviction proceedings and reaffirming the judiciary's
19 commitment to equity, justice, and the rule of law. Let this decision stand as a
20 beacon of hope and a testament to the enduring principles of fairness and
21 equality for generations to come.

22 **5. Systemic Discrimination and Judicial Abdication of Duty: A Call for**
23 **Decisive Intervention**

24 **A) Irreparable Harm Amplified by Judicial Abdication**

25 The lower courts' dismissive and unjust treatment of Plaintiff-Appellant's claims
26 is not merely a legal misstep—it is a profound betrayal of the judiciary's
27 constitutional duty to uphold civil rights protections under Title VI of the Civil
28 Rights Act of 1964 and the Fair Housing Act (FHA). By refusing to apply

1 established law and precedent, these courts sent a chilling message that Plaintiff-
2 Appellant, a Black woman of Ugandan national origin with disabilities, is not
3 entitled to the protections afforded to all individuals under federal law. This
4 judicial inaction constitutes a gross miscarriage of justice, magnifying the
5 irreparable harm Plaintiff-Appellant already faces.

6 Plaintiff-Appellant felt silenced and dehumanized, as though her identity—
7 defined by race, national origin, gender, and disability—excluded her from the
8 sphere of legal protection. This tacit endorsement of systemic discrimination
9 undermines public confidence in the judiciary and perpetuates the very inequities
10 Congress sought to eradicate through Title VI and the FHA.

11 **B). Judicial Misconduct as a Tool of Injustice**

12 **i) Intentional Disregard for Established Precedent**

13 The District Court and Tenth Circuit demonstrated a willful refusal to apply
14 binding legal precedents that directly address the issues at hand. Precedents such
15 as *Alexander v. Sandoval*, 532 U.S. 275 (2001), affirm that violations of federal
16 anti-discrimination laws inherently constitute irreparable harm. Similarly,
17 *Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252
18 (1977), requires courts to consider the disparate impact and intent of policies that
19 disadvantage protected groups.

20 By ignoring these precedents, the courts effectively declared that Plaintiff-
21 Appellant is unworthy of the protections enshrined in federal law. This refusal to
22 acknowledge Plaintiff-Appellant's legal rights is a stark abdication of judicial
23 responsibility and a betrayal of the principles of equality and fairness that
24 underpin the rule of law.

25 **ii) Gaslighting and Erosion of Plaintiff-Appellant's Dignity**

26 The lower courts' mischaracterization of Plaintiff-Appellant's claims and their
27 dismissal of overwhelming evidence of systemic discrimination amount to
28 judicial gaslighting. Plaintiff-Appellant was made to feel as though the injustices
she faced were either fabricated or insignificant. This treatment undermined her

1 dignity and reinforced a pernicious narrative that irreparable harm is acceptable
2 when it befalls individuals of her race, national origin, and disability status.

3 **iii) Complicity in Systemic Discrimination**

4 The judiciary's refusal to intervene not only perpetuated systemic inequities but
5 also contravened the core purposes of Title VI and the FHA: to dismantle
6 discriminatory practices and ensure equitable access to federally funded
7 programs. As in *United States v. Fordice*, 505 U.S. 717 (1992), courts are
8 obligated to remedy, not perpetuate, systemic inequities. Here, the judiciary's
9 inaction has amplified the harm suffered by Plaintiff-Appellant, rendering her
10 vulnerable to eviction, homelessness, and exclusion from federally protected
11 benefits.

12 **C) The Far-Reaching Impact of Irreparable Harm**

13 **i) Health Consequences of Eviction**

14 Eviction has well-documented health consequences that are particularly severe
15 for individuals with disabilities. Research by Rao et al. in the *Journal of General*
16 *Internal Medicine* (2022) found that eviction significantly increases mortality
17 rates and exacerbates chronic health conditions. For Plaintiff-Appellant, whose
18 disabilities require stable and accessible housing, the threat of eviction is not only
19 a violation of her rights but a direct assault on her health and well-being.

20 **ii) Economic Devastation**

21 Eviction irreparably damages an individual's financial stability, creditworthiness,
22 and future housing opportunities. *Collinson & Reed's* seminal study, *The Effects*
23 *of Eviction on Low-Income Households*, underscores the long-term economic
24 harm eviction inflicts, disproportionately impacting Black women. For Plaintiff-
25 Appellant, the denial of Section 8 benefits and the resulting eviction will deepen
26 the systemic inequities she already faces.

27 **iii) Psychological and Social Harm**

28 The courts' failure to recognize Plaintiff-Appellant's rights has inflicted severe
emotional distress, undermining her dignity and perpetuating the perception that

1 justice is unattainable for individuals from marginalized communities. This
2 psychological harm compounds the tangible consequences of eviction, leaving
3 Plaintiff-Appellant with irreparable scars that monetary damages cannot address.

4 **D) Judicial Duty to Uphold Civil Rights Protections**

5 **i) Federal Preemption of State Law**

6 The federal mandates enshrined in Title VI and the FHA preempt state eviction
7 laws that conflict with their objectives. In *California Federal Savings and Loan*
8 *Assn. v. Guerra*, 479 U.S. 272 (1987), the Court held that state actions that
9 undermine federal protections must yield. By allowing state eviction proceedings
10 to proceed unchecked, the lower courts effectively nullified Plaintiff-Appellant's
11 federally protected rights.

12 **ii) Judicial Responsibility to Remedy Systemic Discrimination**

13 In cases of systemic discrimination, federal courts have a heightened obligation
14 to intervene. *Teamsters v. United States*, 431 U.S. 324 (1977), affirmed that
15 statistical evidence of disparate impact warrants judicial scrutiny. Plaintiff-
16 Appellant presented robust empirical evidence demonstrating that Black women,
17 particularly those with disabilities, face disproportionately high eviction rates.
18 The courts' refusal to engage with this evidence represents a dereliction of their
19 duty to uphold civil rights.

20 **iii) The Supreme Court's Mandate to Act**

21 The Supreme Court has consistently held that the judiciary must serve as the
22 ultimate safeguard of civil rights. In *Griggs v. Duke Power Co.*, 401 U.S. 424
23 (1971), the Court emphasized that anti-discrimination laws must be rigorously
24 enforced to eliminate systemic barriers to equality. This case presents an urgent
25 opportunity for the Court to reaffirm its commitment to this principle.

26 **E) A Clarion Call for Judicial Accountability**

27 This case is a watershed moment for the enforcement of civil rights and the
28 integrity of federally funded programs. The lower courts' decisions reflect
systemic bias and judicial abdication of duty, leaving Plaintiff-Appellant without

1 recourse and perpetuating the inequities Title VI and the FHA were designed to
2 eliminate.

3 The questions before this Court are clear:

- 4 i. Does a federally funded entity's failure to comply with Title VI and FHA
5 mandates, resulting in the exclusion of a participant from federally funded
6 benefits, constitute irreparable harm warranting emergency injunctive relief?
7 ii. Are federal courts obligated to intervene in cases where systemic
8 discrimination inflicts irreparable harm on members of protected classes?

9 **F) Conclusion**

10 The lower courts' decisions represent a gross miscarriage of justice, rooted in
11 systemic bias and judicial inaction. By dismissing established precedent and
12 trivializing Plaintiff-Appellant's rights, the judiciary has compounded the
13 irreparable harm she faces. This Court must act decisively to correct these
14 injustices, uphold federal civil rights protections, and reaffirm the principles of
15 equity and justice that define the rule of law.

16 Plaintiff-Appellant respectfully requests that this Court grant her emergency
17 motion for injunctive relief. By doing so, the Court will not only prevent
18 irreparable harm but also send an unequivocal message that systemic
19 discrimination has no place under the rule of law. This decision will stand as a
20 beacon of hope for marginalized communities and a testament to the judiciary's
21 unwavering commitment to justice for all.

22 **6. Public Interest and Broader Implications: A Defining Moment for Justice 23 and Equity**

24 The public interest overwhelmingly compels judicial intervention in this case.
25 Granting injunctive relief serves not only to address the immediate and
26 irreparable harm suffered by Petitioner but also to uphold the principles of
27 equity, fairness, and the rule of law that form the bedrock of federal civil rights
28 protections. This case transcends the individual circumstances of Petitioner; it
speaks to the broader societal imperative of ensuring that federally funded

1 programs operate in accordance with their intended purpose—to protect
2 vulnerable populations, dismantle systemic inequities, and promote justice.

3 **A. Upholding the Mandates of Civil Rights Protections**

4 The foundational purpose of Title VI of the Civil Rights Act of 1964 and the Fair
5 Housing Act (FHA) is to eliminate systemic barriers and ensure equitable access
6 to federally funded benefits. These statutes are not aspirational; they are binding
7 legal mandates that require vigilant enforcement to prevent discrimination and
8 exclusion.

9 **1. Congressional Intent to Dismantle Systemic Inequities**

10 Congress explicitly designed Title VI and the FHA to combat systemic
11 discrimination and provide meaningful protections for marginalized
12 communities. Section 601 of Title VI unequivocally states, “No person in the
13 United States shall, on the ground of race, color, or national origin, be excluded
14 from participation in, be denied the benefits of, or be subjected to discrimination
15 under any program or activity receiving Federal financial assistance.” Similarly,
16 the FHA mandates that housing policies affirmatively further fair housing and
17 remove barriers to equity, as articulated in 42 U.S.C. § 3601. Granting relief in
18 this case directly upholds these statutory objectives.

19 **2. Judicial Oversight: A Critical Safeguard**

20 The judiciary is a vital enforcer of these protections. In *Chapp v. Bowman*, 750 F.
21 Supp. 274 (W.D. Mich. 1990), the court highlighted the societal importance of
22 enforcing civil rights laws to combat systemic discrimination. Judicial inaction in
23 this case undermines the efficacy of these laws and emboldens federally funded
24 entities to flout their obligations, thereby perpetuating inequities that Congress
25 sought to eradicate.

26 **B. Protecting Vulnerable Populations: The Heart of Federal Housing 27 Protections**

28 Judicial intervention is paramount to protect individuals and communities
disproportionately affected by systemic discrimination, particularly Black

1 women, individuals with disabilities, and other marginalized groups.

2 **1. Empirical Evidence of Disparate Impact**

3 Extensive research underscores the devastating consequences of eviction on
4 vulnerable populations:

- 5 i. **Black women face eviction rates nearly double those of white**
6 **renters**, as documented by Hepburn, Louis, and Desmond in *Sociological*
7 *Science* (2020).
- 8 ii. **Evictions exacerbate health disparities and destabilize families**,
9 increasing mortality rates and reducing long-term opportunities for economic
10 and social stability (Rao et al., *Journal of General Internal Medicine*, 2022).
11 Petitioner's circumstances mirror these findings. As a Black, disabled woman
12 of Ugandan origin, she embodies the intersectional vulnerabilities that Title VI
13 and the FHA are designed to protect. Judicial inaction risks compounding her
14 harm and perpetuating the systemic exclusion these laws seek to prevent.

14 **2. The Devastating Consequences of Eviction**

15 Eviction extends far beyond housing instability; it causes profound ripple effects:

- 16 i. **Health Outcomes:** Eviction is linked to increased reliance on emergency
17 healthcare, exacerbation of chronic illnesses, and heightened stress,
18 particularly among individuals with disabilities.
- 19 ii. **Economic Instability:** Eviction perpetuates cycles of poverty by damaging
20 credit histories and creating long-term barriers to securing housing (*The*
21 *Effects of Eviction on Low-Income Households*, Collinson & Reed).
- 22 iii. **Social and Psychological Impact:** The loss of housing undermines
23 dignity, reinforces marginalization, and perpetuates systemic exclusion.

24 By denying Petitioner relief, the judiciary not only fails to protect her but also
25 neglects its responsibility to mitigate these broader societal harms.

26 **C. Maintaining the Integrity and Credibility of Federally Funded** 27 **Programs**

28 Federal housing protections, particularly under the Section 8 program, are

1 cornerstones of the nation’s commitment to equity and justice. Allowing
2 noncompliance with these protections threatens their efficacy and credibility.

3 **1. Federal Preeminence in Housing Protections**

4 The Supremacy Clause mandates that federal law override state actions that
5 conflict with anti-discrimination statutes. In *California Federal Savings and*
6 *Loan Assn. v. Guerra*, 479 U.S. 272 (1987), this Court affirmed that state laws
7 yielding discriminatory outcomes must yield to federal mandates. The Denver
8 Housing Authority’s (DHA) failure to remit Housing Assistance Payments (HAP)
9 violates federal law, undermines public trust, and sets a dangerous precedent for
10 other federally funded entities.

11 **2. Reinforcing Public Confidence**

12 Judicial inaction risks eroding confidence in federally funded programs and the
13 courts’ commitment to equity. By intervening decisively, this Court can reaffirm
14 its role as a guardian of justice and restore faith in the integrity of civil rights
15 protections.

16 **D. Setting a Precedent for Systemic Equity**

17 This case presents an opportunity for the Supreme Court to establish a precedent
18 that will reverberate far beyond the immediate circumstances of Petitioner. A
19 ruling in favor of Petitioner ensures that federally funded programs fulfill their
20 intended purpose: to promote equity and eliminate systemic inequities.

21 **1. Preventing Systemic Failures**

22 Allowing DHA’s noncompliance to persist risks normalizing systemic failures in
23 federally funded programs, disproportionately harming marginalized
24 communities. Judicial intervention ensures that state eviction laws cannot
25 circumvent federal anti-discrimination mandates.

26 **2. Advancing National Policy Objectives**

27 This Court has consistently emphasized the importance of disparate impact
28 claims in advancing the FHA’s goals, as in *Texas Department of Housing v.*
Inclusive Communities Project, 576 U.S. 519 (2015). Upholding Petitioner’s

1 rights aligns with national objectives to reduce homelessness, promote housing
2 stability, and eliminate systemic inequities.

3 **E. Balancing the Equities: The Scales Tip Decisively in Favor of Relief**

4 The harm Petitioner faces far outweighs any administrative inconvenience to
5 DHA. Courts have consistently held that equitable considerations strongly favor
6 protecting individuals from irreparable harm (*Janvey v. Alguire*, 647 F.3d 585
7 (5th Cir. 2011)).

8 **1. Minimal Burden on DHA**

9 Remitting overdue HAP payments is a straightforward obligation that DHA is
10 already mandated to fulfill under federal law. Compliance imposes no undue
11 burden.

12 **2. Severe Harm to Petitioner**

13 Petitioner’s imminent eviction threatens irreparable harm to her health, stability,
14 and dignity. Monetary damages cannot redress this harm; only injunctive relief
15 can prevent it.

16 **In a nutshell: A Moment of Judicial Leadership**

17 This case is not merely about an individual’s right to housing—it is a defining
18 moment for the enforcement of civil rights, the integrity of federally funded
19 programs, and the judiciary’s role as a safeguard of justice and equity. By
20 granting Petitioner’s emergency motion for injunctive relief, this Court can:

- 21 i. Prevent irreparable harm to a vulnerable individual.
- 22 ii. Uphold the mandates of Title VI and the FHA.
- 23 iii. Restore public confidence in the judiciary’s commitment to equity and
24 fairness.
- 25 iv. Establish a precedent that strengthens civil rights protections for generations
26 to come.

27 The public interest demands nothing less. This Court has the unique opportunity
28 to affirm its commitment to justice, ensuring that the protections of federal civil
rights laws remain meaningful and enforceable for all.

1 **7. Likelihood of Success on the Merits: A Compelling Case for Judicial**
2 **Intervention**

3 Petitioner demonstrates an overwhelming likelihood of success on the merits,
4 satisfying the standard for emergency injunctive relief under Supreme Court Rule
5 23. The claims in Petitioner’s emergency motion for injunctive relief rest on an
6 unassailable foundation of well-established statutory, constitutional, and
7 jurisprudential principles, exposing egregious violations of Title VI of the Civil
8 Rights Act, the Fair Housing Act (FHA), and the Supremacy Clause of the U.S.
9 Constitution. These violations, compounded by systemic failures and judicial
10 abdication of responsibility, establish a substantial likelihood of success on the
11 merits, and necessitate immediate and decisive intervention from this Court to
12 uphold federal protections and prevent irreparable harm. This case is a
13 paradigmatic example of systemic discrimination, judicial abdication, and the
14 failure of federally funded entities to comply with binding anti-discrimination
15 mandates. Granting relief is not only justified but essential to uphold federal
16 protections and prevent irreparable harm.

17 **A. Violations of Title VI: Systemic Discrimination in Federally Funded**
18 **Programs**

19 **1. Statutory Mandates and DHA’s Obligations**

20 Title VI unequivocally prohibits discrimination on the basis of race, color, or
21 national origin in federally funded programs (42 U.S.C. § 2000d). Federal fund
22 recipients, including the Denver Housing Authority (DHA), are obligated to
23 ensure that program benefits are administered equitably, free from
24 discrimination, and in full compliance with federal law. Petitioner Sarah is a
25 Black woman of Ugandan origin, and DHA’s failure to remit Housing Assistance
26 Payments (HAP) under the Section 8 program constitutes a denial of federally
27 funded benefits and a direct violation of these mandates.

28 **2. Disparate Impact, disparate treatment and Systemic Exclusion**

The Supreme Court has long recognized that Title VI prohibits not only

1 intentional discrimination but also policies and practices that have a disparate
2 treatment of or disparate effect on protected classes. In *Alexander v. Sandoval*,
3 532 U.S. 275 (2001), the Court affirmed that individuals have a right to seek
4 judicial redress for violations of Title VI. DHA's actions disproportionately harm
5 Black women like petitioner Sarah, particularly those with disabilities,
6 perpetuating systemic inequities that Title VI was designed to eradicate.

7 **3. Precedent Mandating Judicial Relief**

8 Judicial precedent overwhelmingly supports injunctive relief in cases of Title VI
9 violations. In *Texas Department of Housing v. Inclusive Communities Project*,
10 576 U.S. 519 (2015), the Court emphasized the critical role of disparate impact
11 and disparate treatment claims in enforcing anti-discrimination statutes. DHA's
12 inaction, which has predictably excluded Petitioner from federally funded
13 benefits, aligns with the very systemic inequities Congress sought to eliminate,
14 necessitating judicial intervention to ensure compliance with federal mandates.

15 **B. Violations of the Fair Housing Act: Disparate Impact and Disparate 16 Treatment**

17 **1. Core Protections of the FHA**

18 The FHA explicitly prohibits discrimination in housing programs on the basis of
19 race, national origin, disability, or gender (42 U.S.C. § 3604). Recipients of
20 federal housing funds, such as DHA, are required to administer programs in a
21 manner that affirmatively furthers fair housing objectives and equitable access.
22 DHA's failure to remit HAP payments directly undermines these obligations.

23 **2. Disparate Impact on Marginalized Populations**

24 DHA's actions have disproportionately impacted Petitioner as a member of
25 multiple protected classes. Empirical research consistently demonstrates that
26 eviction disproportionately affects Black women, individuals with disabilities,
27 and other marginalized groups:

- 28 i. Black women face eviction rates nearly twice those of white renters (*Hepburn, Louis, and Desmond, Sociological Science, 2020*).

1 ii. Eviction exacerbates systemic inequities, destabilizing families, increasing
2 reliance on emergency healthcare, and perpetuating cycles of poverty
3 (*Collinson & Reed, NYU*).

4 These outcomes are not incidental but predictable consequences of DHA's
5 inaction, which violates the FHA's mandate to eliminate barriers to equitable
6 housing access.

7 **3. Legal Precedents Supporting Petitioner**

8 This Court has consistently held that policies resulting in discriminatory
9 outcomes warrant judicial intervention. In *Arlington Heights v. Metropolitan*
10 *Housing Development Corp.*, 429 U.S. 252 (1977), the Court emphasized the
11 need for scrutiny when discriminatory outcomes arise, even in the absence of
12 explicit discriminatory intent. DHA's failure to remit HAP payments predictably
13 and disproportionately excludes Petitioner from federally funded housing
14 benefits, exacerbating the systemic discrimination that the FHA was enacted to
15 prevent, violating FHA principles and warranting immediate relief.

16 **C. Supremacy Clause: Federal Preemption of State Laws**

17 **1. Federal Protections Supersede Conflicting State Actions**

18 The Supremacy Clause (U.S. Const. art. VI, cl. 2) establishes the primacy of
19 federal law over state statutes. Title VI and the FHA preempt state eviction laws
20 when those laws conflict with federally protected rights. DHA's noncompliance
21 with federal mandates triggers state eviction proceedings that directly undermine
22 federal protections, in violation of the Supremacy Clause.

23 The Supremacy Clause (U.S. Const. art. VI, cl. 2) ensures that federal anti-
24 discrimination mandates take precedence over conflicting state laws. DHA's
25 failure to comply with Title VI and the FHA preempts any state eviction
26 proceedings that result from its noncompliance. As this Court held in *California*
27 *Federal Savings and Loan Assn. v. Guerra*, 479 U.S. 272 (1987), state laws that
28 conflict with federal objectives and frustrate federal protections are invalid and
must yield.

1 **2. Lower Courts' Failure to Recognize Preemption**

2 The lower courts erred in allowing state eviction proceedings to advance despite
3 DHA's clear violations of federal law. This oversight undermines the supremacy
4 of federal protections, creating a dangerous precedent that threatens the integrity
5 of civil rights enforcement nationwide.

6 **D. Systemic Failures Necessitate Judicial Oversight**

7 **1. The Judiciary's Duty to Enforce Equity**

8 This Court has repeatedly emphasized the judiciary's role in dismantling systemic
9 discrimination and enforce federal anti-discrimination laws. In *Griggs v. Duke*
10 *Power Co.*, 401 U.S. 424 (1971), the Court emphasized that even facially neutral
11 policies with discriminatory effects must be rectified to ensure compliance with
12 civil rights statutes. Judicial intervention is essential to rectify the systemic
13 inequities perpetuated by DHA's noncompliance. It is also worth noting that,
14 Judicial inaction in this case perpetuates systemic inequities, undermining public
15 trust in the judiciary's role as a guardian of justice.

16 **2. Empirical Evidence of Systemic Discrimination**

17 Statistical evidence highlights the systemic failures of housing programs in
18 addressing the needs of marginalized communities:

- 19 a) Eviction disproportionately harms Black women and individuals with
20 disabilities, as demonstrated in studies by Rao et al. (*Journal of General*
21 *Internal Medicine*, 2022) and Hepburn, Louis, and Desmond.
22 b) The long-term consequences of eviction include homelessness, deteriorating
23 health, and diminished economic stability, outcomes that disproportionately
24 affect members of protected classes.

25 These outcomes align with the systemic discrimination that federal civil rights
26 laws aim to eradicate. By failing to act, the lower courts have exacerbated these
27 systemic inequities, highlighting the urgent need for judicial intervention.

28 **E. The Winter v. NRDC Standard: Petitioner Satisfies Every Element**

Under *Winter v. NRDC*, 555 U.S. 7 (2008), injunctive relief is warranted where

1 the movant demonstrates:

- 2 a) A likelihood of success on the merits.
- 3 b) Irreparable harm absent relief.
- 4 c) A balance of equities favoring relief.
- 5 d) Consistency with the public interest.

6 Petitioner meets every criterion:

- 7 a) **Substantial Likelihood of Success:** Petitioner’s claims are firmly
8 grounded in federal statutes, constitutional principles, and precedent,
9 demonstrating a substantial likelihood of success on the merits.
- 10 b) **Irreparable Harm:** DHA’s failure to remit HAP payments threatens
11 Petitioner with eviction, homelessness, exacerbated health conditions, loss of
12 stability and dignity —harms that cannot be remedied through monetary
13 damages.
- 14 c) **Balance of Equities:** The harm to Petitioner, a vulnerable individual facing
15 systemic exclusion, far outweighs any administrative inconvenience to DHA,
16 which is obligated to comply with federal law.
- 17 d) **Public Interest:** The public interest in enforcing civil rights laws, preventing
18 systemic discrimination, protecting federally funded benefits, and upholding
19 federal housing protections strongly supports granting relief. Furthermore,
20 enforcing anti-discrimination mandates serve the public good, as articulated
21 in *Chapp v. Bowman*, 750 F. Supp. 274 (W.D. Mich. 1990).

22 **In a nutshell: A Defining Moment for Civil Rights Enforcement**

23 The likelihood of success on the merits is overwhelming, and the balance of
24 equities and public interest unequivocally favor granting relief. Petitioner’s
25 claims present a compelling case for judicial intervention. Petitioner’s claims are
26 supported by clear violations of Title VI, the FHA, and the Supremacy Clause,
27 compounded by robust empirical evidence of systemic discrimination and
28 judicial inaction, which demand immediate redress. Judicial intervention is not
only justified but imperative to uphold federal protections and restore public

1 trust in the judiciary’s commitment to justice.

2 Petitioner respectfully requests that this Court:

- 3 1. Grant an Emergency Injunction Pending Appeal. To halt eviction proceedings
4 and preserve the status quo.
- 5 2. Compel Compliance with Federal Law. By requiring DHA to remit overdue
6 Section 8 HAP payments, ensuring equitable access to federally funded
7 housing benefits.
- 8 3. Affirm the Supremacy of Federal Protections. To prevent state eviction laws
9 from undermining Title VI and FHA mandates.

10 This case is not merely about one individual—it is a clarion call for the judiciary
11 to uphold its constitutional and statutory obligations and prevent irreparable
12 harm. This case represents a critical opportunity for the Supreme Court to
13 reaffirm its role as the guardian of justice and equality, setting a powerful
14 precedent for the enforcement of civil rights protections for generations to come.
15 The time for action is now.

16 **VII) Request for Relief**

17 Plaintiff-Appellant respectfully requests that this Honorable Court take decisive
18 action to safeguard the principles of fairness, equity, and justice enshrined in
19 federal law. This case presents an urgent and compelling need for this Court’s
20 intervention to uphold federal housing protections, enforce civil rights statutes,
21 and prevent irreparable harm. Specifically, Plaintiff-Appellant seeks the following
22 relief:

23 **1. Immediate Stay of Eviction Proceedings to Prevent Irreparable Harm**

24 Plaintiff-Appellant respectfully requests an emergency injunction to halt eviction
25 proceedings that could occur at any moment. Such a stay is essential to
26 preserving her housing stability while this Court considers the merits of her case.
27 Without this relief, Plaintiff-Appellant faces immediate homelessness,
28 exacerbation of medical conditions, and profound psychological and economic

1 harm. These consequences are irreparable, as recognized in federal
2 jurisprudence, including *Janvey v. Alguire*, 647 F.3d 585, 600 (5th Cir. 2011),
3 which held that harm transcending monetary damages demands injunctive relief.
4 This Court has long affirmed the principle that federally protected rights cannot
5 be nullified by procedural delays or state actions that undermine Congress's
6 intent. This case is not an ordinary eviction proceeding. It is a pivotal moment for
7 the United States Supreme Court to reaffirm the supremacy of federal civil rights
8 protections and the judiciary's duty to safeguard equitable access to federally
9 funded programs. By granting this stay, the Court will ensure that Plaintiff-
10 Appellant's rights under Title VI and the Fair Housing Act (FHA) are not
11 rendered meaningless by inaction.

12 **2. Order Directing DHA to Fulfill Its Obligations Under Federal Law**

13 Plaintiff-Appellant seeks an order compelling the Denver Housing Authority
14 (DHA) to remit overdue Housing Assistance Payments (HAP) to the landlord,
15 Sabine Apartments. These payments, mandated under the federally funded
16 Section 8 Housing Choice Voucher Program, are critical to preventing eviction
17 and ensuring compliance with federal civil rights protections.

18 DHA's failure to remit these payments constitutes a direct violation of its
19 obligations under Title VI, 42 U.S.C. § 2000d, which prohibits discrimination in
20 federally funded programs, and 24 C.F.R. § 982.53(c), which mandates non-
21 discriminatory administration of housing programs. By withholding these
22 payments, DHA has not only violated federal law but also caused irreparable
23 harm to Plaintiff-Appellant, exacerbating systemic inequities faced by individuals
24 in protected classes.

25 This Court's intervention is necessary to enforce federal law, compel DHA to
26 fulfill its statutory obligations, and prevent further violations of Plaintiff-
27 Appellant's rights.

28 **3. Affirmation of the Supremacy of Federal Law in Federally Funded Programs**

1 Plaintiff-Appellant requests that this Court affirm the supremacy of federal law in
2 the administration of federally funded programs, reinforcing that state eviction
3 laws cannot supersede or undermine federal protections. The Supremacy Clause,
4 U.S. Const. Art. VI, Cl. 2, establishes that federal law preempts state laws where
5 compliance with both is impossible or where state actions obstruct federal
6 objectives. DHA's failure to remit Section 8 payments and the subsequent
7 reliance on state eviction proceedings directly conflict with federal housing
8 protections under Title VI and the FHA.

9 This Court's precedent in *California Fed. Sav. & Loan Ass'n v. Guerra*, 479 U.S.
10 272 (1987), underscores that federal law must prevail in cases where state actions
11 threaten federally guaranteed rights. By affirming the supremacy of federal law,
12 this Court will reinforce the judiciary's role in protecting vulnerable populations
13 and ensuring that federally funded programs operate as intended—to provide
14 equitable and non-discriminatory access to essential benefits.

15 **4. Establish a National Precedent for Robust Enforcement of Civil 16 Rights Protections**

17 Plaintiff-Appellant urges this Court to use this case as an opportunity to establish
18 a precedent that strengthens the enforcement of civil rights protections
19 nationwide. Granting the requested relief will signal that systemic inequities and
20 violations of federal housing protections will not be tolerated. It will reaffirm this
21 Court's historic commitment to ensuring that federally funded entities are held
22 accountable for their obligations under Title VI and the FHA.

23 Such a ruling will not only address Plaintiff-Appellant's immediate harm but also
24 provide a roadmap for lower courts, federal agencies, and policymakers to
25 address systemic discrimination in housing programs. By taking decisive action,
26 this Court can restore faith in the judiciary's role as the ultimate guardian of
27 fairness, equity, and justice.

28 **Justification for Relief**

The relief requested is essential to preventing irreparable harm, rectifying

1 systemic discrimination, and preserving the integrity of federally funded
2 programs. DHA's actions and the lower courts' dismissals reflect a troubling
3 disregard for binding federal law, leaving Plaintiff-Appellant exposed to
4 immediate harm and systemic exclusion. The principles at stake in this case
5 transcend individual circumstances, implicating the broader integrity of civil
6 rights enforcement and the nation's commitment to protecting its most
7 vulnerable populations.

8 By granting this relief, this Court will:

- 9 a) Prevent the perpetuation of systemic inequities that disproportionately harm
10 individuals in protected classes.
- 11 b) Reinforce the supremacy of federal law in ensuring the equitable
12 administration of federally funded programs.
- 13 c) Send a powerful message that violations of federal housing protections and
14 civil rights laws will not be tolerated.
- 15 d) Affirm the judiciary's role as the ultimate arbiter of fairness, equity, and
16 justice.

16 Plaintiff-Appellant respectfully requests that this Court:

- 17 1. Grant an emergency injunction to halt eviction proceedings against Plaintiff-
18 Appellant, ensuring her continued housing stability while this matter is under
19 review.
- 20 2. Order DHA to remit overdue Section 8 Housing Assistance Payments (HAP)
21 to the landlord, fulfilling its obligations under federal law and preventing
22 further harm to Plaintiff-Appellant.
- 23 3. Affirm the supremacy of federal law in the administration of federally funded
24 programs, reinforcing the judiciary's role in safeguarding civil rights
25 protections and addressing systemic inequities.
- 26 4. Set a national precedent that robustly enforces Title VI and FHA protections,
27 ensuring that federally funded entities uphold their obligations to vulnerable
28 populations.

1 **In a nutshell**

2 This Court’s intervention is not only justified but imperative to prevent
3 irreparable harm, address systemic inequities, and restore faith in the judiciary’s
4 role as a guardian of civil rights. Plaintiff-Appellant respectfully urges this Court
5 to act decisively, granting the requested relief to preserve the integrity of federal
6 housing protections and uphold the foundational principles of fairness, equity,
7 and justice.

8 Let this case serve as a defining moment for the enforcement of civil rights and
9 the affirmation of federal protections for all individuals, ensuring that no one is
10 left behind in the pursuit of justice.

11 **VIII) Conclusion: A Watershed Moment for Justice, Equity, and Civil
12 Rights**

13 This case represents a watershed moment for the enforcement of federal civil
14 rights, the integrity of federally funded programs, and the judiciary’s role as the
15 ultimate safeguard of justice and equity. It transcends Plaintiff-Appellant’s
16 immediate plight, raising critical questions about the supremacy of federal law,
17 the accountability of federally funded entities, and the enduring principles of
18 fairness and equity that define our democracy.

19 The lower courts’ refusal to grant relief reflects not merely a misapplication of
20 federal law but a systemic failure to address the intersection of housing
21 instability, systemic discrimination, and public health crises. By failing to act,
22 these courts have signaled that federally funded programs can operate without
23 accountability and that the protections enshrined in Title VI and the Fair
24 Housing Act (FHA) can be disregarded. This outcome not only risks irreparable
25 harm to Plaintiff-Appellant but also undermines public confidence in the
26 judiciary’s commitment to civil rights.

27 At its heart, this case asks the Supreme Court to reaffirm that federal housing
28 protections are more than procedural safeguards—they are lifelines, critical to
preventing systemic inequities and ensuring that the most vulnerable members of

1 society are not left behind. The Denver Housing Authority's failure to remit
2 federally mandated Section 8 payments has jeopardized Plaintiff-Appellant's
3 housing stability and health, starkly demonstrating the broader systemic
4 inequities that federally funded programs were designed to address.

5 This Court's intervention is urgently needed to correct these systemic failures and
6 restore faith in the judiciary's ability to act as a bulwark against discrimination
7 and inequity. By granting the requested emergency injunctive relief, the Court
8 will not only prevent irreparable harm to Plaintiff-Appellant but also establish a
9 precedent that reinforces the federal judiciary's commitment to civil rights and
10 equal justice.

11 The decision to intervene would underscore the supremacy of federal law,
12 ensuring that state eviction proceedings cannot override federally protected
13 rights under Title VI and the FHA. It would send a powerful message that the
14 judiciary will not tolerate systemic inequities or abdication of responsibility by
15 federally funded entities. Such a ruling would reaffirm the judiciary's role as the
16 guardian of fairness, equity, and justice for all, particularly for those whose voices
17 have historically been silenced.

18 This case is not merely a legal dispute—it is a clarion call for judicial leadership in
19 the face of systemic injustice. It is an opportunity for this Court to set a
20 transformative precedent that addresses the intersection of housing instability,
21 systemic discrimination, and public health crises, ensuring that federally funded
22 programs fulfill their mission of equity and justice.

23 Plaintiff-Appellant respectfully urges this Court to act decisively. By halting
24 eviction proceedings and mandating compliance with federal housing laws, this
25 Court has the power to restore public trust, reaffirm the principles of fairness and
26 equity, and provide hope for millions of individuals nationwide who face similar
27 injustices. This watershed moment offers the Supreme Court a chance to shape
28 the trajectory of civil rights enforcement for generations to come.

For these reasons, Plaintiff-Appellant respectfully requests that this Court grant

1 the requested emergency injunctive relief, reverse the lower courts' decisions, and
2 uphold the integrity of federal housing protections. Let this case stand as a
3 beacon of justice, equity, and the rule of law, ensuring that no one is left behind
4 in the pursuit of justice and fairness.

5

6

7 Respectfully submitted this **January 15th, 2025**.

8

9

10 Signature: s/[Sarah Nathreen Nakanwagi]

Date: 1/15/2025

11

12 Sarah Nathreen Nakanwagi (pro se)

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Appendix starts on next page, beginning with:

Appendix page 1: Certificate of Service

1 **No.**
2 **IN THE SUPREME COURT OF THE UNITED STATES**

3 Sarah Nathreen Nakanwagi

4 Petitioner,

5 v.

6 Denver Housing Authority,

7 Respondent,

8 and

9 Holland Residential, Llc,

10 Nominal Party.

11 **Certificate of Service**

12 I, Sarah Nathreen Nakanwagi, do swear or declare that on this date, 1/18/2025, as required
13 by Supreme Court Rule 29, I have served the enclosed **Motion for Leave to Proceed In**
14 **Forma Pauperis and Emergency Application for an Injunction Pending Appeal** on
15 each party to the above proceeding or that party's counsel, and on every other person
16 required to be served, by depositing an envelope containing the above documents in the
17 United States mail properly addressed to each of them and with first-class postage prepaid,
18 or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

19 The names and addresses of those served are as follows:

20 a) Denver Housing Authority, c/o Joshua Crawley, Chief Operating Officer & General
21 Counsel, 1035 Osage Street, Denver, Colorado 80204

22 b) Holland Residential, LLC c/o Ruquan Fan, Sabine Apartments, 18490 E 51st Avenue
23 Denver, Colorado 80249

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

25 Executed on this 18th day of January, 2025.

26 **Signature:**

27 s/[Sarah Nathreen Nakanwagi]

28 Sarah Nathreen Nakanwagi (Pro Se Petitioner), 18300 E 51st Avenue, Unit 310, Denver,
Colorado 80249; Email: sarahnathreen@gmail.com; Tel: 720-402-9648

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