

No. 24792

IN THE SUPREME COURT OF THE UNITED STATES

**ORIGINAL**

CHRISTINE A. ARAKELIAN )  
 )  
 Pro-Se Petitioner-Plaintiff, )  
 )  
 v. )  
 )  
 CITY OF FALLS CHURCH, ET AL. )  
 )  
 Respondents-Defendants. )

) From the Supreme Court of Virginia  
 ) Record No. 240142  
 ) Court of Appeals No. 0560-23-4

Supreme Court, U.S.  
 FILED  
**JUL 22 2024**  
 OFFICE OF THE CLERK

APPLICATION TO THE HONORABLE JOHN G. ROBERTS, CHIEF JUSTICE OF  
 THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE  
 FOR VIRGINIA AND THE FOURTH CIRCUIT, FOR AN EXTENSION OF TIME  
 WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI

Christine A. Arakelian is the Pro-Se Petitioner-Plaintiff (“Petitioner”) in the above-referenced case. Pursuant to the Rules of the Supreme Court, Petitioner respectfully requests a 57-day extension of time, up to and including September 30, 2024, to file a petition for a writ of certiorari (the “Petition”) to the Supreme Court of the United States (the “Supreme Court”) such that the Supreme Court can review the Supreme Court of Virginia’s decision (entered on May 7, 2024) in the above-referenced case which is attached hereto as Exhibit A. Unless an extension is granted, the deadline for filing the Petition is August 5, 2024. This application is timely because it has been filed more than 10 days prior to the date on which the time for filing the Petition is to expire.

This case of the utmost importance to the approximately 8.7 million people who live in the Commonwealth of Virginia, and at this point, Petitioner is the only person

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who can bring these issues forward on behalf of herself (and through her, all Virginia citizens) to the Supreme Court for its review. In November 2022, Petitioner was at a Board of Equalization hearing for her primary residence in the City of Falls Church in which numerous government officials coordinated and cooperated with one another in introducing patently false evidence against her and then denied her the opportunity to defend herself notwithstanding Petitioner's vociferous protestation. Petitioner brought suit in the Arlington County Circuit Court and not only challenged the conduct itself as a violation of her due process rights under the 14<sup>th</sup> Amendment, but also the constitutionality of the Rules of Procedure under which the Board of Equalization was operating plus the section of the Virginia Code which establishes the Boards of Equalization in Virginia. The Rules of Procedure adopted by the City of Falls Church Board of Equalization require no sworn testimony by witnesses or government officials such that perjured or false testimony can be submitted without any legal prohibitions or consequences whatsoever. In contrast, other Virginia counties such as Fairfax County require testimony in Board of Equalization hearings to be sworn. Moreover, the Rules of Procedure adopted by the City of Falls Church Board of Equalization allow new evidence to be submitted by the Board of Equalization itself after the Property Owner's opportunity to challenge it has lapsed, whereas the Rules of Procedure adopted by the Fairfax County Board of Equalization do not. Petitioner submitted evidence that the Board of Equalization was controlled by the City Council and the City Manager, and hence, the Board of Equalization was the alter ego of the City of Falls Church. Petitioner also submitted evidence that the

City of Falls Church consistently denied citizens due process rights in Board of Equalization hearings over multiple prior years. Petitioner stated that this is a violation of the due process and equal protection clauses of the 14<sup>th</sup> Amendment, and she was directly harmed due to false testimony submitted against her by government officials. Moreover, Petitioner challenged the constitutionality of the section of the Virginia Code establishing the Boards of Equalization because it allowed the City of Falls Church Board of Equalization to deny citizens due process under the color of state law. Petitioner also expressed concern that she was being targeted by the City of Falls Church through its property tax regime on the basis of political speech. Petitioner has had documented public disagreements with the local government and has a right to know whether the local government is targeting its critics in an effort to make them leave.

The Arlington County Circuit Judge dismissed the case with prejudice and stated during the hearing that Virginia law does not allow a “collateral attack” on a Board of Equalization decision vis a vis a 42 U.S.C. § 1983 (“Section 1983”) lawsuit in Virginia courts. Instead, Petitioner was told that Virginia law only permitted direct attacks on a Board of Equalization decision, i.e. Petitioner could only challenge the amount of the tax rather than the constitutionality of the manner in which it was determined. These statements by the Arlington County Circuit Court are captured on the transcript submitted by Respondent City of Falls Church. Petitioner has repeatedly stated to the Arlington County Circuit Court, the Virginia Court of Appeals and the Supreme Court of Virginia that this decision is in direct opposition

to clear, unequivocal, on-point Supreme Court precedent, and yet not even a scintilla of relief has been granted. Petitioner has endured the repeated demand for sanctions by Respondent City of Falls Church merely for filing this lawsuit (notwithstanding the fact that Respondent City of Falls Church knew that none of the criteria set forth by the Supreme Court for the determination of whether sanctions are appropriate in a Section 1983 lawsuit had been met) and has been without any legal protections whatsoever. Petitioner has also endured the inexplicable deletion of court records that documented the illegal behavior of numerous Virginia government officials. Approximately 20 months have lapsed since Petitioner originally filed suit in December 2022, and it is still “valid law” in Virginia that property owners cannot bring Section 1983 lawsuits challenging Board of Equalization decisions in Virginia courts. This decision is no doubt being used right now by other Virginia government officials against citizens in other Virginia localities, many of whom will not be able to challenge it. The burden (as usual) falls on the uneducated and poor. It is obvious how this type of property taxation regime can be utilized to persecute political opponents, silence free speech and violate anti-discrimination laws, and yet the Virginia courts have consistently held that it is legal. If local jurisdictions can repeatedly threaten pro se plaintiffs with sanctions merely for filing a Section 1983 case against them without any judicial findings of frivolous lawsuits (or other lawful reasons for which sanctions may be imposed), then local jurisdictions can intimidate and bully Virginia citizens from exercising their constitutional rights in full view of the Virginia courts, and this is exactly what is occurring in Virginia at the moment.

Without constitutional protections, the Virginia real estate taxation regime is either one of grievance and discrimination, on the one hand, or legalized looting, on the other hand. It's potentially both. At the time of this writing, Petitioner is selling her primary residence in Virginia (i.e., the property that was subject to unlawful taxation in this lawsuit) due to the risk of retribution and the manifest ire of an entire legal system in Virginia that resents the fact that Petitioner dares to challenge it. If it takes over 20 months to establish that government officials can't lie and sabotage citizens in real estate taxation hearings, then Petitioner contends that she doesn't actually own *anything*. Rather, the government owns and controls its citizens by deciding who is worthy of its favors and by punishing those who are not worthy.

The sole question presented to the Supreme Court of Virginia was whether the Arlington County Circuit Court judge had subject matter jurisdiction under federal law. Petitioner argued that the Arlington County Circuit Court did not have subject matter jurisdiction because the judge (and indeed, the entire Circuit Court) had a conflict of interest that violated my right to a fundamentally fair proceeding under the U.S. Constitution. Specifically, all of the judges on the Arlington County Circuit Court appointed under its own judicial power the City of Falls Church Board of Equalization and also tacitly approved the unconstitutional Rules of Procedure for utilization by the City of Falls Church Board of Equalization by failing to exercise oversight on its judicial appointees and the judicial body operating under its own authority. Petitioner stated that the Arlington County Circuit Court was essentially a party to the lawsuit because the constitutionality of **its own conduct** was in question,

and hence, the Arlington County Circuit Court lacked subject matter jurisdiction *ab initio*, and hence, the decision is void ab initio as a matter of federal law. If a judge lacks subject matter jurisdiction from the outset as a matter of federal constitutional law, the decision can be challenged **at any time**. Notwithstanding this simple fact, the Virginia Supreme Court dismissed my petition for appeal to the Supreme Court of Virginia on the basis of “missed deadlines”, i.e., the Supreme Court of Virginia effectively held that the Arlington County Circuit Court had subject matter jurisdiction without writing a legal opinion on why this is the case because then the glaring manifest unjust nature of its decision would be self-evident and easily challenged. If there is no subject matter jurisdiction ab initio as a matter of federal constitutional law, “missed deadlines” are irrelevant. Hence, the Supreme Court of Virginia decision **intentionally** obscures the real issues in this case. Petitioner would like to appeal the Supreme Court of Virginia’s decision to the Supreme Court of the United States such that she can continue living in the Commonwealth of Virginia (as she has done for many years) with the full rights, immunities and privileges of a U.S. citizen, instead of the indentured servant status that the Commonwealth of Virginia has unlawfully imposed upon her, i.e., all of the obligations are one-directional and pertain to the monies owed to the government. Under the U.S. Constitution and 28 U.S.C. §1257, the Supreme Court of the United States has appellate jurisdiction over this case as it involves a federal question of law decided by the Supreme Court of Virginia and their decision is final. Petitioner has no real rights whatsoever within the Commonwealth of Virginia because the real estate taxation power is unfettered

and limitless such that citizens can be targeted in their homes. The surprise is not that Petitioner has brought suit, but rather, who allowed this illiberal regime to continue for as long as it has and how will these individuals be held accountable for their actions. The federal courts must protect Virginia citizens from Virginia government officials who want to deny them their constitutional rights. At this point, we have literally no other recourse.

Petitioner respectfully requests that the deadline for the Petition be extended to September 30, 2024. The reasons for this are as follows.

1. Petitioner is pro-se, and hence, has no team assisting her with this case.
2. On February 26, 2024, the Petitioner's mother, Marjorie Arakelian, had a stroke. See Exhibit B hereto for verification of the diagnosis via brain MRI. Appellant has had a **medical power of attorney** for her mother since the year 2020. See Exhibit C hereto. Petitioner has legal (and moral) obligations related to her mother's post-stroke care that have been arduous and unpredictable and hence, Petitioner needs additional time to prepare the Petition. Petitioner's mother is not capable of managing her own medical care at this juncture.
3. The property that is the subject matter of this lawsuit is currently under contract to be sold, and the closing date is basically the same time period as the deadline by which this Petition must be submitted. It will be difficult if not impossible to do both at once. The sale of Plaintiff's property is due to unlawful actions by Virginia government officials (above and beyond the

unlawful actions as set forth above such that it constitutes constructive eviction), and hence, they should not be able to simultaneously deny her this appeal plus my primary residence at the same time. Petitioner will not live in the Commonwealth of Virginia until all of her rights are respected by Virginia government officials, and hence, has relocated to Pennsylvania.

There is no such thing as “de minimus” federal constitutional rights.

Petitioner certifies that her name, legal address, physical mailing address, cell phone and email are as follows:

Christine Arakelian  
2305 Oakland Drive  
Norristown, PA 19403  
(703) 485-6080 (cell)  
[christine@ghi.global](mailto:christine@ghi.global)

Respondent #1 City of Falls Church is represented by counsel John McGavin, Esq. His contact details are as follows.

John McGavin, Esq., VSB#21794  
9990 Fairfax Blvd. #400  
Fairfax, VA 22030  
(703) 385-1000  
Fax: (703) 385-1555  
Email: [jmcgavin@mbbtklaw.com](mailto:jmcgavin@mbbtklaw.com)

Respondent #2 Arlington County is represented by counsel Donnie Autry, Esq. and Whitney Davis, Esq. Their contact details are as follows.

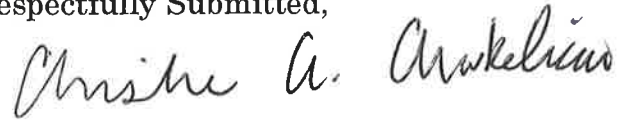
Whitney Davis, Assistant County Attorney, VSB #96122  
Donnie Autry, Assistant County Attorney, VSB #95682  
Arlington County Attorney's Office  
2100 Clarendon Blvd., Suite 403  
Arlington, VA 22201  
(703) 228-3100  
Fax: (703) 228-7106



Email: wdavis1@arlingtonva.us and dautory@arlingtonva.us

A copy of this document has been both emailed and mailed first-class postage to both opposing counsel. Please see attached Certificate of Service.

Respectfully Submitted,



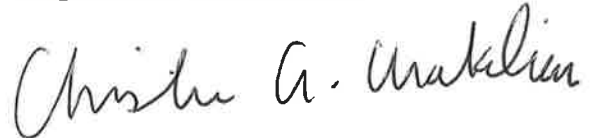
Christine A. Arakelian  
Pro Se Petitioner-Plaintiff  
2305 Oakland Drive  
Norristown, PA 19403  
(703) 485-6080  
Christine@ghi.global

Date: July 22, 2024

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served to John McGavin, Counsel for the City of Falls Church, and Donnie Autry and Whitney Davis, Counsel for Arlington County, via first-class mail and email this 22<sup>nd</sup> day of July, 2024. The signed original has been submitted to the Clerk of the Supreme Court of the United States.

Respectfully Submitted,



Christine Arakelian  
Pro Se Petitioner  
2305 Oakland Drive  
Norristown, PA 19403  
(703) 485-6080  
christine@ghi.global

Exhibit A

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 7th day of May, 2024.*

CHRISTINE A. ARAKELIAN, APPELLANT,

against Record No. 240142  
Court of Appeals No. 0560-23-4

CITY OF FALLS CHURCH, ET AL., APPELLEES.

FROM THE COURT OF APPEALS OF VIRGINIA

Finding that the appeal was not perfected in the manner provided by law because the appellant failed to timely file the notice of appeal in the Court of Appeals and the petition for appeal in this court, the Court dismisses the petition for appeal filed in the above-styled case. Rules 5:14(a) and Rule 5:17(a)(2).

A Copy,

Teste:

Muriel-Theresa Pitney, Clerk

By:

  
Deputy Clerk

Exhibit B

**Document info**

Result type: MRI Brain w/o Contrast  
Result date: Feb 26, 2024, 10:13 a.m.  
Result status: ~~authenticated~~  
Verified by: Brooke Devenney  
Modified by: Brooke Devenney

*Date of  
Diagnosis*

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**MRI Brain w/o Contrast**

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Patient: MARJORIE ARAKELIAN      DOB: Sep 30, 1940

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MRI Brain w/o Contrast

*DIAGNOSIS OF  
STROKE*

EXAMINATION: MRI of the brain without contrast

HISTORY: Right upper extremity numbness. Dizziness. Clinical concern for CVA.

TECHNIQUE: MRI of the brain was obtained with the following sequences: Sagittal 3-D T1 with axial and coronal reconstructions, sagittal 3-D T2 FLAIR with axial and coronal reconstructions, axial diffusion, axial T2, axial T2 gradient, axial SWI sequences. No IV contrast was administered.

A 1.5 Tesla magnet was used.

COMPARISON: CT of the brain from the same day.

Findings:  
Evaluation is degraded by patient motion. There is a small focus of restricted diffusion and T2 prolongation within the posterior lateral aspect of left thalamus consistent with an acute infarction. No extra-axial fluid collection,

midline shift or mass effect.

There is mild parenchymal volume loss. There are scattered regions of T2 prolongation within the supratentorial white matter, a nonspecific finding but in this patient's age group commonly associated with age-related chronic small vessel ischemic change. There is basal ganglia mineralization.

There are post-surgical changes of a bilateral lens replacement.

IMPRESSION:  
Acute infarct in the left thalamus.

STROKE

Parenchymal volume loss and probable sequela of chronic small vessel ischemic change.

Results: Preliminary findings were discussed by Dr. Lee Rost and acknowledged by Dr. Brian Gillespie of the inpatient service via secure Tiger Connect text on 2/25/2024 at 4:56 PM.

Exam Complete Date and Time 2/25/2024 4:36 PM , Report Signed Date And Time 2/26/2024 10:13 AM.  
The films and dictation have been reviewed with the Resident and I agree with the findings.

Exhibit C



**HEALTH CARE POWER OF ATTORNEY**  
**OF**  
**MARJORIE M. ARAKELIAN**

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**1 – APPOINTMENT OF HEALTH CARE AGENT**

1.1. I, Marjorie M. Arakelian, presently residing at 2305 Oakland Drive, Norristown, Pennsylvania 19403, appoint my daughter, Christine A. Arakelian, as my true and lawful Health Care Agent to act in and make all necessary or helpful decisions pertaining to my health care and related affairs.

1.2. This Health Care Power of Attorney shall become effective immediately upon its execution by me, and it shall not in any manner be affected by any disability or incapacity that may occur to me at any time hereafter, nor upon any cessation of disability or incapacity. No revocation of this Power, if any should ever occur whether by my own act or by operation of law, shall affect anyone who relies on this Power without actual knowledge of such revocation.

1.3. I consent to the use of the original or any true and correct copies of this document by the Health Care Agent or Alternate Health Care Agent.

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**2 – HEALTH CARE AND RELATED MATTERS**

My Health Care Agent is authorized to act for me and in my name, place and stead, for my use and benefit, and as my act and deed, to do and execute, or to concur with persons, if any, jointly interested with me therein in the doing or executing of, all or any of the following acts, deeds and things relating to my health care.

2.1. To authorize my admission to and/or discharge from any medical, nursing, residential or similar facility, to enter into appropriate agreements for my care, to execute any consents or admission forms required by any such facility which are consistent with the terms of this paragraph, and to enter into such of the foregoing agreements for my care during my lifetime or such lesser period of time as my Agent may designate.

2.2. To authorize, arrange for, and consent to appropriate medical, therapeutic, and surgical procedures for me, including the administration of drugs and medication, as may be required; and to employ and discharge medical and related health-care personnel.

2.3. To access, and to authorize others to access, any of my health care records, including medical and hospital records, which information may include my health history; any diagno-

sis, treatment or prognosis I have or have had even if such information includes information pertaining to sexually transmitted disease, acquired immunodeficiency syndrome ("AIDS"), or human immunodeficiency virus ("HIV"), behavioral or mental health services or treatment for alcohol or drug abuse, and I authorize my Agent to execute any releases or other documents that may be required in order to obtain this information. I understand that once such information is released to my Agent, it may be re-disclosed and not protected by Federal privacy laws or regulations. I agree to indemnify and hold harmless any medical provider for providing the requested confidential information concerning a determination of my capacity, and from the uses to which such information may be placed.

2.4. To authorize the administration of medication, surgical procedures, and/or other medical care for curative purposes, for treatment of specific symptoms, and to relieve pain. If I am suffering under a terminal condition from which I cannot recover, in the opinion of my attending physician, I specifically recognize and accept that an authorized medication and procedure to relieve pain or a specific symptom may accelerate my death.

2.5. To complete, deliver and submit any and all insurance, admission, and other health-related forms, applications, certifications, and documentation.

2.6. To institute, prosecute, defend, compromise, arbitrate and dispose of legal, equitable, or administrative hearings, actions, suits, attachments, arrests, distresses, or other proceedings, or otherwise engage in litigation in connection with the powers and discretions conferred hereby.

2.7. If I am unable to give an informed consent to medical treatment, my Health Care Agent shall give or withhold such consent for me based upon any treatment choices that I have expressed while competent, whether under this Health Care Power of Attorney or otherwise. If my Health Care Agent cannot determine the treatment choice I would want made under the circumstances, then my Health Care Agent should make such choice for me based upon what my Health Care Agent believes to be in my best interest. Accordingly, my Health Care Agent is authorized as follows:

2.7.1. To employ and discharge medical personnel including physicians, psychiatrists, dentists, nurses, and therapists as my Health Care Agent shall deem necessary for my physical, mental and emotional well-being, and to pay them, or any of them, reasonable compensation.

2.7.2. To give consent to any medical procedures, tests or treatments, including surgery; to arrange for my hospitalization, convalescent care, hospice or home care; and under circumstances in which my Health Care Agent determines that certain medical procedures, tests or treatments are no longer of any benefit to me or, based on instructions previously given by me are not desired by me regardless of benefit, to revoke, withdraw, modify or change consent to such procedures, tests and treatments, as well as hospitalization, convalescent care,

hospice or home care which I or my Health Care Agent may have previously allowed or consented to or which may have been implied due to emergency conditions.

2.7.3. In conjunction with any instructions given under this Article, to grant releases to hospital staff, physicians, nurses and other medical and hospital administrative personnel who act in reliance upon instructions given by my Health Care Agent or who render written opinions to my Health Care Agent in connection with any matter described in this Article from all liability for damages suffered or to be suffered by me; and to sign and submit documents titled or purporting to be a "Refusal to Permit Treatment" and "Leaving Hospital Against Medical Advice" as well as any necessary waivers of or releases from liability required by any hospital or physician to implement my wishes regarding medical treatment or non-treatment.

2.8. To apply for any public benefits that may be available and for which I may be legally eligible.

IN WITNESS WHEREOF, I have signed this Health Care Power of Attorney on November 9<sup>th</sup>, 2020.

Marjorie M. Arakelian  
MARJORIE M. ARAKELIAN

Rafael Esparte  
Witness

Melissa Virquez  
Witness


COMMONWEALTH OF PENNSYLVANIA

:  
:  
: SS  
:  
:

COUNTY OF MONTGOMERY

ON THIS 7th day of December, 2020, before me, a Notary Public, in the Commonwealth of Pennsylvania, personally appeared Marjorie M. Arakelian, known to me (or satisfactorily proved) to be the person whose name is subscribed to the above Health Care of Attorney, and in due form of law, acknowledged that she executed the same as her free act and deed and for the purpose therein contained, and desired that it be recorded as such.

WITNESS my hand and notarial seal the day and year aforesaid.

  
NOTARY PUBLIC

NOTARIAL SEAL  
ELAINE P. ESPOSITO, Notary Public  
Whisper Two, Montgomery County, PA  
My Commission Expires May 26, 2021