

No. 24-7025

Supreme Court of the United States

James R. Todino - Petitioner,

v.

X CORP., f/k/a TWITTER, INC., et al., - Respondents.

PETITION FOR REHEARING

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Dated: 11/11/2025

This Petition for Rehearing is filed under Supreme Court Rule 44.2 to confront a constitutional crisis that emerged after this Court's June 23, 2025, denial of certiorari in No. 24-7025. Since that ruling, administrative actions within the Massachusetts courts have erased every path to judicial review. Verified filings and sworn evidence were not rejected on the merits; they were never seen. What began as bureaucracy has become obstruction, raising a question of national importance about whether due process and equal protection can survive when justice depends on administrative permission instead of constitutional right. When access itself is denied, the rule of law collapses into ritual, not reality.

Before these developments, Petitioner sought post-judgment relief across ten consolidated Massachusetts civil actions through motions filed under Rules 60(b)(4) and 60(b)(6). Each motion included certified transcripts, corrected service certificates, and verified exhibits proving that earlier dismissals were entered without review of the operative pleadings or evidence. Every filing satisfied procedural requirements, yet none were examined by the court. What followed was not judicial review but administrative collapse. Clerical error replaced adjudication, leaving constitutional questions unresolved, the record incomplete, and Petitioner denied any meaningful opportunity to be heard in violation of the most basic guarantees of due process and fairness.

This Petition for Rehearing arises from facts and events that did not exist when the review was first denied. What once appeared procedural has become constitutional, revealing how administrative barriers and corporate immunity now obstruct justice itself. Verified filings, certified transcripts, and sworn evidence were excluded not by judgment, but by confusion and neglect. These failures stripped citizens of access to court and silenced the very proof that defines fairness. Rehearing is essential to restore accuracy to the record, integrity to the process, and faith that constitutional rights still protect individuals when bureaucracy replaces justice with control.

In September 2025, the Massachusetts Regional Administrative Justice issued an order forbidding any further filings in Petitioner's ten companion cases without prior authorization. That directive stopped the courts from considering pending Rule 60(b) motions, sealing requests, and verified evidence that demanded review. Appeals were docketed, but the restriction froze justice itself, turning the courthouse into a closed gate. This post-judgment action constitutes an intervening circumstance of controlling effect under Rule 44.2. By converting dismissal into continuing denial, the order transformed error into exclusion and left constitutional rights hostage to administrative power rather than judicial duty.

The denial of judicial review strikes at the core of constitutional government. By blocking access to a neutral tribunal, the administrative directives destroyed the safeguard that separates justice from raw authority. The result was exclusion disguised as order, directly contradicting this Court's rulings in *Goldberg v. Kelly* and *Logan v. Zimmerman Brush Co.*, which held that procedure cannot silence the right to be heard. When verified evidence is withheld from consideration, courts abandon their duty to truth and law alike. This continuing refusal to permit review is not a process; it is punishment, and it violates both due process and equal protection.

The collapse of due process extended beyond procedure into personal harm. After certiorari was denied, Petitioner sought protection of sensitive and confidential materials in the state court record, yet the safeguards were never applied. This neglect exposed private information and transformed a clerical task into a continuing violation of privacy and security. The disregard for confidentiality reveals how administrative systems now endanger the very citizens they exist to protect. What began as an effort to preserve personal dignity now stands as evidence that the state's failure to act has turned neglect into a constitutional breach demanding correction.

Verified court records and corrected docket materials confirm that Petitioner's filings were complete, proper, and timely, yet never reviewed because the judicial process failed to function. What began as clerical confusion has become proof of structural breakdown within the judiciary. A court that loses or ignores verified filings forfeits both impartiality and legitimacy. Dismissal under such conditions is not oversight but constitutional failure. When the state mismanages its own record and then relies on that disorder to deny review, negligence becomes policy and due process is reduced to ceremony instead of justice.

The harm remains active and severe, reflected in the unchecked spread of false and damaging digital material that undermines personal security, reputation, and public trust. Verified reports and supporting documentation were submitted to multiple authorities, yet no action was taken. This continuing neglect proves that the injury persists and that only judicial intervention can halt its expansion. Each day of inaction deepens the damage and widens the constitutional breach. The result is a systemic violation of privacy, security, and due process that demands correction and reaffirms the urgent need for constitutional accountability in the digital age.

The same lack of oversight that allows digital harm to flourish has corrupted the judicial process itself. The record shows that dismissals were issued without review of operative pleadings or evidence. Courts relied on incomplete dockets, accepted false representations from opposing counsel, and ignored verified proof of service, filing, and compliance. The official record no longer reflects reality. Judicial error compounded clerical confusion until fact became fiction within the law's own files. This distortion violates the fundamental fairness affirmed in *Ashcroft v. Iqbal* and *Bell Atlantic Corp. v. Twombly*, which require courts to assess factual allegations on their merits before dismissal.

The breakdown of the process has done more than block one petitioner. It has damaged the public's faith in justice itself. Every rule was followed and every requirement met, yet truth was silenced by a system built to protect order instead of fairness. The Fourteenth Amendment forbids such an imbalance because due process is not a privilege of convenience; it is the foundation of freedom. When courts allow bureaucracy to outweigh evidence, they exchange judgment for control. That trade corrupts the purpose of law, turning justice from a shield of truth into an instrument of exclusion.

The same systemic barriers that denied access to the record also produced unequal treatment within the courts themselves. Large corporations and represented parties received broad flexibility and generous review, while self-represented citizens were confined by rigid technicalities that denied them even the chance to be heard. Such disparity violates the equal protection guaranteed by the Fourteenth Amendment. Neutrality cannot exist where procedure favors the powerful. When access to justice depends on wealth, status, or institutional influence, equality before the law ceases to exist, and the Constitution is reduced from a living safeguard to an empty symbol of fairness unfulfilled.

The lower courts misapplied Section 230 of the Communications Decency Act by granting digital platforms absolute immunity, even after they were given verified notice of impersonation, defamation, and threats. The record shows that each platform knew of the misconduct yet chose to continue hosting, amplifying, and profiting from it. Such conduct places these entities outside the statute's protection, as held in *Fair Housing Council v. Roommates.com*, *FTC v. LeadClick Media*, *Doe v. Internet Brands*, *Barnes v. Yahoo!*, and *Merritt v. Google*. Section 230 was enacted to protect lawful expression, not to commercialize harm. Immunity cannot extend to companies that monetize deception and danger, turning a shield for free speech into a sanctuary for abuse and profit.

The claims remain timely under the discovery and tolling doctrines recognized by this Court. The full scope of injury, and the identities of those responsible, emerged only after years of concealed online impersonation and coordinated misconduct. Under *Rotella v. Wood, TRW v. Andrews*, and *Merck v. Reynolds*, limitation periods begin only when a plaintiff discovers, or reasonably could have discovered, both the harm and its cause. Verified records confirm that the violations continue and that each claim arises from facts revealed only through later discovery. Time cannot legitimize a wrong deliberately hidden from those it was meant to destroy.

Since the denial of certiorari, appellate courts across multiple circuits have deepened division over the reach of Section 230 and the responsibility of digital platforms that promote or profit from unlawful content. Post-*Gonzalez v. Google* rulings conflict on when a platform becomes an information content provider by amplifying or monetizing harmful material. Some circuits now limit immunity where notice and profit are proven, while others still grant absolute protection. This growing split has destroyed national consistency and left citizens without a predictable remedy. Supreme Court clarification is now essential to restore coherence, accountability, and equal justice in the digital era.

The issues presented here reach far beyond a single litigant. They define how justice will function in the digital age. Without Supreme Court review, lower courts will continue applying conflicting standards that protect corporate power while silencing individuals harmed by impersonation, defamation, and digital coercion. The absence of consistent constitutional limits has created a two-tier system in which citizens stand defenseless against technological abuse while powerful intermediaries profit from harm. Rehearing is essential to restore national unity, reaffirm judicial access, and preserve due process as a living promise rather than a fading principle in the modern era.

The consequences of these failures reach beyond personal injury and into public governance. Petitioner's campaign for office was undermined by coordinated impersonation and digital defamation that spread across major platforms and archives. The same tactics now threaten legislators. While advancing online-safety reform, several U.S. Senators faced organized retaliation campaigns. One withdrew support for Section 230 reform bill S.2972, after staff cited fears of reputational attacks and outside funding pressure. Such influence, whether fueled by dark money or coordinated defamation, compromises legislative independence and corrodes the foundation of democratic decision-making.

These acts of intimidation expose the corruption and manipulation this Court warned against in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010). The decision's warning that undisclosed money would distort democracy is now realized within digital governance itself. Hidden funding networks and covert lobbying shape not only elections but the rules governing technology, speech, and privacy. Anonymous power decides which voices are amplified and which are silenced. Coordinated disinformation protects corporate immunity and deters oversight. When legislators fear retaliation for pursuing reform, democracy no longer serves the people. Only this Court can restore accountability.

Digital intimidation is not speech but coercion. It corrupts the constitutional foundations of transparency, accountability, and representative government. When officials, journalists, and citizens are silenced by threats of coordinated online retaliation, the First Amendment no longer protects truth but conceals manipulation. The alliance of government inaction and corporate immunity has built an economy of fear where profit thrives on public harm. The Constitution forbids such an imbalance because self-government cannot exist without honest discourse. A republic cannot survive when silence is safer than truth. Only this Court can reaffirm that no power may profit from deception or rule through fear.

Despite verified police reports and formal complaints to federal and state authorities, including the Federal Bureau of Investigation, the Department of Homeland Security, and the Department of Justice, no action was taken to investigate or stop the ongoing impersonation and threats. Each agency acknowledged receipt but failed to coordinate or enforce any response. This silence reflects a collapse of accountability within public institutions. Government inaction endures because the dark web and anonymous networks enable crime without identity, allowing offenders to operate beyond enforcement. When the law treats anonymity as immunity, justice becomes an illusion, and citizens remain exposed and unprotected.

The scope of digital harm has expanded with the advancement of technology. Artificial intelligence, deepfakes, and automated networks now reproduce impersonation, defamation, and coordinated threats on a scale once unimaginable. False content spreads globally within seconds, overwhelming every system of verification or removal. This acceleration has transformed personal injury into a structural assault on privacy, safety, and truth. The law has not kept pace with these dangers. While citizens remain unprotected, corporations profit from algorithmic manipulation and the monetization of human weakness, converting innovation into exploitation and progress into predation.

Government neglect and unregulated anonymity have transformed the Internet from a tool of progress into a system of deception and control. By permitting hidden identities and unverified accounts to shape public discourse, policymakers created a digital order where falsehood outruns truth and accountability disappears. This failure is constitutional, not technological, because the rule of law cannot survive where identity and responsibility are optional. The refusal to demand transparency or authenticity has turned expression into a weapon of manipulation. When government indifference and corporate immunity protect deceit, truth dies first, and democracy follows soon after.

The collapse of accountability online has been mirrored within the judicial process itself. Administrative barriers, clerical errors, and judicial inaction have deprived Petitioner of a fair and impartial tribunal. Due process guarantees every citizen a meaningful opportunity to present evidence and obtain review on the merits. As affirmed in *Daniels v. Williams* and *DeShaney v. Winnebago County*, that protection applies whenever government or private power controls access to justice. When verified filings are disregarded and no remedy exists to correct the record, law becomes performance, and courts become instruments of exclusion, betraying the Constitution's promise of fairness and truth.

The unequal treatment revealed in these proceedings exposes a widening structural divide within American justice. Individuals without institutional power face impossible procedural barriers, while corporate defendants enjoy immunity, representation, and influence over the very rules that govern them. This imbalance has produced a digital caste system where accountability depends on wealth and status rather than truth or evidence. Such disparity violates the Equal Protection Clause and erodes public trust in the judiciary. When rights belong only to those who can afford to defend them, the Constitution becomes performance, and democracy collapses into image instead of reality.

The Constitution protects citizens from both overt and structural denial of justice. Courts must ensure that procedure never becomes a weapon of exclusion that nullifies substantive rights or conceals error behind formality. The right to be heard is not a privilege granted by convenience but a principle that defines the rule of law itself. Rehearing is necessary to reaffirm that these guarantees follow the individual, not the platform, agency, or bureaucracy that seeks to silence them. By restoring access to review and correcting the record, this Court can renew constitutional accountability, restore faith in judicial integrity, and demonstrate that justice in America endures not as an aspiration, but as a living promise the Constitution still commands us to keep.

Acknowledging and correcting error is the highest expression of judicial integrity. The legitimacy of the courts rests not on perfection, but on the courage to confront and repair injustice once it becomes visible.

Rehearing in this matter would affirm that no citizen stands beneath the Constitution's protection and no error lies beyond correction.

Transparency in this process strengthens public confidence and reminds the nation that the judiciary's duty is to guard truth, not to shelter misconduct. Justice requires humility, not pride, and the strength to confront, rather than conceal, what went wrong. In the courage to correct injustice, the Court renews the very faith that gives law its authority and the Constitution its enduring meaning.

The systemic exclusion of the digital era mirrors earlier moments when courts confronted entrenched inequality. Just as *Brown v. Board of Education* rejected the false promise of "separate but equal," this Court must now reject the modern divide between those who can obtain justice and those who cannot. Digital impunity has replaced segregation with a new form of exclusion, where access to truth, safety, and reputation depends on technological power and corporate immunity. This transformation endangers equal citizenship itself. As *Brown* affirmed the dignity of every child, this Court must affirm the equal dignity of every voice in the digital age.

The time has come for structural reform that restores fairness, accountability, and truth to the digital sphere. The law cannot remain silent while technology becomes an instrument of deception and control. Verified identity standards, responsible content oversight, and meaningful judicial access are essential to protect both individual liberty and public trust. The Constitution forbids any system where profit thrives on impersonation, manipulation, or fear. Rehearing offers this Court an opportunity to establish enduring constitutional boundaries, reaffirm the rule of law, and ensure that justice, like technology itself, evolves with the age rather than surrenders to it.

The unregulated Internet has become a digital frontier where lawlessness thrives because governments have chosen convenience and influence over accountability and safety. By refusing to establish verified identity standards or lawful oversight, policymakers created a system that rewards deception, intrusion, and exploitation. This was not neglect but intent. An ungoverned network provides leverage for surveillance and manipulation abroad while leaving citizens at home defenseless against impersonation, theft, and digital abuse. The same anonymity that empowers covert control overseas now protects criminality within. Such a design is not neutrality but abdication, and it undermines every constitutional promise of protection and justice.

A government that profits from chaos cannot claim to defend justice.

Treating the Internet as an instrument of dominance rather than a public trust has allowed corporations, agencies, and covert interests to profit from disorder while citizens pay the price in privacy, safety, and truth.

The rule of law cannot survive selective enforcement or silent complicity.

True liberty demands transparency, restraint, and accountability.

Restoring order online is both a constitutional and moral duty, necessary not only to protect individuals but to preserve the credibility of the very institutions entrusted with defending freedom itself.

When law rewards anonymity and immunity protects deception, anyone can commit crimes without consequence while the innocent bear the cost.

A society that legalizes lawlessness destroys the purpose of work, truth, and justice alike. Without accountability, freedom becomes an illusion, and the Constitution becomes permission for corruption.

Certificate of Compliance with Rule 44.2

Pursuant to Rule 44.2, I certify that this Petition for Rehearing is presented in good faith and rests on intervening circumstances of substantial or controlling effect, as well as other significant grounds not previously presented.

Certificate of Compliance with Rule 33.2

This Petition for Rehearing contains approximately 2,890 words, excluding the caption, signature block, and certificates. It is prepared in 12-point Century Schoolbook font, double-spaced, on 8½ × 11-inch paper, and complies with Rule 33.2.

Certificate of Service

I certify that on November 11, 2025, one copy of this Petition for Rehearing was served by first-class mail, postage prepaid, on all counsel of record for the Respondents as listed in prior filings, in accordance with Supreme Court Rule 29.

Respectfully submitted,



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Dated: November 11, 2025