

Supreme Court, U.S.
FILED
JUL 30 2025
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25A159

Case No _____

IN THE SUPREME COURT OF THE UNITED STATES

RICHARD RYNN, GELLIANA DAVID
RYNN, MARCELLA RYNN
Plaintiffs-Appellants

v.

Defendants -Appellees

CRAIG JENNINGS, ABC CORPORATION I-X; AND BLACK AND WHITE
PARTNERSHIPS, AND/OR SOLE PROPRIETORSHIPS I-X, et al

ON APPEAL FROM THE NINTH CIRCUIT COURT OF
APPEALS TO THE UNITED STATES COURT OF APPEALS

EMERGENCY MOTION FOR INJUNCTIVE RELIEF, STAY OF
PROCEEDINGS AND REMAND FOR CORRECTION OF THE RECORD
PENDING REVIEW

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SUPREME COURT, U.S.

EMERGENCY MOTION FOR INJUNCTIVE RELIEF, STAY OF PROCEEDINGS AND REMAND FOR CORRECTION OF THE RECORD PENDING REVIEW

To the Honorable Chief Justice and Associate Justices of the United States Supreme Court:

Pursuant to Rule 23 and the Court's supervisory authority under 28 U.S.C. § 2101(f), Petitioners respectfully move for an emergency stay of all proceedings currently pending before the United States Court of Appeals for the Ninth Circuit in the above-captioned matter and request that the case be remanded to the district court—transferred to a new venue—for correcting the record to include omitted motions and filings essential to appellate review. (Dkt. 4, 5, 6, 7) Petitioners also request correction of the record prior to the imposition of briefing deadlines, due to significant procedural defects, jurisdictional concerns, and violations of due process.

I. BACKGROUND

On **July 16, 2025**, the Ninth Circuit (Judges Silverman and VanDyke) denied Petitioners' motion for reconsideration of the Court's April 15, 2025 order (Dkt. 34), and further denied all pending motions for injunctive relief (Dkt. 32, 34, 36), including those supported by newly discovered evidence of judicial bias, improper venue, fraud on the court, unlawful omission of timely filed motions, and unlawful retaliation, and failed to rule on the pending Motion for Reconsideration of Injunctive Relief. (Dkt. 59.1) The Court held that these motions would not be considered until the panel addressing the merits of the appeal is assigned.

That order also denied Petitioners' motions to strike appellees' answering briefs (Dkt. 53), despite the premature and improper filing of those briefs

before the opening brief was submitted, and denied motions to strike responses to the injunction request (Dkt. 50, 51). The Court further stated it **would not entertain any further motions for a stay of appellate proceedings** based on pending motions referred to the merits panel, effectively precluding resolution of foundational disputes prior to briefing.

On **July 28, 2025**, the Ninth Circuit issued a subsequent order (Dkt. 57), granting in part and denying in part Petitioners' motion to clarify the July 16 order. The court reaffirmed that all pending motions—including those to correct or supplement the record, for judicial notice, and for recusal—would remain **unresolved until the merits panel is assigned**. All other requests for clarification were denied, and the court expressly stated it **will not entertain any further motions for clarification or reconsideration of the July 16 order**. The motion for expedited ruling (Dkt. 58) was denied as moot.

The opening brief remains due on **August 20, 2025**, with answering briefs due **September 19, 2025**, and an optional reply brief due 21 days after service of the last answering brief.

II. GROUNDS FOR EMERGENCY STAY

Petitioners respectfully submit that this procedural posture creates manifest due process violations and threatens irreparable harm. The record on appeal is materially inaccurate and incomplete, and Petitioners' multiple motions to correct the record and vacate prior orders—based on newly discovered evidence and serious constitutional defects—have been deferred indefinitely.

A. Due Process and Jurisdictional Concerns

Proceeding to merits briefing without resolving disputes over the accuracy of the record and the validity of underlying court actions violates Petitioners' fundamental rights. Appellees were permitted to file premature answering briefs, contrary to the sequencing requirements of **FRAP 28**, further compounding confusion and prejudice.

B. Denial of Stay and Clarification Requests

The Ninth Circuit has explicitly foreclosed any further requests for stay or clarification, despite unresolved jurisdictional motions involving judicial disqualification, change of venue, and record tampering, violations of labor rights and federal constitutional protections under the First, Fifth, and Fourteenth Amendments. Petitioners are left with no procedural avenue to resolve these issues prior to being compelled to file a substantive opening brief, risking waiver of fundamental objections.

I. REQUEST FOR CORRECTION OF THE RECORD

Pursuant to **Federal Rule of Appellate Procedure 10(e)**, Petitioners respectfully request that this Court direct correction of the district court docket to accurately reflect all motions, notices, and filings submitted by Petitioners. Numerous filings—material to the procedural and constitutional issues on review—are absent from the official record, impairing the fairness and completeness of appellate review. Judicial intervention is warranted to ensure the record accurately reflects the proceedings below and to protect Petitioners' constitutional and procedural rights. (Dkt. 4.1, 5.1, 6.1, 7.1, 8.1)

II. LEGAL STANDARD

A. Correction of the Record Under Fed. R. App. P. 10(e)

Federal Rule of Appellate Procedure 10(e) authorizes the correction or supplementation of the record on appeal where it is inaccurate or incomplete. The Rule provides: “If anything material to either party is omitted from or misstated in the record by error or accident, the omission or misstatement may be corrected and a supplemental record may be certified and forwarded to the court of appeals.”

The accuracy of the record is fundamental to due process and to the integrity of appellate proceedings. See *United States v. Gomez*, 776 F.3d 1281, 1290 (10th Cir. 2015) (Rule 10(e) exists to ensure that the record on appeal reflects what actually occurred); *United States v. Elizalde-Adame*, 262 F.3d 637, 640 (7th Cir. 2001) (Rule 10(e) allows supplementation when the record is missing documents necessary for proper appellate consideration).

When material filings—such as motions addressing jurisdiction, fraud, judicial bias, or irreparable harm—are omitted from the record, appellate courts cannot meaningfully evaluate the merits of the claims presented. In such circumstances, correction is not only proper but constitutionally required to ensure Petitioners’ right to a full and fair review. See *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976); *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965).

EMERGENCY MOTION FOR INJUNCTIVE RELIEF PURSUANT TO RULE 20 AND RULE 23, TO STAY PROCEEDINGS AND PRESERVE JURISDICTION PENDING REVIEW

I. Emergency Grounds

Petitioners Richard, Gelliana, and Marcella respectfully request this Court’s immediate intervention pursuant to Supreme Court Rule 20 and 28 U.S.C. § 1651. Extraordinary circumstances justify emergency injunctive

relief, as the Ninth Circuit Court of Appeals summarily denied Appellants' motion for injunction without findings of fact, legal reasoning, or any reference to the evidence of ongoing constitutional violations and irreparable harm. The decision disregarded Petitioners' timely reply briefs, which presented un rebutted evidence of fraud, jurisdictional defects, labor rights violations, and abuse of process. Immediate relief is necessary to prevent further irreparable injury and to preserve this Court's jurisdiction. (Dkt. 32,.1, 33.1, 34.1, 36.1)

II. Due Process and Procedural Violations

The Ninth Circuit's July 16, 2025 order denying injunctive relief—despite the absence of any hearing on the matter in any court—is constitutionally deficient. It omits any analysis of Appellants' reply briefs, motion for reconsideration (Dkt. 59.1) or the substantial allegations of false and defamatory conduct by Appellees. This lack of consideration violates the basic tenets of procedural due process under the Fifth and Fourteenth Amendments. See *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (due process requires notice and an opportunity to be heard “at a meaningful time and in a meaningful manner”); *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965).

The adversarial process and Rule 27 of the Federal Rules of Appellate Procedure require full and fair evaluation of the record. A court's failure to consider timely reply filings addressing material issues—including jurisdiction, fraud, and misrepresentation—constitutes a denial of due process. See *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993).

III. Legal Grounds for Injunctive Relief

Relief is warranted where state action intrudes upon federal labor protections and due process rights. Appellees obtained injunctions through a municipal court that lacked subject matter jurisdiction to adjudicate private labor disputes governed exclusively by the National Labor Relations Act (“NLRA”), 29 U.S.C. § 157 et seq. See *San Diego Bldg. Trades Council v. Garmon*, 359 U.S. 236, 245 (1959). Such orders are void *ab initio*.

The challenged injunctions were entered ex parte, without notice, union representation, evidentiary support, or a hearing. These procedural defects violate both state and federal standards. See Fed. R. Civ. P. 65; Ariz. R. Civ. P. 65; *Mullane v. Central Hanover Bank*, 339 U.S. 306 (1950). The record shows that Appellants were subject to workplace harassment, retaliation, and reputational injury stemming from these void orders, satisfying the standard for irreparable harm. See *Winter v. NRDC*, 555 U.S. 7, 22 (2008); *Nken v. Holder*, 556 U.S. 418, 435 (2009).

Federal courts have clear authority to enjoin unconstitutional or ultra vires state enforcement actions. See *Ex parte Young*, 209 U.S. 123 (1908); *Ex parte Virginia*, 100 U.S. 339, 346 (1879).

IV. Failure to Address Motion for Reconsideration and Supporting Evidence

Petitioners moved for reconsideration of the denial of injunctive relief pursuant to Fed. R. App. P. 27(b), citing newly submitted evidence of continuing harm, judicial notice materials, and prior rulings voiding conflicting lower court findings. See (Dkt. 179, 180, 182-2). The Ninth Circuit failed to rule on this motion or acknowledge the record materials that establish procedural and jurisdictional defects. Courts must correct errors that result in manifest injustice. See *ACandS*, 5 F.3d at 1263.

V. Ongoing Irreparable Harm and Abuse of Process

The ongoing dissemination of false and defamatory statements, based on void judicial orders, continues to cause reputational, professional, and constitutional injury to Petitioners. These statements have been repeated in public records, used to justify further retaliation, and exploited in workplace and judicial settings. See (Dkt. 33, 50, 51, 58.1).

Petitioners also rely on final judgments in *Maricopa County Superior Court Case No. LC2017-000316-001 DT*, which found the underlying conduct unlawful and unauthorized. Under principles of res judicata and full faith and credit, later conflicting findings by state and federal courts are void. See *Federated Dep't Stores, Inc. v. Moitie*, 452 U.S. 394, 398 (1981); *Durfee v. Duke*, 375 U.S. 106, 116 (1963); *Valley View Angus Ranch, Inc. v. Duke Energy Field Servs.*, 497 F.3d 1096, 1100 (10th Cir. 2007).

The repetitive litigation of settled issues, particularly through ex parte filings without jurisdiction, constitutes harassment and abuse of process. See *Allen v. McCurry*, 449 U.S. 90, 94 (1980); *Ex parte State Bd. of Educ.*, 68 So. 3d 127, 134 (Ala. 2011).

C. Extraordinary Circumstances Warranting Supervisory Relief

Petitioners are engaged in concurrent proceedings in multiple state courts, federal district courts, and the U.S. Supreme Court, involving overlapping factual and legal issues. Absent intervention, Petitioners face irreparable harm from an appeal prosecuted on an inaccurate and disputed record, while barred from preserving procedural objections.

III. RELIEF REQUESTED

Petitioners respectfully request that this Court:

1. **Issue an immediate stay** of proceedings in the Ninth Circuit Court of Appeals, including all briefing deadlines, pending resolution of outstanding motions to correct the record, vacate void orders, and address judicial bias and due process violations;
2. **Grant leave to correct and supplement the appellate record** as required by the constitutional guarantee of a full and fair opportunity to be heard;
3. **Direct the Ninth Circuit to resolve all pending jurisdictional and procedural motions** prior to requiring merits briefing, to ensure compliance with due process and judicial integrity;
4. **Grant such other and further relief** as this Court deems just and proper under the circumstances.

IV. CONCLUSION AND PRAYER FOR RELIEF

This case presents extraordinary circumstances involving significant procedural irregularities, repeated constitutional violations, and a demonstrable risk of irreparable harm to Petitioners and to the integrity of the judicial process. The Ninth Circuit's summary denial of injunctive relief—without findings of fact or acknowledgment of un rebutted constitutional and jurisdictional arguments—has left Petitioners without a meaningful opportunity for review or redress.

Accordingly, Petitioners respectfully request that this Court:

1. **Issue an emergency injunction** staying all proceedings and enforcement of the challenged injunctions;
2. **Order remand for correction of the judicial record** to remove void, defamatory, and jurisdictionally defective orders;
3. **Grant leave for supplemental briefing and clarification of the record** to ensure due process and informed adjudication;

4. **Alternatively, grant this filing as a petition for an extraordinary writ under Supreme Court Rule 20, in light of the urgency and constitutional magnitude of the issues presented.**

Absent this Court's immediate intervention, Petitioners face ongoing and irreparable harm, the continued deprivation of fundamental rights, and irreversible damage to the legitimacy of the appellate process.

Respectfully Submitted
this 30th day of July 2025



RICHARD RYNN



GELLIANA DAVID RYNN



MARCELLA RYNN

**EMERGENCY MOTION FOR INJUNCTIVE RELIEF, STAY OF
PROCEEDINGS AND REMAND FOR CORRECTION OF THE
RECORD PENDING REVIEW AND
APPLICATION FOR LEAVE TO FILE EMERGENCY MOTION
PURSUANT TO RULE 23**

To the Honorable Chief Justice and Associate Justices of the United States
Supreme Court:

Pursuant to Supreme Court Rule 23 and 28 U.S.C. § 2101(f), Petitioners respectfully move for an emergency stay of proceedings in the United States Court of Appeals for the Ninth Circuit pending review of unresolved motions referred to the merits panel. Petitioners concurrently apply for leave to file this emergency motion as necessary under Rule 23.

As detailed in the accompanying motion, the Ninth Circuit has denied Petitioners' motions for reconsideration, clarification, injunctive relief, and stay of proceedings failed to rule on motion for reconsideration of injunctive relief, (Dkt. 59.1) while referring critical jurisdictional and record-correction motions to the merits panel without resolution. Petitioners face irreparable harm if compelled to brief this appeal on a defective record. Petitioners respectfully request that the Court accept this emergency application and grant a stay of appellate proceedings pending resolution of the underlying jurisdictional and procedural challenges.

Respectfully Submitted
this 30th day of July 2025



RICHARD RYNN



GELLIANA DAVID RYNN



MARCELLA RYNN

CERTIFICATE OF SERVICE

We Richard Rynn, Gelliana David Rynn, Marcella Rynn certifies that on this 29th day of July, 2025, We caused a true and correct copy of the foregoing **Emergency Motion to Stay Proceedings and Correct the Record Pending Review and Application for Leave to File Under Rule 23** to be served via U.S. Mail and/or electronic mail (where available) upon the following:

Gary M. Restaino, Gabriel A. Peraza, United States Attorney, United States Of America,
The U.S. Border Patrol, The Childrens Bureau, U.S. Department of Health & Human Services The
United States District Court For the District Of Arizona, John J. Tuchi, Dominick Lanza, 401 West
Congress Street Suite 4800, Tucson, AZ 85701-5040

Littler Mendelson PC - Phoenix, AZ
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Zelms Erlich Lenkov & Mack

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Attorneys for Intermountain

Nicholle Harris, Lisa Maxie-Mullins, Stephen Kemp, Brandon Cartwright representing

Craig Jennings, City of Avondale, Avondale Police Department

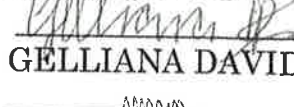
11465 West Civic Center Dr, Avondale, AZ 85323

Service was made at the addresses and/or emails on record with the Ninth Circuit
and opposing parties. We declare under penalty of perjury that the foregoing is true
and correct.

Respectfully Submitted

this 30th day of July 2025


RICHARD RYNN


GELLIANA DAVID RYNN


MARCELLA RYNN

APPENDIX

Decision of Ninth Circuit Court of Appeals
Case No. 25-1951 Decision filed July 28, 2025

Decision of Ninth Circuit Court of Appeals
Case No. 25-1951 Decision filed July 16, 2025

Decision of Ninth Circuit Court of Appeals
Case No. 25-1951 Decision filed April 15, 2025

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 28 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RICHARD RYNN; et al.,

Plaintiffs - Appellants,

v.

CRAIG JENNINGS, for actions outside of
his official capacity as judge of Avondale
City Court; et al.,

Defendants - Appellees.

No. 25-1951

D.C. No.

4:24-cv-00594-JGZ

District of Arizona,

Tucson

ORDER

Before: SILVERMAN and VANDYKE, Circuit Judges.

The motion (Docket Entry No. 57) to clarify the July 16, 2025 order is granted in part and denied in part. Appellants' motions to supplement or correct the record, along with the proposed supplemental material, remain referred to the panel that considers the merits of this appeal. All other requests for clarification are denied.

The court will not entertain any further motions for clarification or reconsideration of the July 16, 2025 order. Any further filings from appellants other than an opening brief or a motion for an extension of time to file the opening brief may be referred automatically to the merits panel.

The opening brief remains due August 20, 2025. The answering briefs are due September 19, 2025. The optional reply brief is due within 21 days after the

last-served answering brief.

The motion (Docket Entry No. 58) for an expedited ruling is denied as moot.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 16 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RICHARD RYNN; et al.,

Plaintiffs - Appellants,

v.

CRAIG JENNINGS, for actions outside of
his official capacity as judge of Avondale
City Court; et al.,

Defendants - Appellees.

No. 25-1951

D.C. No.
4:24-cv-00594-JGZ
District of Arizona,
Tucson

ORDER

Before: SILVERMAN and VANDYKE, Circuit Judges.

The motion (Docket Entry No. 34) for reconsideration of the court's April 15, 2025 order is denied. The motions at Docket Entry Nos. 4, 5, 6, and 7 remain referred to the panel that considers the merits of this appeal. The motions (Docket Entry Nos. 29, 33) to strike and for judicial notice are also referred to the panel that considers the merits of this appeal.

The motions (Docket Entry Nos. 32, 34, 36) for injunctive relief are denied. *See Feldman v. Ariz. Sec'y of State*, 843 F.3d 366, 367 (9th Cir. 2016) ("The standard for evaluating an injunction pending appeal is similar to that employed by district courts in deciding whether to grant a preliminary injunction."); *see also Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (defining standard for preliminary injunction in district court). The supplemented motion (Docket

Entry Nos. 50, 51) to strike the responses to the motion for injunctive relief is denied.

The motion (Docket Entry No. 53) to strike the answering brief of appellees Jennings and Avondale City Court, for sanctions, and to stay appellate proceedings is denied.

The court will not consider any further motions for a stay of appellate proceedings based on the pending motions referred to the merits panel.

The opening brief is now due August 20, 2025. The answering briefs are due September 19, 2025. The optional reply brief is due within 21 days after the last-served answering brief.

Appellants are not required to submit excerpts of record. If appellant does not submit excerpts, appellees must submit all documents cited in the pro se opening brief or otherwise required by the rules. *See* 9th Cir. R. 30-1.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

APR 15 2025

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RICHARD RYNN; et al.,

Plaintiffs - Appellants,

v.

CRAIG JENNINGS, for actions outside of
his official capacity as judge of Avondale
City Court; et al.,

Defendants - Appellees.

No. 25-1951

D.C. No.
4:24-cv-00594-JGZ
District of Arizona,
Tucson

ORDER

The motions (Docket Entry Nos. 4, 5, 6, 7) to correct the record, to vacate and correct the record, for judicial notice, and to recuse and change venue are referred to the panel that will be assigned to decide the merits of this appeal.

The motion (Docket Entry No. 8) to stay proceedings pending resolution of those motions is denied. The motions will be resolved after briefing is complete.

The opening brief is due May 19, 2025. The answering briefs are due June 18, 2025. The optional reply brief is due 21 days after the answering briefs are served.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT