

In The  
Supreme Court of the United States

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EDWARD LASSEVILLE,  
*Petitioner,*

v.

THE SUPERIOR COURT OF LOS ANGELES COUNTY ET AL.  
*Respondent.*

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PETITIONING FOR CERTIORARI

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RULE 32.3 LETTER TO THE COURT

Dear Chief Justice John G. Roberts, Jr., and the Honorable Associate Justices of the Supreme Court of the United States:

A Petition for a Writ of Certiorari was filed on December 30, 2024, and docketed on January 31, 2025.

The petition (pp. 3-4) noted a change in circumstances, requiring the Court's attention to evidence dehors the record. This evidence is critical to the federal preemption issue raised in the petition regarding state interference with those that administer to alien registration. The field of alien registration was conclusively held preempted in *Arizona v. United States*, 567 U.S. 387, 401 (2012). This evidence directly relates to the protection Petitioner is seeking.

The materials addressed herein concern an order that **punished** Petitioner for electing to petition for this Court's review.

## **Basis for Lodging Non-Record Material**

Supreme Court Rules of Court, Rule 32.3 states:

Any party desiring to lodge non-record material with the Clerk must set out in a letter, served on all parties, a description of the material proposed for lodging and the reasons why the non-record material may properly be considered by the Court. The material proposed for lodging may not be submitted until and unless requested by the Clerk.

## **The Nature of this Petition Dictates Late Record Materials May be Properly Considered**

The Petition for Certiorari set forth precedent that raising an injunction is unconstitutional is an exception to the finality rule, citing *Trump v. United States*, 603 U.S. 593, 635 (2024); *Mitchell v. Forsyth*, 472 U.S. 511, 525 n.8 (1985); *Mercantile Nat. Bank v. Langdeau*, 371 U.S. 555, 557-58 (1963); *Construction Laborers v. Curry*, 371 U.S. 542, 546 (1963); and *Cohen v. Beneficial Loan Corp.*, 337 U.S. 541, 546 (1949), all recognizing such claims are separable from the main action and too important to be denied review.

## **The Lower Court's Actions**

The Respondent is itself a court. The judge presiding issued an order punishing Petitioner for electing to seek review before this Court. The order monetarily sanctioned Petitioner in the amount of \$860 and further punished by deeming requests for admission admitted, effectively foreclosing any defense in the civil action. The admissions included conceding the opposing party's entitlement to an injunction, attorneys' fees, and costs.

This order was issued on October 23, 2024, a full 69 days before the federal deadline to file a petition. Respondent did so without prior notice, violating 28 U.S.C.

§ 2071(b)—which explicitly provides that only federal courts may establish rules of procedure, and only after a period of public notice and comment. As a state judge, Respondent lacked any authority to rewrite the rules governing this Court yet presumed to do so anyway.

Notably, the order stated:

In his October 9, 2024, notice, Defendant also stated that (1) he “has elected to pursue the federal right of petitioning for a writ of certiorari before the United States Supreme Court[,]” and (2) “[i]t is [Defendant’s] intention to file the petition for certiorari with the Supreme Court of the United States before its last day of Dec. 31, 2024.” However, Defendant has not filed a notice with the court representing that he has filed a petition with the Supreme Court of the United States.

This remarkable statement asserts that the lower court expected Petitioner to file the petition not within this Court’s timeframe, but according to its own, as if the state judiciary were an extension of the federal docket. The order disregards the actual timeline set by federal law, punishing Petitioner for a fiction, created by a state court in excess of its jurisdiction.

The affidavit also noted: “Thus as provided for by federal law, the right to petition for certiorari is being exercised. If the high court elects to exercise its right to grant that petition, is of course another story.”

### **Federal Preemption and the Right to Petition**

The lower court’s actions already directly interfered with federal authority over immigration, which Congress has granted exclusively to the Secretary of Homeland Security under 8 U.S.C. § 1103(a)(1). This falls squarely within this Court’s jurisdiction under 28 U.S.C. § 1257(a), as the validity of a state law is being challenged on constitutional grounds.

This ruling evinces yet another instance of disregard for federal authority and procedural rules. The lower court's decision to penalize Petitioner for exercising his federal right is consistent with the underlying civil action's attempt to punish conduct that federal regulations explicitly authorize. This pattern of overreach exemplifies an ongoing resistance to federal supremacy, effectively transforming the exercise of a federally protected right into a state-level infraction.

Additionally, under California law, compliance with the order would constitute submission to state jurisdiction, extinguishing Petitioner's right to petition this Court. Noncompliance, however, is a crime under California Penal Code § 166(a), creating an untenable situation where invoking a federal right to petition for this Court's protection has now effectively been criminalized under state law by a Respondent before this Court.

### **Request for Relief**

To ensure full and fair consideration of the Petition for Certiorari, Petitioner respectfully requests that the Court direct the Clerk to request the following state-filed documents:

1. "Specially Appearing to Notice the Court per Code Civ. Proc. § 418.10(c) of Election to Exercise Federal Right to Petition for Certiorari; Declaration," filed October 9, 2024.
2. The resulting October 23, 2024, Minute Order.

These documents establish the improper sanctioning of Petitioner for exercising a right afforded under federal law and this Court's precedent. As this Court

has held, “for an agent of the State to pursue a course of action whose objective is to penalize a person’s reliance on his legal rights is ‘patently unconstitutional.’”

*Bordenkircher v. Hayes*, 434 U.S. 357, 363 (1978).

The burden of justice cannot rest solely on a principle—it must be acted upon. Respondent acted when weaponizing the fundamental principle that all are equally protected under law by transforming a free petitioner into a prisoner.

Wherefore, Petitioner respectfully requests that this Court consider this material as part of the Petition and, if granted, as part of the record.

Respectfully submitted,



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Edward Lasseville  
Petitioner, pro se