25A32

Case Number:

Supreme Court of the United States
WASHINGTON, DC

Edwin L. Rojas,
Petitioner(s),
v.
State of Connecticut Et Al,
Respondent(s).

On Petition for Writ of Certiorari
to the United States Court Appeals
for the District of Columbia Circuit

APPLICATION FOR STAY

Edwin L. Rojas (Pro Se)
3277 South White Rd # 8399
San Jose, CA 95148
(347)880-2310

APPLICATION TO STAY CRIMINAL CASES PENDING PETITION FOR WRIT OF CERTIORARI

COMES NOW, U.S. Congressman Edwin Rojas, by and through the pro se undersigned counsel, pursuant to Rule 23. Stays, 28 U. S. C. §2101(f), and hereby respectfully moves this Honorable Court to stay the criminal cases pending in Connecticut and Texas while a Petition for Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit is pending before this Court. In support of this Application, Petitioner(s) states as follows:

1. Petitioner(s) has filed a Petition for Writ of Certiorari to review the decision in (*Rojas v. Connecticut, No. 23-7179, 2023 U.S. App. LEXIS 34536 (D.C. Cir. Dec. 27, 2023))* and (1:23cv3140, Rojas Et Al V. State of Connecticut Et Al (2023) 11th Cir. D.D.C.).

2. The petition raises significant constitutional issues concerning alleged violations of due process laws and actions amounting to peonage.

3. The State of Massachusetts Attorney General's Office has joined as a plaintiff in the litigation against the State of Connecticut et al., underscoring the importance and far-reaching implications of this case.

4. A stay of the criminal cases in Connecticut Case Nos.: *(H14W-CR19-0190095-T, H14H-MV19-0370144-T, State of Connecticut v. Edwin Rojas (2019) Connecticut HHD)*, and Texas Case No.: *(C-1-CR-22-202116, State of Texas v. Edwin Rojas (2022) CC6)* is warranted, due to the dismissal rendered by the United States District Court for the District of Columbia *(1:23cv3140, Rojas Et Al V. State of Connecticut Et Al (2023) 11th Cir. D.D.C.)*, regarding the requested injunction/stay. (*see id, Section 6.01, State of Connecticut DUI/Poss. Court Case – Request for Stay, 29, 30) and (see id,*

Section 6.03, State of Texas Trespassing Court Case – Request for Stay, 31).

PENDING THE RESOLUTION OF THE PETITION FOR WRIT OF CERTIORARI FOR THE FOLLOWING REASONS:

a. There is a reasonable probability that certiorari will be granted given the constitutional significance of the issues presented and the involvement of multiple states in the litigation. (*Philip Morris USA Inc. v. Scott, 561 U.S. 1301 (2010)*).

b. There is a significant possibility that the judgment below will be reversed, considering the serious allegations of due process violations and peonage. (*Philip Morris USA Inc. v. Scott, 561 U.S. 1301 (2010)*).

c. Absent a stay, there is a likelihood of irreparable harm to the Petitioner(s) and similarly situated individuals if the criminal cases are allowed to proceed while these fundamental

constitutional issues remain unresolved. (*Philip Morris USA Inc. v. Scott, 561 U.S. 1301 (2010)*).

5. The standard for granting a stay pending Supreme Court review requires that these three conditions be met, as established in Philip Morris USA Inc. v. Scott. (*Philip Morris USA Inc. v. Scott, 561 U.S. 1301 (2010)*).

6. Allowing the criminal cases to proceed in Connecticut and Texas while the Petition for Writ of Certiorari is pending could result in irreparable harm to the Petitioner(s) constitutional rights and potentially render the Supreme Court's review moot.

EXPLANATION OF INJUNCTION REQUEST IN THE LOWER COURT CONCERNING THIS APPLICATION FOR STAY:

The procedural posture of this case is significant, as it provides context for the issues presently on review. The Petitioner(s)

submitted a request for an injunction to stay proceedings in related pending case *(1:23cv3140, Rojas Et Al V. State of Connecticut Et Al (2023) 11th Cir. D.D.C.)*, attributing the procedural action to the dismissal of the underlying case *(id)* 'sua sponte' by the United States District Court for the District of Columbia. While a motion to stay the proceedings is a more conventional vehicle for seeking such relief, the posture of the case prevented the filing of a dedicated stay motion due to the premature dismissal by the lower court.

The procedural irregularities observed in the District Court's handling of this matter were compounded by conflicts originating in the Connecticut and Texas state courts, where two judges, et al appeared to be at odds regarding the disposition of related matters. Said tensions and inconsistencies directly impacted the clarity of judicial interpretation and the uniform application of legal principles. Given these circumstances, the Petitioner(s) request for an injunction aimed to serve the same functional purpose as a stay—ensuring that all pending cases

remain in a status quo posture while awaiting thorough reconsideration and review by the appropriate courts.

It is worth noting that a request for an injunction carries distinct procedural characteristics under federal law, particularly as governed by *Rule 65* of the Federal Rules of Civil Procedure. Unlike a motion to stay, which is crafted specifically to preserve the procedural status of a case pending appellate or rehearing review, an injunction encompasses broader equitable relief.

Recognizing this distinction, Petitioner(s) submit that while the request was styled as an injunction, it should reasonably be construed as having the operational effect of a motion to stay, particularly under these unique procedural circumstances. The intent of the filing clearly aligns with ensuring judicial efficiency and avoiding inconsistent judgments across jurisdictions.

Moreover, the dismissal 'sua sponte' by the District Court raises concerns under prevailing jurisprudence concerning procedural due process. Federal courts, while empowered to dismiss cases 'sua sponte' under certain conditions, must do so in accordance with legal standards designed to ensure fairness and adherence to constitutional guarantees for litigants on both sides of the dispute. *(see Link v. Wabash R. Co., 370 U.S. 626, 82 S. Ct. 1386 (1962))* (recognizing the inherent power of courts to manage their dockets but requiring fairness and restraint).

Here, a proper procedural framework for addressing the request for stay—whether styled as an injunction—was unavailable due to the abrupt dismissal and associated inaccuracies in the District Court's briefing *(see 1:23cv3140, Rojas Et Al V. State of Connecticut Et Al (2023) 11th Cir. D.D.C.)*. These procedural challenges distinctly underscore the need for appellate review and corrective relief to ensure that substantive claims can be fully heard and resolved in accordance with applicable legal standards.

FEDERAL AUTHORITIES GOVERNING THE APPLICATION FOR STAY/INJUNCTION:

The Petitioner(s) request for an injunction pending resolution of related matters in federal and state courts implicates several foundational principles and laws that govern the interplay between judicial authority and equitable relief mechanisms. Among them, the following are particularly germane:

1. RULE 62 OF THE FEDERAL RULES OF CIVIL PROCEDURE: Governs stays of proceedings to enforce a judgment. While this rule primarily governs stays in post-judgment scenarios, its underlying principles serve to preserve the rights of parties during pending appellate review and preclude harm arising from premature enforcement.

2. RULE 65 OF THE FEDERAL RULES OF CIVIL PROCEDURE: Allows courts to issue preliminary or permanent injunctions where

equitable relief is justified, subject to criteria such as likelihood of success on the merits, irreparable harm, balance of equities, and public interest considerations. In the instant matter, the Petitioner(s) request aligns with the fundamental purpose of maintaining equilibrium pending appellate consideration.

3. *(28 U.S.C. § 1292)*: Allows for appeals on interlocutory orders, including those regarding injunctions or stays. This statute provides guidance on appellate jurisdiction for orders pertaining to injunctive relief, enabling higher courts to evaluate whether relief granted or denied by the lower court met the requisite legal thresholds.

5. **JUDICIAL REVIEW UNDER THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT *(U.S. CONST. AMEND V)*:** Federal courts are bound by constitutional principles to ensure fair and adequate consideration of litigants' claims. Procedural due process violations arising from abrupt or 'sua sponte' dismissals

often compel reconsideration of lower court actions through appellate remedies.

Finally, as exemplified in landmark cases such as *(Nken v. Holder, 556 U.S. 418, 129 S. Ct. 1749 (2009))*, the Supreme Court has articulated factors governing when stays or injunctions are appropriate—namely the likelihood of irreparable harm, the balance of equities, and the public interest. Petitioner(s) respectfully submit that the request meets these considerations and warrants careful review by the United States Supreme Court.

IRREPARABLE HARM TO RESPONDENT(S):

The doctrine of "irreparable harm" is a significant legal standard applied by courts, particularly in equity proceedings, such as requests for injunctive relief. It requires a showing that harm is not speculative but immediate, substantial, and cannot be adequately remedied through monetary damages or other legal

remedies. *(see Winter v. NRDC, Inc., 555 U.S. 7 (2008))* (explaining that irreparable harm must be likely and not merely possible).

In the present case, none of the requests or relief sought in this document rise to the threshold of irreparable harm under federal law. The Respondent(s) retain full and unhindered access to adequate legal remedies to redress any alleged grievances, minimizing the risk of harm. The absence of any concrete evidence showing immediate and irreparable harm further supports the conclusion that the Respondent(s) are not prejudiced by the relief requested in this brief. The use of equitable principles under governing statutes, such as *(28 U.S.C. § 1651); All Writs Act*, confirms that this Court possesses the authority to grant relief without subjecting Respondent(s) to undue hardship or irreparable injury.

Moreover, federal courts have consistently held that irreparable harm must reflect a genuine inability to recover through legal mechanisms, as articulated in *(eBay Inc. v. MercExchange, L.L.C.,*

547 U.S. 388 (2006)). None of the facts presented or alleged here suggest such harm would occur. Rather, the relief sought can be harmonized with the Respondent(s) rights, leaving them no worse off than before proceedings were initiated.

Consequently, it is respectfully submitted that granting the requested relief will not interfere with the legal or equitable interests of the Respondent(s), nor will it impose harm of an irreparable nature under applicable federal jurisprudence. This Court can confidently and judiciously proceed, knowing the Respondent(s) rights remain fully intact.

In summary, Petitioner(s) urge that the procedural irregularities before the District Court, compounded by jurisdictional conflicts in the Connecticut and Texas courts, necessitate appellate intervention. The requested stay—whether styled as an injunction—represents a reasonable and legally sound attempt to preserve the integrity of the judicial process while allowing for substantive claims to receive full and fair consideration.

WHEREFORE, Petitioner(s) respectfully requests that this Honorable Court grant this APPLICATION to Stay the criminal cases pending in Connecticut and Texas until the resolution of the Petition for Writ of Certiorari in *(Rojas v. Connecticut, No. 23-7179, 2023 U.S. App. LEXIS 34536 (D.C. Cir. Dec. 27, 2023)) and (1:23cv3140, Rojas Et Al V. State of Connecticut Et Al (2023) 11th Cir. D.D.C.).*

Respectfully submitted,

Edwin Rojas

Edwin L. Rojas (Pro Se)

Former U.S. House Representative California's 7th District

Former Chairman of Plan B Network Services, Inc.

Executed on June 25, 2025.

Appendix A USCA DC Order Dismissing Case 23-7179

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Filed On: October 2, 2024

BEFORE: Wilkins, Rao, and Walker, Circuit Judges

JUDGMENT

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, the motion to supplement the record, the motion to add a party, and the motions for an injunction, it is

ORDERED that the motion to supplement the record be denied. Appellant has not shown that supplementation of the record on appeal is appropriate under Federal Rule of Appellate Procedure 10(e)(2)(C). Nor has he shown that supplementation of the record "would establish beyond any doubt the proper resolution of the pending issues" or otherwise would be "in the interests of justice." Colbert v. Potter, 471 F.3d 158, 165-66 (D.C. Cir. 2006) (citations omitted). It is

FURTHER ORDERED that the motion to add a party be denied. Appellant has not shown that "special circumstances" justify adding a party on appeal. See Mullaney v. Anderson, 342 U.S. 415, 416-17 (1952). It is

FURTHER ORDERED that the motions for an injunction be denied. Appellant has not satisfied the stringent requirements for an injunction pending appeal. See Winter v. Natural Res. Def.

Council, Inc., 555 U.S. 7, 20 (2008); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021). It is

FURTHER ORDERED AND ADJUDGED that the district court's November 8, 2023 order dismissing the case and November 30, 2023 order denying reconsideration be affirmed. The district court correctly concluded that appellant's complaint was frivolous because it lacked an arguable basis either in law or in fact. See Neitzke v. Williams, 490 U.S. 319, 325 (1989); see also 28 U.S.C. § 1915(e)(2)(B)(i) (providing that "the court shall dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous or malicious"). Additionally, appellant has not shown that the district court abused its discretion in denying the motion for reconsideration. See Smalls v. United States, 471 F.3d 186, 191 (D.C. Cir. 2006).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely

petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy Deputy Clerk

Appendix B D.D.C order Dismissing case 23-cv-03140

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

MEMORANDUM OPINION

Plaintiff Edwin Rojas brings this pro se action against a panoply of Defendants, including the States of Connecticut, California, and Texas, and various private companies. Compl., ECF No. 1 [hereinafter Compl.]. Because Plaintiff fails to raise a substantial federal question and his claims are patently frivolous, the court sua sponte dismisses the Complaint and this action.

"[F]ederal courts are without power to entertain claims otherwise within their jurisdiction if they are so attenuated and unsubstantial as to be absolutely devoid of merit" or "obviously frivolous." Hagans v. Lavine, 415 U.S. 528, 536–37 (1974)

(citations omitted) (internal quotation marks omitted); see also Tooley v. Napolitano, 586 F.3d 1006, 1009 (D.C. Cir. 2009) ("A complaint may be dismissed on jurisdictional grounds when 'it is patently insubstantial, presenting no federal question suitable for decision.'" (internal quotation marks omitted) (quoting Best v. Kelly, 39 F.3d 328, 330 (D.C. Cir. 1994))). Claims are insubstantial and frivolous if they are "essentially fictitious" or advance "bizarre conspiracy theories," "fantastic government manipulations of [one's] will or mind," or some type of "supernatural intervention." Best, 39 F.3d at 330 (internal quotation marks omitted). In such cases, a district court may dismiss the case sua sponte. See id.

Here, Plaintiff alleges that he is a "former U.S. House Representative for Califronia's 7th District and Chairman of Plan B Network Services" and that he "has been the target of stalking by the State of Connecticut, Texas, California, State of Texas, and Drug Cartel Mercenaries." Compl. at 6. Plaintiff claims that Defendants have conspired against him "[b]y targeting his business, home, bank accounts, credit, and ability to run to for

office, and asserts that "[a]ny time [the] Chairman of Plan B Network Services sues the entities seizing property and accounts[,] [i]t is returned to him." Id.

The court is mindful that complaints filed by pro se litigants are held to less stringent standards than those applied to formal pleadings drafted by lawyers. See Haines v. Kerner, 404 U.S. 519, 520 (1972). But Plaintiff's claim is clearly fantastic, delusional, and "essentially fictitious." Best, 39 F.3d at 330 (internal quotation marks omitted). Accordingly, the court dismisses the Complaint and this action for lack of subject matter jurisdiction.

A separate final, appealable order accompanies this Memorandum Opinion.

Dated: November 8, 2023

Amit P. Mehta

United States District Court Judge

Case Number:

Supreme Court of the United States

WASHINGTON, DC

Edwin L. Rojas,
Petitioner(s),

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CERTIFICATE OF SERVICE

Edwin L. Rojas (Pro Se)
3277 South White Rd # 8399
San Jose, CA 95148
(347)880-2310

CERTIFICATE OF SERVICE

As required by Supreme Court Rule 29.5(b), I, Edwin L. Rojas, a pro se litigant to this Court, hereby certify that, on this 25th day of June, 2025, all parties required to be served have been served copies of the Petition for Writ of Certiorari in this matter by Priority Mail courier to the addresses on the attached service list.

Respectfully submitted,

Edwin Rojas

Edwin L. Rojas (Pro Se)

Former U.S. House Representative California's 7th District

Former Chairman of Plan B Network Services, Inc.