

2

**COMMONWEALTH OF MASSACHUSETTS,
THE TRIAL COURT
CITY OF BOSTON DIVISION
3 Pemberton Square, Boston, MA 02108**

Suffolk County, SS.

Roy A. Owens, Sr. Pro se. and et al
Plaintiffs /Petitioners

and

City of Boston, Open Streets Boston
and et al
Defendant /

22-1769 C
MICHAEL JOSEPH DONOVAN
CLERK / MAGISTRATE
2022 AUG -2 P 2:14
SUFFOLK SUPERIOR COURT
CIVIL CLERK'S OFFICE
Docket No.

EMERGENCY INJUNCTIVE RELIEF PETITION TO STOP STREET CLOSING

Now come the Plaintiff in the above matter requesting this Honorable Court to grant Plaintiff relief, by denying the defendants request to close down Blue Hill Ave for approximately 2 mile for a block party that the community was not notified about, and services to the community will be greatly curtailed.

1. We have approximately 25 Churches that will be affected, and our services to the community will be denied and we will suffer financial losses..
2. We have pantry programs and many of our handicap individual depend upon us for their daily needs and weekend counseling classes. See Exhibit A.
3. The community do not want the streets closed see exhibit B. petitions 1, 2 and 3.
4. We have several programs which will be shut down, program which are need for those who are suffering emotional distress. See Exhibit- C program start at 1:00 P.M.
5. We have youth program will be shut down (See Exhibit C Program start at 2; P.M.)
6. Defendants claim they cannot grant Plaintiff relief, because of separation of Church and State. This is emotion and abuse and abuse of the first amendments to the constitution. Right to Assembly and speak.
7. Plaintiff received notice Exhibit D Friday at my home.
8. Plaintiff received notice Exhibit E, pages 1 and 2 on July 28, at approximately 5 PM from a young Caucasian woman who we have never seen before stating, the street would be closed on August 6 and towing would begin around Friday Midnight or early morning around 1:00 AM Saturday Night, she stated she was incharge,
9. **We stated we have summer school 5 days a week and church programs on the weekend and no one have ever given us a notice or came to church before notifying us of any street closing or entertaining to take place.**

10. The Defendant from the City of Boston had no response We ask her for her name, she stated it was on the back and left. See exhibit E page 2 it all in Spanish and no one at our church speak or read Spanish.
11. Plaintiff received exhibit F Complaint from members of **Project Right**, a community agency on Blue Hill Ave, located in the Grove Hall area. when Plaintiff was walking through the community this week end.
12. When Blue Hill Ave is block off it backup the 93 express south freeway. Blue Hill Ave is one of the most travel street if not the most.
13. Blue Hill Ave. is the Center of Boston and the life line to where approximate 40 of the traffic leaving or communing is through Blue Hill Ave.
14. To close Blue is to Create a city emergency and it should not be taken lightly, because we are a poor community.
15. The Defendants did not notify us, being the community because they did not want us to have time to stop them in the community or at the court house.
16. Plaintiff believe that Defendants made a false claim on it petition at some point, or just decided to ignore the community wishes all together..
 1. Approximately 10 years ago the defendant tried to set up a similar street Closing and wanted to set it as an annual event the community rejected it then and reject it now. (See Exhibit G) For this reason we believe the community was not informed.
 2. If a Defendant made a false claim upon the court in-order to gain an unfair advantage, (pursuant to Mass R. Civ. P 60 (b), the law. "state any wrongful act by which a party obtain a judgment under circumstance, which would make it inequitable or his to retain its benefits". Such as fraud covered by rule 60 (b) (3) where the plaintiff being the moving party is presented from presenting this merits of his case. See Assmenn V, Felemmings 159: 2d 332 (8th cir. 1947 and U.S. V. Reach, 41 F.R.D. 180 (D.P. R. 1966).
 3. Defendants, have violated Plaintiff civil rights by their action. Mass 1955, 12A Mass. D. 2D-620" One who has willfully made false representations with intent to deceive should not be relieved of liability, because of victims lack of diligence. Yorke V. Taylor, 332 Mass 362, 124 N.E. 2D 912.

Where as we asking this Honor Court for all of the reasons stated above to order the City of Boston to cancel this unwanted harmful and destructive upon the community with our the community permission.

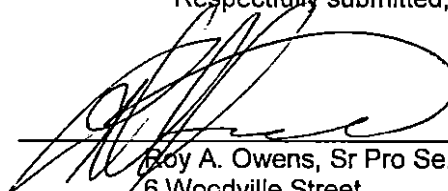
If the City of Boston is not willing to cancer this unwanted destructive act and mean spirited demand upon the Blue Hill Ave, Dudley Street and Grove Hall Community, then we the community individually and *collective* ask this Honorable Court to reserve Plaintiff right to sue for damages.

1. Now come the plaintiff's in the aforesaid Matter requesting this honorable court to allow this Emergency Injunctive against the Defendant/ Appellees for refusing to allow the ADA victims to have equal access to their community activities. An action which causes damages pursuant to Regulation of Business Practices for Consumer Protection, general laws, Chapter 93A Regulations relate to Unfair Methods of Competition and Unfair and Deceptive Acts and Practices.(See Ex D and E)

2. Demand Action Pursuant Title I of the Americans with Disabilities Act of 1990. (Exhibit A & A1) And An action which causes damages pursuant to Regulation of Business Practices for Consumer Protection, general laws, Chapter 93A Regulations relate to Unfair Methods of Competition and Unfair and Deceptive Acts and Practices.
3. Under the provision of Massachusetts General Laws Chapter 93a and GENERAL PRINCIPLES of Reasonable Accommodation under Title I of the Americans with Disabilities Act of 1990 (the "ADA")⁽¹⁾ requires an employer⁽²⁾ to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment that enables an individual with a disability to enjoy equal employment opportunities.

Date: 8/2/2027

Respectfully submitted,.



Roy A. Owens, Sr Pro Se. , et al
6 Woodville Street
Boston Ma, 02119
Tel- 617-516-6163

CC: City of Boston
Open Streets Boston and et al
One City Hall Square
Room 241.
BOSTON, MA 02201

by Henry C Luthin Chief Corporation Council
Telephone 617-635-4034
ROOM 615 BOSTON, MA 02201
EMAIL LAW@BOSTON.GOV

Address; 3 Pemberton Square, Boston, MA 02108 Suffolk County Court house
Phone; Superior Court 617-788-8175 Main Fax (617) 788-8951