

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SHEENA G. QUARLES a/k/a	§
SHEENA Q. DANIELS,	§
	§ No. 431, 2004
Respondent Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware,
	§ in and for New Castle County
CITICORP TRUST BANK, FSB,	§ C.A. No. 03L-05-100
	§
Petitioner Below-	§
Appellee.	§

Submitted: January 4, 2005
Decided: February 7, 2005

Before **STEELE**, Chief Justice, **HOLLAND**, and **BERGER**, Justices.

ORDER

This 7th day of February 2005, upon consideration of the appellant's opening brief, the appellee's motion to affirm, and the record below, it appears to the Court that:

(1) The appellant, Sheena Quarles, filed this appeal from an order of the Superior Court, dated August 30, 2004, granting a writ of possession to the appellee, Citicorp Trust Bank. Citicorp previously had obtained a judgment against Quarles on June 27, 2003 after Quarles failed to answer Citicorp's mortgage foreclosure action. The foreclosed property was sold to

Citicorp, as the highest bidder, at a Sheriff's sale on September 9, 2003. The sale was confirmed on October 6, 2003.

(2) In December 2003, Quarles filed a chapter 13 bankruptcy petition. Citicorp filed a motion for relief from the automatic bankruptcy stay so that it could pursue eviction proceedings. In May 2004, the bankruptcy court granted Citicorp relief from the automatic stay and thereafter dismissed Quarles' bankruptcy petition. Although Quarles appealed the bankruptcy court's dismissal of her petition, she did not file a motion to stay the judgment. Accordingly, Citicorp filed its petition for a writ of possession. Although Quarles contended that the eviction proceedings could not proceed because further proceedings were stayed pending her bankruptcy appeal, the Superior Court concluded that Quarles had neither sought nor obtained a stay of the bankruptcy court's judgment pending appeal. The Superior Court concluded that Quarles had presented no valid defense to the writ of possession and granted Citicorp's petition.

(3) In her opening brief on appeal, which consists of a purported transcript of Quarles' conversation with a self-declared "judge,"¹ Quarles

¹ The Court is referring a copy of this order, along with the appellant's opening brief, to the Office of Disciplinary Counsel and the Board on the Unauthorized Practice of Law for whatever action deemed appropriate. The Court is concerned that the self-appointed "judge" identified in the appellant's opening brief improperly may have provided legal advice to the appellant in preparation of her brief on appeal.

does not raise a single intelligible issue challenging any error in the Superior Court's ruling, although she requests over \$16,000,000 in damages. To the extent Quarles ever had a valid defense to the foreclosure action, she waived that defense by failing to answer Citicorp's complaint in June 2003.

(4) Having carefully considered the parties' respective positions on appeal, we find it manifest that the judgment of the Superior Court should be affirmed for the reasons set forth in the Superior Court's bench ruling and order dated August 30, 2004. The Superior Court did not abuse its discretion in summarily granting Citicorp's petition for a writ of possession.

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice