

No. 24-1053

**In the
SUPREME COURT OF THE UNITED STATES**

In re Sara Ann Edmondson, Petitioner

*ON PETITION FOR WRIT OF MANDAMUS TO THE
COURT OF APPEALS FOR THE THIRD CIRCUIT*

**MOTION TO EXPEDITE CONSIDERATION OF THE PETITION FOR A WRIT OF
MANDAMUS AND TO EXPEDITE CONSIDERATION OF THIS MOTION**

Sara Ann Edmondson, Pro Se
71 Rainbow Trail
Pittsgrove, NJ 08318
609.501.2249

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SUPREME COURT, U.S.

Pursuant to Supreme Court Rule 21, petitioner moves for expedited consideration of the petition for a writ of mandamus to the United States Court of Appeals for the Third Circuit.

In contravention of this it's own mandate in *Delgrosso*, the court of appeals continues to thwart its obligation in adhering to the established procedural review of administrative termination of Article III Section 2 claims, precluding the case from proceeding to remand as this Court directed in *United Mine Workers of America v. Gibbs*. The petition respectfully requests that a writ of mandamus issue directing the court of appeals to ultimately reinstate the administrative termination, make the appropriate review and determination commiserate with *Delgrosso* (i.e. did the memorandum order (1) permit reinstatement and did it clearly (2) contemplate the possibility of further proceedings), and remand the Article III Section 2 claims to the State tribunal for proper adjudication spelled out by this Court in *Jinks v. Richland County. Delgrosso v. Spang and Co.*, 903 F.2d 234 (3d Cir. 1990).

The appeals court has had three prior opportunities to conduct the prescribed review of the administrative termination of the Article III Section 2 claims in CA 17-1991, CA 18-2203 and CA 23-2938 - to no avail. In addition, it has outright rejected Petitioner's Motion for a Certified Question under Supreme Court Rule 19 in order to seek this Court's instructions and directives on how to proceed in a matter removed without final adjudication. This matter has circled the block and is deserving of immediate redress.

Given the magnitude of the constitutional violations in procedural due process, the failure of the Third Circuit to act on this matter in previous appeals, and "On the basis only

of the record”, Petitioner petitions the Court to move with immediacy on the Petition for a Writ of Mandamus and on this Motion of Expediency.

BACKGROUND

The district court administratively terminated Petitioner's motion for summary judgment for contract breach, misrepresentations and fraud by directing the Clerk to remove the “pending motion” from the docket as “improperly filed”. D. Ct. Dkt. No. 74. (See Appendix A of Petition.) Petitioner was obligated by this Court’s mandate in *United Mine Workers of America v. Gibbs* and in *Jinks v. Richland County* to await dismissal of the federal portion of the “one case controversy” before pursuing the administratively terminated state claim portion of the “one case controversy”. *United Mine Workers of America v. Gibbs*, 383 U.S. 715 (1966); *Jinks v. Richland County*, 538 U.S. 456 (2003). The Third Circuit was mandated to review the administrative termination under *Delgrosso*.

The record demonstrates that the Third Circuit has never reviewed the removed Article III claims in this matter under the established procedural standard of review. The prior refusals and delay should not provide the Circuit with another opportunity to further delay that which is warranted under the rule of law.

Respectfully submitted,


Sara Ann Edmondson

Dated: March 10, 2025