

ORIGINAL

No. 24-

1284

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IN THE  
**Supreme Court of the United States**

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FILED  
JUN 12 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

EUGENE DINGLE,

*Petitioner,*

*v.*

LESLIE ARMSTRONG, GUARDIAN AD LITEM  
OF DORCHESTER COUNTY FAMILY COURT, IN  
HER INDIVIDUAL AND OFFICIAL CAPACITY;  
CANDICE LOREAL STERLING; SOUTH CAROLINA  
DEPARTMENT OF SOCIAL SERVICES, CHILD  
SUPPORT ENFORCEMENT DIVISION;  
DORCHESTER COUNTY FAMILY COURT,

*Respondents.*

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ON PETITION FOR A WRIT OF CERTIORARI TO THE  
UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

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**PETITION FOR A WRIT OF CERTIORARI**

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EUGENE DINGLE  
*Pro Se Petitioner*  
2607 Woodruff Road,  
Suite E #3023  
Simpsonville, SC 29681  
e.dingle888@gmail.com

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120472



COUNSEL PRESS

(800) 274-3321 • (800) 359-6859

## **QUESTIONS PRESENTED**

1. Whether the Rooker-Feldman doctrine bars federal courts from reviewing state family court decisions where the petitioner alleges egregious violations of constitutional rights, and circuits are split on whether such claims may proceed.
2. Whether due process and equal protection require meaningful notice and an opportunity to be heard before deprivation of fundamental parental rights and imposition of support orders, where circuit authority is divided and lower courts inconsistently apply controlling precedent.

## **LIST OF PARTIES**

### **Petitioner:**

Eugene Cory Dingle

### **Respondents:**

- Candice Loreal Sterling
- Leslie Armstrong, Guardian ad Litem
- South Carolina Department of Social Services,  
Child Support Enforcement Division
- Dorchester County Family Court

### **Additional Parties Served:**

- South Carolina Attorney General

**STATEMENT OF RELATED CASES**

Pursuant to Supreme Court Rule 14.1(b)(iii), the following proceedings are directly related to this case:

1. **Dingle v. Sterling**, No. 2:23-cv-04141-BHH (U.S. District Court for the District of South Carolina) – Final judgment entered August 29, 2024.
2. **Dingle v. Sterling**, No. 24-2080 (U.S. Court of Appeals for the Fourth Circuit) – Judgment entered March 3, 2025; rehearing and rehearing en banc denied April 1, 2025.

There are no other related cases currently pending in this Court or any other court.

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## **OPINIONS BELOW**

The opinion of the United States Court of Appeals for the Fourth Circuit is unpublished and appears at Appendix A to this petition. The orders of the United States District Court for the District of South Carolina are also unpublished and appear at Appendix B.

## **JURISDICTION**

The United States Court of Appeals for the Fourth Circuit entered judgment on **March 3, 2025**. A timely petition for rehearing was denied on **April 1, 2025**. The United States District Court entered its final order on **August 29, 2024**. This Court has jurisdiction under 28 U.S.C. § 1254(1).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

- U.S. Const. amend. XIV, § 1: “No State shall ... deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”
- 28 U.S.C. § 1254(1): “Cases in the courts of appeals may be reviewed by the Supreme Court by writ of certiorari granted upon the petition of any party to the case.”

## STATEMENT OF THE CASE

Across the nation, parents are losing their rights in family courts that ignore constitutional safeguards—and when they seek justice in federal court, they're turned away by inconsistent doctrines like Rooker-Feldman. This case is not just about one father's loss; it's about a broken system that silences due process. The circuit split is real. The harm is ongoing. And only this Court can resolve the conflict and restore clarity.

This petition arises from a child support and custody action in Dorchester County Family Court, South Carolina, in which the petitioner, Eugene Dingle, was deprived of fundamental parental rights, subjected to child support orders, and repeatedly denied due process throughout the proceedings.

Despite repeated requests for hearings, notice, and the opportunity to be heard, the Family Court, with the involvement of the Guardian ad Litem and state agencies, failed to provide constitutionally adequate process. Petitioner was subjected to contempt proceedings, custody modifications, and support orders without meaningful notice or a fair opportunity to contest allegations, and was even incarcerated without a valid warrant or the opportunity to present evidence, as documented in the transcript of the May 11, 2023 hearing at which petitioner's parental rights were terminated in absentia, without notice or meaningful opportunity to be heard (App. E).

Multiple motions—including for reconsideration and to vacate orders—were disregarded. No hearing was held to address crucial constitutional violations. Both the

district court and the Fourth Circuit dismissed petitioner's federal claims under Rooker-Feldman, relying on the Magistrate Judge's recommendation without addressing the factual record, petitioner's objections, or the lack of consent to proceed before a magistrate (App. C), despite the existence of controlling Supreme Court precedent permitting review where due process was denied and relief was unavailable in state court.

Petitioner's attempts to challenge these deprivations in federal court—raising clear Fourteenth Amendment and statutory claims—were rejected on jurisdictional grounds. The decisions below exemplify a deep, outcome-determinative split among the circuits as to whether federal courts may hear such claims after adverse family court outcomes.

Petitioner's ordeal is not isolated. Across the nation, parents face deprivation of custody and imposition of support orders in proceedings marred by procedural defects, then find themselves locked out of federal court by an inconsistent, confused application of the Rooker-Feldman doctrine.

## **REASONS FOR GRANTING THE PETITION**

### **I. The Circuits Are Irreconcilably Split**

The circuits are openly and persistently divided on whether federal courts may review state family court actions that violate federal constitutional rights, or whether Rooker-Feldman bars all such review.

For example, the Second, Sixth, Seventh, Ninth, and Tenth Circuits have held that federal claims alleging

constitutional violations by state courts may proceed if the plaintiff did not have a reasonable opportunity to raise the federal claim in state court or where the state court acted outside its jurisdiction. (See, e.g., *Brokaw v. Weaver*, 305 F.3d 660 (7th Cir. 2002); *McCormick v. Braverman*, 451 F.3d 382 (6th Cir. 2006); *Kougasian v. TMSL, Inc.*, 359 F.3d 1136 (9th Cir. 2004); *PJ ex rel. Jensen v. Wagner*, 603 F.3d 1182 (10th Cir. 2010).)

By contrast, the Fourth Circuit and others treat almost any claim that could “undo” a state family court order as barred, even where grave constitutional violations are alleged. (See, e.g., *Adkins v. Rumsfeld*, 464 F.3d 456 (4th Cir. 2006).)

This split is entrenched and intractable. It determines the outcome for countless litigants seeking federal review of state court deprivations. Only this Court can restore national uniformity.

<b>Circuit</b>	<b>Permits Federal Review Where No State Remedy</b>	<b>Bars Review Regardless</b>
2nd	Yes	
6th	Yes	
7th	Yes	
9th	Yes	
10th	Yes	
4th		Yes
5th		Yes
11th		Yes

## **II. The Question Presented Is Exceptionally Important**

The question presented is of critical national significance. Every year, thousands of parents across the country face deprivation of fundamental rights—custody, visitation, liberty—without basic procedural protections. When state courts fail to provide due process, and appellate remedies are inadequate or illusory, federal courts must be available to vindicate core constitutional rights.

Yet, as this case and the circuit split demonstrate, a parent's ability to seek redress in federal court turns entirely on geography. In some circuits, due process violations by state family courts are immune from federal scrutiny; in others, federal review is permitted if state remedies were unavailable or inadequate.

This Court has long recognized that “a deprivation of liberty without due process is a nullity,” and has repeatedly reaffirmed the fundamental nature of parental rights. See *Troxel v. Granville*, 530 U.S. 57 (2000); *Turner v. Rogers*, 564 U.S. 431 (2011).

National uniformity is essential. The recurring nature of these injustices and the widespread confusion among lower courts underscore the urgent need for this Court's intervention.

### III. This Case Is the Ideal Vehicle

This case presents the ideal vehicle to resolve the split and clarify the boundaries of Rooker-Feldman and federal court jurisdiction over claims of constitutional violations in family law proceedings.

The record is clean and complete. The constitutional claims were raised at every stage. The lower courts disposed of petitioner's federal claims solely on jurisdictional grounds, without addressing the merits. The Court of Appeals subsequently denied rehearing and rehearing en banc without analysis or explanation (App. D). There are no factual or procedural barriers to review.

This case squarely presents the question: **May a federal court refuse to hear a due process claim arising from state court family law proceedings, even where state remedies were denied or unavailable?**

Petitioner's ordeal exemplifies the grave risk of injustice and the breakdown of constitutional protections that result from inconsistent, geographically arbitrary doctrine.

**CONCLUSION**

For these reasons, the petition for a writ of certiorari should be granted.

Respectfully submitted,

EUGENE DINGLE  
*Pro Se Petitioner*  
2607 Woodruff Road,  
Suite E #3023  
Simpsonville, SC 29681  
e.dingle888@gmail.com

## **APPENDIX**



