24-1269

No.

IN THE SUPREME COURT OF THE UNITED STATES

JEREMIAH CURTIS-SHANLEY, PETITIONER
V.
J. G.

ON PETITION FOR A WRIT OF CERTIORARI TO THE CONNECTICUT SUPREME COURT

PETITION FOR A WRIT OF CERTIORARI

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The respondent was able to get two no contact orders from the State of Connecticut over a brief series of communications that were polite, necessary, and minimal. She was asked if she wanted to settle outside of court. Later a therapist contacted her for a wellness check when she displayed signs of being in crisis.

The petitioner made a special appearance to object to jurisdiction. He had no connection to Connecticut and the speech/conduct was legal in New York. Connecticut's prior restraint deprived another state's judiciary of the ability to process a case.

QUESTIONS PRESENTED

Did the State of Connecticut violate the petitioner's 1st and 14th Amendment rights when it imposed a no contact order (CPO) for speech/conduct that was neither unlawful, threatening, defamatory, nor obscene, given that he had no connection to the state and objected?
(CT CPOs are judicial, not legislative, prior restraints.)

Does Connecticut's system of judicial publicity chill the petitioner's right to petition the government?

QUESTIONS PRESENTED (Continued)

Did the Connecticut appellate court violate the petitioner's 1st and 14th Amendment rights when it barred him from saying the respondent's name in public on threat of dismissing his case, and then dismissed his case when he was unable or unwilling to appear publicly on camera?

Did the State of Connecticut violate the 1st and 14th amendment by sua sponte redacting the respondent's name but refusing the petitioner's repeated requests to redact, seal, or anonymize the petitioner and his case? Does this serve to chill the petitioner and others from appealing or protesting, and is this a punishment? Was his right to anonymity and petition denied? The public's rights?

Did the CPO process deny the petitioner due process by, for instance, denying him the right to cross examine, investigate, and obtain discovery?

This case alleges prior restraints were imposed without due process by the State of Connecticut on a citizen of another state. This prevented him from exercising freedom of speech, movement, and association. Perhaps most importantly, it has barred the citizen of one state from commencing a court proceeding in his own state against a person who is a temporary resident of another state. Has the respondent and the State of Connecticut, as well as the federal government, violated the petitioner's and public's constitutional rights?

RELATED PROCEEDINGS

The following proceedings are directly related to this case within the meaning of Rule 14.1(b)(iii):

- Jeremiah Curtis-Shanley v. J. G., No. 24M6, Supreme Court of the United States. This petition was returned by the Office of the Clerk on April 8, 2025, with an order to amend and refile within 60 days. The petition remains timely if it is deposited with USPS before June 10, 2025 (Rule 30). Under protest, the petitioner is refiling with the caption the clerk ordered.
- Sealed Appellant v. Sealed Appellee, No. 24M6, Supreme Court of the United States. Decision entered on 10/8/2024.
- J. G. v. Jeremiah Curtis-Shanley, SC230284, Connecticut Supreme Court. Judgment entered on 2/27/2024.
- J. G. v. Jeremiah Curtis-Shanley, AC46371, Connecticut Appellate Court. Judgment entered 12/21/2023.
- J. G. v. Jeremiah Curtis-Shanley, FBTCV235051039S, Bridgeport Judicial District. Judgment entered 3/8/2023.

TABLE OF CONTENTS

TABLE OF CITED AUTHORITIES

OPINIONS CITED

Connecticut Supreme Court, 348 C 954 (2024).
Connecticut Appellate Court, 223 CA 149 (2023).
Bridgeport Judicial District Court. Unpublished.

JURISDICTION

Petitioner invokes this court's jurisdiction under 28 U.S.C. §1257. His appeal to the Connecticut Supreme Court was denied and entered on 02/27/2024. The trial court's decision was entered on 3/8/2023.

Petitioner originally filed a petition for a writ of certiorari on 5/28/2024. It was returned several times for minor corrections. The most recent letter from the Office of the Clerk is dated 4/8/2025. It states that he has to file a corrected version within 60 days. This deadline falls on a weekend so the deadline is extended to 6/9/2025.

CONSTITUTIONAL AND STATUTORY PROVISIONS

See Appendix.

U.S. Const. Amend. I, IV, XIV.

Freedom of speech and right to petition. No prior restraints. Anonymity. No unreasonable seizures. Equal protection and due process.

U.S. Const. Art. IV, § 1, 2.

States must respect each other's court orders and treat citizens of other states as equals.

CT Gen Stat § 46b-16a. (2023).

Any person who has been sent unwanted gifts or messages may apply for a civil protective order (CPO).

18 U.S. Code § 2265.

Full faith and credit given to protection orders in all states. Information that could reveal the identity of a protected party or applicant cannot be posted to the Internet.

18 U.S. Code § 2262.

Contacting a person protected by a no contact order is illegal. Not explicitly limited to unprotected speech.

STATEMENT OF THE CASE
Are No Contact Orders Legal?

A wealthy party girl caused a plaintiff damages. She was contacted about settling outside of court. She knew that if her controlling father found out about her double life, there would be consequences. Instead of apologizing or offering compensation, she obtained an ex parte no contact order. This sweeping order blocked not only the plaintiff his right of compensation, but also his ability to alert the father to his daughter's behavior.

Hundreds of thousands of no contact orders are issued every year. In some states, like New York, these are issued alongside criminal cases. Other states, such as Connecticut, allow for parties to privately (often under orders from the police) apply for civil protection orders. Connecticut estimated in 2023 that 10,000 of these cases were processed.

The due process afforded to the accused, to what extent it could be called due process, leaves much to be desired. The respondents are usually pro se. They are given only days to prepare their case. While Connecticut goes through the effort of spelling out in considerable detail what applicants are to do and provides them with court personnel to help them with their cases, no such help is afforded to respondents. They are neither told about nor given the opportunity to conduct discovery. There is no disclosure. Instead, the court tends to pack a large number of cases into a very limited time slot. The judge takes over the case of pro se parties. Attorneys are given more meaningful

opportunities to participate. It has been standard for judges to deny even the ability to cross examine. There is no motion practice to allow the accused to weed out frivolous cases or to clarify the law. There is little ability to prepare for the hearing.

What results is more *Judge Judy* than a court procedure designed to safeguard and judiciously modify such fundamental rights as the freedom to speak, to associate, and to move.

The consequence of these invasive orders are devastating. A judge can order a respondent to, in effect, lose their home, job, education, friends, and reputation, while still having to pay for their accuser's upkeep. If the accused is silent and accepts the order, then it is kept quiet. If he appeals, it is published on the Internet and never removed. The Connecticut Legislature chose to name these offenses after crimes. Yet, in spite of coming with the same social stigma of said crimes, they do not afford to the accused any measure of protection against the arbitrary imposition of them. Once the orders are established, they can be extended for years.

Connecticut's "civil" protection orders are criminal cases in all but name.

The CPO Hearing: Protections On Paper Only

One of the difficulties in confronting these constitutional abuses is that what commonly happens in individual courtrooms is different than what is required on paper. You can readily witness these violations by observing an arraignment or CPO proceeding.

Officially, ex parte civil protective orders were only to be granted if the respondent was in imminent danger. Two judges granted two separate ex parte orders over allegations of a settlement offer and a wellness check. She testified (at most) to being stressed, but she never testified to fearing for her physical safety.

The ex parte order blocked discovery or filing a motion to dismiss before the hearing, as those would serve papers. Connecticut law technically provides an exception to this for the service of papers. As this was not in the order, the State of New York would be required to enforce it verbatim. Ergo, Connecticut not only forced a law on another state without its consent, it also established unequal treatment between citizens of its state and citizens of another state.

The judge did not understand how to process jurisdictional objections, and he was unfamiliar even with the basic requirements of the CPO statute. Accordingly, he ruled that the respondent only had to show that she was harassed. **This was not limited to unprotected speech.**

When The Objections Were Made

The objections were raised during the CPO hearing, in the motion to dismiss, and in the appellate briefs.

CPO Hearing

MR. CURTIS-SHANLEY: **I don't consent to the Court's jurisdiction.** And when that happens, the Plaintiff bears the burden of proving jurisdiction. She has said that all this happened in New York. Well, as you know – and I'm not saying it for your benefit, so she understands – there is the long arm statute. So, most of the time, what happens in New York, to a New York person is New York's business. So, that's why I'm trying to file my motion to dismiss. But, I haven't been able to serve that on her, because obviously, that would violate the court order.

THE COURT: I'll hear your motion right now.
MR. CURTIS-SHANLEY: Okay. The issue though, is that if you continue the no contact order, how does she get a copy of it? Because she should get a copy of it, because it's – that's how that works. It's a motion to dismiss. She's the other side.
THE COURT: Anything further? You're contesting the jurisdiction of the Court?
MR. CURTIS-SHANLEY: Yes.
THE COURT: Alright. Anything to offer on that, other than what's written in that motion? What do you offer that the Court does not have jurisdiction?
MR. CURTIS-SHANLEY: Okay. Briefly –
THE COURT: You both are here, she's here. One

could say that she has submitted herself to the jurisdiction.
MR. CURTIS-SHANLEY: Yes, that's true.
THE COURT: And you, too. You are here.
MR. CURTIS-SHANLEY: No, I am not.
THE COURT: You're not? Okay.
MR. CURTIS-SHANLEY: It's a special appearance. That's the procedure.
THE COURT: Oh, a special appearance. Alright.
MR. CURTIS-SHANLEY: Yeah. Okay so, I'm making a special – a special appearance to contest jurisdiction. So, **the reason why that I contest jurisdiction is that I am a resident of New York State.** I'm domiciled in New York State. I have never – like – I don't remember the last time I have even been in Connecticut ... I own no property in Connecticut.
THE COURT: But, you're here now.
MR. CURTIS-SHANLEY: Right.
THE COURT: Okay. Go right ahead.
MR. CURTIS-SHANLEY: **I own no property in Connecticut. I derive no income from Connecticut.**
THE COURT: And because of that, you claim I have no jurisdiction, the Court?
MR. CURTIS-SHANLEY: And I also claim that this is not a, quote, tortious conduct. But yes, that's correct.
THE COURT: The motion denied. Next.
MR. CURTIS-SHANLEY: Could you clarify the –
THE COURT: Next. Next, anything else you wish to offer, based upon the testimony I have heard today?

MR. CURTIS-SHANLEY: From what I was able to look at, there didn't seem to be any sort of threat in there. Now as you, of course, know as a Judge, a lot of speech, even unpleasant speech, is **protected by the First Amendment**. Accordingly, criminal statutes and even those proceeding, here, require that there be a reasonable fear of physical – you know – in physical danger. Physical fear. ... They say that in three years, we've never seen each other face-to-face, two or three years, whatever. I just – unless looking through that 23 pack of pages, there's any actual – quote – **true threat** – I don't think that this is something where it qualifies under the statute. ... I didn't see any threats.

MR. CURTIS-SHANLEY: I don't think that that should be introduced. And I'll cite the Full Faith and Credit Clause of the Constitution.
THE COURT: Objection is overruled.

Motion To Dismiss

Jurisdiction is lacking and granting the plaintiff's requests would violate principles of comity, federalism, and the respondent's constitutional rights. Case should be dismissed. In the alternate, the court must narrowly tailor its judgment/order to only prohibit conduct while one or both parties are physically in the State of Connecticut. Since Ms. G. has not offered anything to induce him to accept the court's jurisdiction, Mr. S. declines to do so at this time.

The gravamen of the respondent's objections is that Connecticut has, and seeks to continue to, violate his First Amendment, Fourth Amendment, Fourteenth Amendment, Article One, and Article First rights. The state is imposing a prior restraint on a citizen of another state and, through the federal government's VAWA, this CPO will apply to EVERY state. If the court doesn't strictly limit the geographic confines of its order, the VAWA will be challenged as a violation of the Tenth Amendment.

Connecticut Supreme Court Application

The issues before the court are complex but of great importance to a federal system of states, 3 sovereigns, and 3 constitutions. The "First Amendment rights" of a New York resident are being severely circumscribed so that a person with only a transient connection to Connecticut can avoid process. A case with major constitutional ramifications cannot proceed until the lower court's order is revoked. By the time the order expires, the statute of limitations will have run. **As the United State Supreme Court reminds us, even brief abridgments of First Amendment rights represent serious and irreparable damage.** At all times, the respondent objected (and continues to object) to the personal and subject matter jurisdiction of the court. Respondent requests that the case be dismissed and that the CPO be revoked. If this is not possible, please immediately modify the order to allow service of process/papers and all matters related to litigation.

Appellate Court

Motion for Review/Rectification, Sealing, and Anonymity

The right to petition the government is done through the courts. The public may have some right of access to court cases, but it doesn't have a right to Internet access or full access. Having the "wrong" name is at most a harmless "defect". ... At the trial level, the caption is J.G. v. J.S. and there is a total seal on the file and case. The appellate court is requiring the respondent to choose between taking an appeal to preserve his freedoms and his New York case, and his anonymity, reputation, and possibly his ability to work. This has a chilling effect and is an irrational distinction between two parties in an allegedly civil case. The government may not favor a speaker or a message. Nor may equal protection be denied. Anonymity is a form of protection. The right to anonymity is constitutionally protected. And even if anonymous pleadings are disfavored, who has a right to name himself? A man or a court? In New York, it is well-established that the man is free to name himself or change his name, and that neither the government nor court may hinder it in any way. Courts act on persons, not names. In particular, in pro se actions there is no need for concern. You know that a person exists because he's the one writing and responding. This may not be the case with attorney cases. Connecticut's constitution guarantees equal access to justice and freedom of speech. Forcing a man to use a name he does not want or is not his

is compelled speech. These "civil" protection orders are criminal in all but name only. The respondent should have been afforded a full trial, the ability to obtain evidence, and a jury. As the case record has shown amply, people in power are quick to abandon rules to help the plaintiff and voir dire is the only method we have of counterbalancing prejudice. Such an important right should not be left to one person or a series of people from an identical background likely to be prejudiced against the respondent J.S.

First Amendment chilling effect on right to petition, compelled speech, favoring certain speakers, prior restraint, federalism, equal protection, due process rights. CT Const. Sec. 1, 4, 5, 7, 10, 14, and 19. VAWA, and the clerk, favor one party over another. A non-existent trial followed, accompanied by threats of criminal prosecution (Fifth Amendment). Connecticut officials have done everything possible to unlawfully exert power over the respondent, deprive him of the ability to sue Ms. G. (due process, property, takings clause), and cower him from asserting his rights, including the right to appeal.

Deriving a constitutional right to this is a very long brief. Common law right to select and change your name, right to petition the government, right to write anonymously, caption errors waived unless objected to by a party, etc. Factual reasons include J.S.'s employment being particularly sensitive to "badges of infamy" (SCOTUS) and the unique nature of Internet postings by the government (permanent and official).

Appellate Brief

Arguments

1. Did the court have jurisdiction over the respondent and case?
    (a) Test 1: Long Arm Statute (Sec. 52-59b)
    (b) Test 2: Minimal Contacts and Due Process
    (c) Subject Matter Jurisdiction

4. Did the court err in denying the respondent the right to examine witnesses and obtain evidence?

5. Has the court acted inappropriately towards the respondent, including ex parte communications with Ms. Gjonaj and the clerk's unilateral order redacting J. G.'s name?

Constitutional Objections

6. Has Connecticut violated federalism and state comity?

7. Were the respondent's First Amendment, Article One, and Article First rights violated?
    (a) Prior Restraint
    (b) Speaker Discrimination
    (c) Are stay away orders and their "floating buffer zones" unconstitutional?
    d) Content-Neutral Injunctions

Connecticut Supreme Court

Brief

Freedom of Speech, Due Process, and Constitutional Rights
6. Does the CPO unconstitutionally violate freedom of speech and other protected liberties?
7. Is this CPO an unlawful prior restraint and a product of unlawful delegation and ambiguity?
8. Were the conditions of the CPO hearing insufficient and unconstitutional?
9. Are VAWA and Connecticut's CPO system unconstitutional?

CPO Hearing
11. Did the trial judge err in refusing to allow respondent to cross examine the plaintiff?

Court Clerks and Judges
12.Were the court orders defamation or inappropriate, and under what conditions
may a party obtain the removal, return, or censorship of court materials?
13.Did the court err in admitting unlawfully obtained and/or sealed material into
the record?
14.Did the court err in not granting respondent privacy protections?
15.Did the appellate court err in prohibiting the plaintiff from saying Ms. Gjonaj's name publicly?

Jurisdiction and Constitutional Errors

Respondent at all times behaved lawfully and appropriately. He objected immediately to jurisdiction. This placed the burden on Ms. Gjonaj to prove jurisdiction. She did not. This requires a dismissal of the case. The judge didn't allow him to cross examine Ms. Gjonaj. This requires reversal. The judge's statements revealed that he was unfamiliar with the technical requirements of a CPO order. This requires reversal. Ms. Gjonaj never alleged any "true threats," obscenities, or any behavior that wasn't protected by first amendment protections. This CPO is based on the respondent asking her once whether she was okay. Given her statement in her first CPO about her state of mind, this is entirely appropriate. When she didn't answer, he allegedly got a professional to try to perform a wellness check. This isn't predatory and it isn't stalking in any sense of the word. That, and Ms. Gjonaj already having obtained a brief CPO earlier, meant that the court lacked subject matter jurisdiction.

Interstate Comity

Connecticut has invaded the sovereignty of a neighboring state. The CPO has, under threat of a felony, barred him from litigating against her and obstructed the orderly functioning of another state's judiciary. The Connecticut appellate court in particular has imposed a "badge of infamy" on respondent without due process. This affects his ability to work (and socialize) as it is a sign of danger and bad character. This satisfies the "stigma plus" test. See Wisconsin v. Constantineau, 400 U.S. 433 (1971).

Prior Restraint and not Narrowly Tailored Connecticut's CPO system, and this one in particular, does not pass constitutional scrutiny. They deprive respondent of the ability to speak, litigate, associate, and travel freely. Ms. Gjonaj has alleged that in the course of several years she has never been threatened, never been followed, and never been harmed. There is no basis for an imposition of a restraint. Furthermore, this restraint is not narrowly tailored. It is sweeping and invasive.

DECISIONS: At all levels, the constitutional arguments were ignored by state officials and denied. There were no discussions.

"Denied."

REASONS FOR GRANTING THE PETITION

This is a small case with a tremendous amount of potential. These issues are widespread but, by their nature, always evade review. This has the making of an excellent First Amendment case for more than 1 issue. Prior restraints. Anonymity. Interstate comity. All preserved perfectly with timely objections and undistracted by violence or crime. According to the respondent, the petitioner never even insulted her.

The court has, including recently, hinted at these issue before, but it never had a case which squarely required it to be decided. The "circuit split" and confusion comes from the court's own dicta. Every state of the Union, and the federal government, uses no contact orders in some form. Hundreds of thousands of orders every year. Hundreds of thousands of opportunities for First Amendment violations. It's a new procedure which has become ubiquitous. But nobody stops to ask, "Is it legal?"

No contact orders, by definition, cannot be upheld, as they are never the least restrictive option.

Orders regulating speech must be confined to the borders of the issuing state.

Any government sponsored publicity which tends to discourage litigants from advancing cases or claims violates their right to petition and their right to anonymity.

These Practices Are Universal,
But Never Reviewed.
(Systemic Threat.)

These orders are constitutionally invasive, long enough lasting to pose a major hardship, but not long enough lasting for courts to adequately review them before they become moot. Even if a person wants to appeal the order, the nature of the process makes it virtually impossible. Criminal cases are not supposed to have interlocutory appeals. If the case is dismissed, then it's usually sealed. In the civil or administrative version, the identity of the parties is usually protected and the cases are given some confidentiality, even if only in their obscurity.

This creates a very powerful disincentive. Attempting to review the order would reveal the person's identity. For something that is no longer in place. It would be an academic exercise that would cost a fortune and the person's reputation. Controlling who gets privacy and who doesn't, who gets to work and who doesn't, allows judges to control who gets access to the courts. Internet publication is the court's new favorite weapon of censure.

And so transpires hundreds of thousands of orders that fall under the radar. A systemic threat to the First Amendment under the guise of popular and convenient censorship.

Far-Reaching Implications

In some form or another, these orders are found in every state in the Union, the federal government and in (state-run) academia. In New York, such orders are usually issued at the start of a criminal case. They are also available in family court and on college campuses. In Connecticut, there is a civil option which has been rapidly gaining in popularity. These are coupled with "stalking" laws, which have grown quite aggressive in lowering the bar. Connecticut now allows for a person, in theory, to be charged with criminal stalking if contact so much as causes any degree of emotional distress.

It is no exaggeration to state that every state in the Union would be interested in the outcome of this case. As would millions of people. After all, the question is not whether or not there is a First Amendment right to commit violence or to threaten or to yell obscenities. The question is, "Must everything a person says be welcomed for it to be protected?" No one could argue. No one could disagree. No one could attempt to persuade but to risk being branded a stalker. All litigation, as in this case, would cease. What prevents this outcome from occurring is not the letter of the law but the government getting to selectively pick and choose which private bans are enforced and which ones are ignored.

Specific instances of outrageous government misuse will be detailed in the briefs if cert is granted.

First Amendment Violations Are Always Serious.

One thing that the court has been clear and consistent on always is that even brief violations, brief abridgments of 1st Amendment liberties are serious and cause irrevocable damage. The court has taken seriously minor violations of First Amendment rights. Hundreds of thousands of violations occurring every year would surely warrant the court's inspection.

Consider, what's more, the context of where these violations occur. They, by their aim, target people in the most private parts of their lives. They target spouses. They target couples. They target people attempting to become couples or start their own families. These are not only invasive of the right to communicate, they also are invasive of the right to associate. And in the petitioner's case, they violated his right to petition as his alleged interactions with the respondent were done in an attempt to bring a court case in another state. The state proudly and without remorse invades the most personal and fundamental of liberties. And when its flaws are objected to, rather than offer an answer, they silence the case. This has been Connecticut's response when the issue of the First Amendment and this statute has been raised before.

The Court's Dicta Is Contradictory, Unclear, And Needs To Be Updated For Modern Times

What is the proper legacy of *Rowan*? It's a case that's often misquoted, even by the Supreme Court. But it's still referred to, because there aren't enough cases on the topic. What happens when speech isn't threatening, nor obscene, but simply unwanted? What happens when the speech is an attempt to reconcile? What happens when the speech is necessary to investigate or move forward a case? What happens when the person speaking the unwanted words is doing it to advocate for him or herself? What if there is a need for damages to be paid? What if there is a need for closure? And how are we to treat email inboxes or phone mailboxes? How are these the home, or are they places that are public? Does a person have any right of privacy in an email inbox, which is owned and surveilled by a private company? What if the person doesn't own the property or physical mailbox?

What about the unanswered questions of *Princess Anne* or *Freedman*? What is the minimum due process that is owed for no contact orders or ex parte infringements of 1st Amendment rights?

This Case Builds On Recent Rulings

Recently, some related cases have started to percolate up to the high court. Counterman v. Colorado, 600 U.S. 66 (2023) has some similar themes. But imagine instead of thousands of contact attempts, like 5 over a year. And that all communications are polite. And instead of trying to socialize, it's about getting a tort case settled out of court.

Society Needs The Court's Swift Action

These orders make society a worse place to live in. Not because people don't fight, not because they don't need mediators, but because this encourages a sort of awful behavior. It encourages that type of neighborhood where people call the cops on one another rather than working out their differences.

The American spirit presupposes one of valor in all its members. It takes freedom for all of its risk and all of its hardships. It bears the uncertainty of unknown outcomes. The court does not need to exert its influence for people to speak. It needs to exert its influence to keep the government from stifling those communications. Sometimes conversations are scary, sometimes they are difficult, but they are always a source of growth. The Supreme Court should act now to foster those moments that the state would otherwise extinguish.

The court does not have the luxury of allowing percolation. It does not have the luxury of allowing the states to act as laboratories. The reason for this has to do with the interplay of VAWA and the full faith and credit clause. What one state does is forced on all the others. Connecticut claims the right to be able to impose restrictions on the free speech of the citizens of other states, who have little to no connection to Connecticut, for the benefit of even temporary residents.

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