Case No.: ____________

IN THE SUPREME COURT OF THE UNITED STATES

TODD STEPHENS,

Petitioner,

versus

UNITED STATES OF AMERICA,

Respondent.

On Petition for a Writ of Certiorari to
the United States Court of Appeals
for the Eleventh Circuit

PETITION FOR A WRIT OF CERTIORARI

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I. Questions Presented

1. Does imposing a restitution order of $130,220,803.65—derived from speculative calculations and disproportionately exceeding the petitioner's limited nine-month role in the offense—violate the Excessive Fines Clause of the Eighth Amendment and the procedural guarantees of the Fifth Amendment's Due Process Clause?

2. Does initiating foreclosure proceedings on the petitioner's primary residence—while the validity of an excessive and speculative restitution order remains unresolved—violate due process protections, particularly where procedural barriers, including incarceration, pandemic-related restrictions, and limited legal resources, prevented the petitioner from fully litigating his defenses?

3. Should courts adopt enhanced procedural safeguards to ensure fairness for pro se litigants in cases involving extraordinary procedural barriers, disproportionate restitution orders, and significant financial hardship?

II. Table of Contents

III. Table of Authorities

Cases:

Constitutional Provisions:

Statutes:

Rules:

IV. Certificate Of Interested Persona And Corporate Disclosure Statement

Petitioner Todd Stephens files this Corporate Disclosure Statement, identifying all entities with a financial interest in this appeal, as required by U.S. Supreme Court Rule 29.6.

Ciccio, Mathew A.

Croke, Danielle, AUSA

Furr, Robert Cecil

Lapointe, Markenzy, United States Attorney

Matzkin, Daniel, AUSA – Appellee Attorney

Mc Cabe, Hon. Ryon M.

NC TWO, LP

NC VENTURES, Inc.

PNC Mortgage Bank National Association, Defendant

Singhal, Raag, United States District Judge

Stephens, Todd, Defendant-Appellant, Pro Se

United States of America, Plaintiff-Appellee

Williams, Kathleen M., United States District Judge

V. Petition For Writ Of Certiorari

Todd Stephens, an investor partner and former Chief Financial Officer of NuMedCare LLC, ("NuMedCare"), during a limited nine-month period, proceeding pro se, respectfully petitions this Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eleventh Circuit. The Eleventh Circuit affirmed the district court's decision enforcing a $130,220,803.65 restitution lien and authorizing the foreclosure of Mr. Stephens's primary residence, despite unresolved constitutional challenges to the restitution order under the Mandatory Victims Restitution Act (MVRA),

VI. Opinions Below

The Eleventh Circuit's opinion affirming the district court's order is unpublished and available at United States v. Stephens, Case No. 23-13472 (11th Cir. Nov. 26, 2024). This opinion, which upheld the district court's summary judgment to enforce the restitution lien, is included in the Appendix at A-1. The district court's decision, also unpublished, is found at Docket No. 9:23-cv-80043-AHS (S.D. Fla.) and is included in the Appendix at A-2.

VII. Jurisdiction

This Court has jurisdiction under 28 U.S.C. § 1257. The United States Court of Appeals for the Eleventh Circuit's judgment was entered on November 26, 2024. This petition is timely filed within 90 days of that decision.

VIII. Constitutional Provisions Involved

United States Constitution, Amendmend VIII:

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

United States Constitution, Amendmend V:

"No person shall... be deprived of life, liberty, or property, without due process of law...."

IX. Statement of the Case

A. Opening and Background

Over two centuries ago, this Court declared in Calder v. Bull, 3 U.S. (3 Dall.) 386, 388 (1798), that the prohibition against excessive fines is "founded in natural justice." More recently, in Timbs v. Indiana, 139 S. Ct. 682, 689 (2019), this Court reaffirmed the Excessive Fines Clause as fundamental to our scheme of ordered liberty and applicable to the states through the Fourteenth Amendment. Together, these rulings underscore that financial penalties imposed by the government must be proportional to the offense and the offender's circumstances.

This case arises from the enforcement of a $130,220,803.65 restitution order against Todd Stephens, an investor partner and former Chief Financial Officer of NuMedCare, who was convicted of conspiracy to commit money laundering under 18 U.S.C. § 1956(h). Mr. Stephens's conviction pertains solely to his nine-month tenure at NuMedCare, from April 2013 to December 2013, during which his responsibilities were limited to administrative oversight of financial accounts. During this time, NuMedCare's financial records document $13 million in transactions.

Despite these limited circumstances, the restitution order holds Mr. Stephens jointly and severally liable for $130 million—an amount grossly disproportionate to the $13 million in transactions during his nine-month tenure. The order improperly attributes speculative and unrelated losses from periods before and after Mr. Stephens's time at NuMedCare, including times when he was neither employed by nor affiliated as a partner with the company. Such an imposition violates the MVRA's requirement that restitution reflect only proven losses directly caused by the defendant's conduct and ignores this Court's guidance that financial penalties must remain proportionate and grounded in credible evidence.

The speculative nature of this calculation was explicitly acknowledged during the restitution hearing. As the court candidly admitted:

> "The numbers are so large... I think we would all acknowledge that today it is largely an academic exercise." (Restitution Hearing Transcript, CR – Docket Entry 749, p. 5).

Despite this acknowledgment, the district court failed to apportion liability under 18 U.S.C. § 3664(h), which requires restitution to reflect individual contributions to the offense. Instead, the court imposed joint and several liability, improperly holding Mr. Stephens accountable for financial losses unrelated to his nine-month tenure and unrelated to the specific conduct underlying his conviction for money laundering.

B. The Criminal Case and Restitution (16-cr-60227, "CR")

On September 1, 2016, the government filed in the Southern District of Florida (Case No. 16-cr-60227) an Information charging Todd Stephens and 15 other defendants in connection with fraudulent activities at NuMedCare (CR – Docket Entry 1). Mr. Stephens was charged only in Count Two with conspiracy to launder monetary instruments under 18 U.S.C. § 1956(h) and waived indictment (CR – Docket Entry 26). On October 25, 2016, Mr. Stephens pled guilty pursuant to a written plea agreement and a stipulated statement of fact that limited the scope of his conviction to his nine-month tenure at NuMedCare from April 2013 to December 2013 (CR – Docket Entry 163, 165, 167, 746).

At sentencing on March 23, 2017, Mr. Stephens received a sentence of 120 months' imprisonment, three years of supervised release, and a $100 special assessment (CR – Docket Entry 483, 505).

On May 17, 2017, the district court amended Mr. Stephens's judgment to include a restitution order of $130,220,803.65. This amount, intended to reflect the total losses attributed to NuMedCare's fraudulent operations, far exceeded the $13 million in financial transactions documented during Mr. Stephens's nine-month tenure. Despite the court's acknowledgment that the calculation was speculative—"The numbers are so large… I think we would all acknowledge that today it is largely an academic exercise" (Restitution Hearing Transcript, p. 5)—the order held Mr. Stephens jointly and severally liable for losses beyond his scope of employment. These included financial activities occurring before and after his time at NuMedCare, when he was neither employed by nor affiliated with the company.

The court failed to apportion restitution based on individual contributions under 18 U.S.C. § 3664(h), improperly attributing speculative and unrelated losses to Mr. Stephens. This blanket liability contravenes the MVRA, which mandates that restitution reflect only actual, proven losses directly caused by the defendant's conduct.

C. 2255 Motion and Procedural Barriers (0:18-cv-61164, "CV")

1. Filing and Extensions

On May 24, 2018, Todd Stephens filed in the Southern District of Florida (0:18-cv-61164) a timely motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence, including the $130,220,803.65 restitution order (CR – Docket Entry 744; CV – Docket Entry 1). Mr. Stephens argued that the restitution violated:

1. The Eighth Amendment's Excessive Fines Clause, as it was grossly disproportionate to his offense and his limited nine-month role at NuMedCare, which involved $13 million in transactions.

2. The Fifth Amendment's Due Process Clause, as the restitution calculation was speculative and improperly

included losses from periods before and after his employment with NuMedCare.

The magistrate judge granted Mr. Stephens extensions to file a compliant amended motion, setting deadlines of June 22, 2018, and later August 30, 2019 (CV – Docket Entry 4, 59). These delays were compounded by procedural orders requiring compliance with specific formatting rules (CV – Docket Entry 25, 26). Despite these extensions, systemic barriers, including incarceration and pandemic-related restrictions, significantly impacted Mr. Stephens's ability to meet deadlines and prepare substantive arguments.

2. Key Claims Raised

In his amended § 2255 motion, Mr. Stephens raised several critical claims:

1. Ineffective Assistance of Counsel: Counsel failed to object to or appeal the restitution order, which improperly attributed speculative and unrelated losses beyond Mr. Stephens's nine-month tenure; and Counsel failed to investigate evidence, properly advise Mr. Stephens on the maximum statutory sentence, and provide effective representation during plea negotiations.

2. Unconstitutional Restitution: (1) The restitution order violated the MVRA by failing to limit liability to proven losses directly caused by Mr. Stephens's conduct, as required under Hughey v. United States, 495 U.S. 411 (1990); and (2) The restitution improperly imposed joint and several

liability, holding Mr. Stephens accountable for speculative losses unrelated to his criminal conduct, contrary to § 3664(h).

3. Procedural Due Process Violations: (1) Mr. Stephens argued that the restitution calculation relied on speculative figures and improperly included losses unrelated to the offense of conviction.

3. Barriers to Litigation

Throughout the § 2255 proceedings, Mr. Stephens faced extraordinary systemic barriers:

1. Procedural Hurdles: The court repeatedly struck Mr. Stephens's filings, citing procedural deficiencies and requiring compliance with federal rules for § 2255 motions.

2. Pandemic-Related Delays: The COVID-19 pandemic severely restricted access to legal resources, compounding delays and disproportionately impacting Mr. Stephens as a pro se litigant.

3. Incarceration and Transfers: Frequent transfers between correctional facilities disrupted access to necessary legal materials, further hindering Mr. Stephens's ability to litigate effectively.

4. Dismissal and Appeal

On November 30, 2020, the district court dismissed Mr. Stephens's § 2255 motion without an evidentiary hearing, ruling that many of his claims were procedurally defaulted or untimely (CR – Docket Entry 827). The court also denied a certificate of appealability.

On appeal, the Eleventh Circuit dismissed Mr. Stephens's case, leaving unresolved critical constitutional questions regarding the validity of the restitution order and the systemic inequities faced by pro se litigants. This procedural disposition underscores the need for this Court's intervention to ensure fairness and access to justice.

D. Foreclosure Proceedings

In January 2023, the government initiated foreclosure proceedings (Case No. 9:23-CV-80043-AHS) in the Southern District of Florida to enforce a $130,220,803.65 restitution lien against Todd Stephens's primary residence at 230 Miramar Way, West Palm Beach, Florida. The restitution lien, recorded in 2018, arose from Mr. Stephens's criminal conviction under 18 U.S.C. § 1956(h) and was pursued under the Federal Debt Collection Procedures Act (FDCPA). The government sought to sell the property through a court-appointed receiver to recover funds to satisfy the restitution judgment.

1. Legal Challenges Raised by Mr. Stephens

Mr. Stephens opposed the foreclosure on several legal and procedural grounds:

(1) **Homestead Protections:** Mr. Stephens argued that his home is protected under Florida's homestead exemption, which restricts the forced sale of primary residences except under narrowly defined circumstances. He contended that the district court failed to adequately consider these protections or the harm caused by displacement. Florida's strong public policy favoring the preservation of primary residences was ignored in favor of federal enforcement.

(2) **Speculative Restitution Order:** The foreclosure was based on a restitution order that attributed speculative and unrelated losses beyond Mr. Stephens's nine-month tenure at NuMedCare. During the restitution hearing, the speculative nature of the $130 million figure was acknowledged:

"The numbers are so large… I think we would all acknowledge that today it is largely an academic exercise." (Restitution Hearing Transcript, p. 5).

The restitution improperly included financial losses from periods before and after Mr. Stephens's employment at NuMedCare, when he was neither employed by nor affiliated with the company.

(3) **Jurisdictional Concerns:** Mr. Stephens argued that the district court lacked jurisdiction to proceed with foreclosure while the restitution order was under appeal. Citing Griggs v. Provident Consumer Discount Co., 459 U.S. 56 (1982), he contended that foreclosure proceedings should have been stayed pending appellate review of his constitutional and procedural challenges.

(4) **Irreparable Harm:** The foreclosure would result in irreparable harm, as the loss of a primary residence cannot be remedied through monetary compensation. Courts, including the Eleventh Circuit in Garcia-Mir v. Meese, 781 F.2d 1450 (11th Cir. 1986), have recognized that losing one's home constitutes irreparable harm.

5. **Public Interest:** Mr. Stephens asserted that staying the foreclosure would serve the public interest by ensuring fairness in

enforcement actions and preventing harm while substantial legal and constitutional questions remained unresolved. See Hilton v. Braunskill, 481 U.S. 770, 776 (1987).

E. Intervention by Barbara Quist

During the foreclosure proceedings, Mr. Stephens's mother, Barbara Quist, filed a motion to intervene as an interested party under Rule 24 of the Federal Rules of Civil Procedure. Ms. Quist argued that she had a significant financial interest in the property, having contributed over $1,296,000 toward mortgage payments, property taxes, and property preservation during Mr. Stephens's incarceration. She contended that denying her intervention would result in unjust enrichment, allowing the government to benefit from her substantial financial contributions without recognizing her equitable interest.

F. Court Decisions and Enforcement Actions

Despite these objections, the district court denied Mr. Stephens's motions to stay the foreclosure proceedings. On October 13, 2023, the court granted the government's motion for summary judgment (Docket Entry 56), authorizing the appointment of a receiver to marshal and sell the property. The proceeds from the sale were directed to:

1. Pay the superior mortgage held by PNC Mortgage.
2. Address judgment liens held by Cadlerock III, LLC.
3. Apply any remaining funds to Mr. Stephens's restitution balance.

Ms. Quist's motion to intervene was also denied, leaving her substantial financial contributions unaddressed. This failure to account for equitable interests further underscores the procedural and substantive deficiencies of the foreclosure proceedings.

G. Eleventh Circuit Appeal

On November 26, 2024, the United States Court of Appeals for the Eleventh Circuit summarily affirmed the district court's foreclosure rulings. The appellate court dismissed Mr. Stephens's objections to the restitution lien and foreclosure proceedings on procedural grounds, citing:

1. Procedural Waiver: The court found that many of Mr. Stephens's claims were waived because they were not raised at the district court level.
2. Abandoned Arguments: The court held that objections to the speculative restitution order and foreclosure were

abandoned due to insufficient briefing, citing Sapuppo v. Allstate Floridian Ins. Co., 739 F.3d 678 (11th Cir. 2014).

3. Restitution Challenges Barred: The court ruled that Mr. Stephens's restitution challenges were barred because they were not raised during sentencing or on direct appeal, as required under Cani v. United States, 331 F.3d 1210 (11th Cir. 2003).

The Eleventh Circuit's decision left unresolved constitutional questions, including the validity of the restitution order, the procedural fairness of the foreclosure proceedings, and the broader implications for pro se litigants.

H. Constitutional and Procedural Implications

The foreclosure proceedings highlight critical legal and constitutional issues that warrant this Court's review:

1. Excessive Fines Clause: The restitution order underlying the foreclosure violates the Eighth Amendment's Excessive Fines Clause, imposing a grossly disproportionate penalty on Mr. Stephens for his limited nine-month role at NuMedCare.

2. Due Process Violations: The district court failed to balance the government's enforcement interests with the harm caused by foreclosure, raising significant concerns under the Fifth Amendment's Due Process Clause.

3. Barriers for Pro Se Litigants: Mr. Stephens, representing himself, faced significant systemic challenges, including limited access to legal resources during incarceration and procedural delays.

4. Unjust Enrichment: The denial of Ms. Quist's motion to intervene raises concerns about unjust enrichment, as her financial contributions to preserve and improve the property were not adequately addressed by the district court.

X. Reasons For Granting The Writ

A. The Restitution Order Violares The Eighth Amendment's Excessive Fines

The restitution order imposing $130,220,803.65 on Mr. Stephens—whose conduct was limited to approximately $13 million in transactions over nine months at NuMedCare—violates the Eighth Amendment's

Excessive Fines Clause. This penalty, which is ten times greater than the financial scope of his offense, is grossly disproportionate and punitive.

In Timbs v. Indiana, 139 S. Ct. 682, 689 (2019), this Court reaffirmed that the Excessive Fines Clause, rooted in the Magna Carta and natural justice (Calder v. Bull, 3 U.S. (3 Dall.) 386, 388 (1798)), prohibits sanctions that deprive individuals of their livelihood. Browning-Ferris Indus. of Vt., Inc. v. Kelco Disposal, Inc., 492 U.S. 257, 271 (1989), echoes this historical constraint. In United States v. Bajakajian, 524 U.S. 321, 334 (1998), this Court struck down a fine as "grossly disproportional to the gravity of the offense," setting a high threshold for constitutionality.

The restitution imposed on Mr. Stephens was not only excessive—it was speculative. The district court itself admitted the amount was "largely an academic exercise" (Restitution Hearing Transcript, CR Docket 749, p. 5). The government conceded that Mr. Stephens was not involved in NuMedCare's broader fraudulent schemes, including paying doctors or operating telemarketing centers (CR Docket 749:58–59). Nevertheless, the court attributed liability to him for losses far outside his role, in violation of the proportionality principles articulated in

Timbs, Bajakajian, Hughey v. United States, 495 U.S. 411, 413 (1990), and United States v. Zinn, 321 F.3d 1084, 1089 (11th Cir. 2003).

Enforcing this excessive restitution via foreclosure—specifically the loss of Mr. Stephens' home at 230 Miramar Way, West Palm Beach—compounds the constitutional harm. Displacing an individual from their primary residence imposes irreparable harm (Garcia-Mir v. Meese, 781 F.2d 1450, 1453 (11th Cir. 1986)), particularly where that enforcement is predicated on an untested and disproportionate judgment. Mr. Stephens' pending coram nobis petition challenges the restitution's validity on the grounds of ineffective assistance of counsel and erroneous calculations—yet foreclosure moved forward nonetheless. The punishment here is tantamount to a financial life sentence and contravenes both the historical and modern protections enshrined in the Eighth Amendment. See Timbs, 139 S. Ct. at 688–89 (quoting McDonald v. Chicago, 561 U.S. 742, 767 (2010)).

Correcting this punishment ensures financial penalties remain grounded in the offense's scope and the defendant's conduct, preserving both proportionality and public trust. Plyler v. Doe, 457 U.S. 202, 221–22 (1982).

B. Restitution Must Reflect Actual Losses

Under the MVRA, restitution must reflect only actual losses "directly and proximately caused by the offense of conviction." 18 U.S.C. § 3664(e); see also Hughey, 495 U.S. at 413. Mr. Stephens was convicted under 18 U.S.C. § 1956(h) for laundering approximately $13 million through real estate investments. Yet, the court imposed a $130 million restitution order, based not on his acts, but on broader fraud he neither executed nor directed.

The government admitted Mr. Stephens was not involved in key aspects of the conspiracy (Restitution Hearing Transcript, CR Docket 749:58–59). NuMedCare's records show transactions tied to him totaling just $6,159,575.24, or up to $12.7 million accounting for six additional months (Appendix, Exhibits 1 & 2). These figures expose the $130 million restitution as untethered from Mr. Stephens' actual conduct.

This disconnect violates the MVRA's requirement for a direct causal link (United States v. Huff, 609 F.3d 1240, 1247 (11th Cir. 2010); United States v. McNair, 605 F.3d 1152, 1220 (11th Cir. 2010)). It also lacks evidentiary credibility (United States v. Peter, 310 F.3d 709, 712 (11th Cir. 2002); United States v. Dyer, 136 F.3d 417, 421 (1st Cir. 1998); Gall

v. United States, 552 U.S. 38, 50–51 (2007)). Compounding the error, the court imposed joint and several liability without apportionment, as required under § 3664(h) (Zinn, 321 F.3d at 1089; United States v. McCoy, 602 F. App'x 501, 502 (11th Cir. 2015); United States v. Broughton-Jones, 71 F.3d 1143, 1148 (4th Cir. 1995)).

The MVRA was enacted to compensate, not punish (United States v. McKinney, 406 F.3d 744, 748 (6th Cir. 2005)). Enforcement based on speculative sums undermines that purpose and requires recalibration to reflect losses actually caused by Mr. Stephens.

C. The Foreclosure Violates the Fifth Amendment's Due Process Clause

The government's foreclosure on Mr. Stephens' primary residence under the Federal Debt Collection Procedures Act (FDCPA) violated due process. Florida's homestead protections (Article X, § 4) limit forced sales. However, the court gave them no meaningful weight, prioritizing enforcement without balancing the equities, as required by United States v. Rodgers, 461 U.S. 677, 697 (1983).

Foreclosure proceeded while Mr. Stephens' legal challenges—including a coram nobis petition—were pending, denying him a meaningful opportunity to be heard. This violates the procedural fairness principles in Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58 (1982) and the due process framework of Mathews v. Eldridge, 424 U.S. 319, 335 (1976). Mr. Stephens had a significant property interest, a high risk of erroneous deprivation (due to the speculative restitution), and the government had no urgent interest—especially after a seven-year delay.

This deprivation caused irreparable harm (Garcia-Mir, 781 F.2d at 1453), worsened by the government's sudden push (Armstrong v. Manzo, 380 U.S. 545, 552 (1965)). Staying enforcement would align with public interest and fairness (Hilton v. Braunskill, 481 U.S. 770, 776 (1987)).

D. Procedural Barriers Denied Mr. Stephens Access to Justice

Mr. Stephens' ability to challenge the restitution and foreclosure was stymied by systemic barriers. Incarcerated during the COVID-19 pandemic, he faced legal access restrictions (United States v. Thompson, 984 F.3d 431, 432 (11th Cir. 2021)) and repeated prison transfers that disrupted litigation (Bounds v. Smith, 430 U.S. 817, 828 (1977)).

Despite a seven-year enforcement delay, the government expedited foreclosure once Mr. Stephens initiated legal challenges, violating procedural fairness (Mathews, 424 U.S. at 335). As a pro se litigant navigating complex financial litigation, he lacked counsel and sufficient time (Haines v. Kerner, 404 U.S. 519, 520 (1972); Logan v. Zimmerman Brush Co., 455 U.S. 422, 437 (1982)). The government's abrupt enforcement reflects strategic timing rather than equitable administration (Christopher v. Harbury, 536 U.S. 403, 413–14 (2002)).

Inadequate notice and limited opportunity to respond compounded the deprivation (Mullane v. Cent. Hanover Bank & Tr. Co., 339 U.S. 306, 314 (1950)). This case underscores how procedural rigidity disproportionately harms those without resources—requiring correction to preserve trust in equal justice (Plyler, 457 U.S. at 221–22).

E. The Foreclosure Undermines Public Confidence in Judicial Fairness

Allowing foreclosure to proceed under these circumstances diminishes public trust. The government delayed enforcement for seven years, only to accelerate action when Mr. Stephens challenged the restitution. This suggests procedural manipulation (Christopher, 536 U.S. at 413–14), not fairness.

The restitution's speculative basis and disproportionate burden on a pro se litigant violate due process (Logan, 455 U.S. at 437; Mathews, 424 U.S. at 335). The foreclosure itself operates as an extension of an excessive penalty (Bajakajian, 524 U.S. at 334), risking an unconstitutional taking.

The judiciary must maintain not only constitutional fidelity but also institutional legitimacy. Enforcement here fails both, reinforcing the urgent need for corrective review (Hilton, 481 U.S. at 776).

F. Supreme Court Review Is Necessary to Correct Fundamental Errors

This case presents unresolved constitutional, statutory, and procedural issues that impact due process, proportionality, and restitution enforcement. The restitution violates the Eighth Amendment (Timbs, 139 S. Ct. at 689; Bajakajian, 524 U.S. at 334), and the foreclosure infringes the Fifth (Mathews, 424 U.S. at 335).

The MVRA was disregarded by inflating restitution beyond actual loss, ignoring apportionment, and proceeding without reliable evidence (Hughey, 495 U.S. at 413; McGinty, 610 F.3d 1242, 1247 (11th Cir. 2010)). The government's pattern—delay followed by expedited action—raises concerns under Armstrong v. United States, 517 U.S. 456, 464 (1996), and Christopher, 536 U.S. at 413–14.

This Court's review is essential to reinforce statutory and constitutional limits on restitution and ensure that enforcement does not devolve into punishment or abuse. Without intervention, pro se litigants will continue to bear disproportionate burdens without access to meaningful relief.

XI. Conclusion

For the foregoing reasons, Petitioner Todd Stephens respectfully requests that this Court grant a writ of certiorari to review the judgment of the United States Court of Appeals for the Eleventh Circuit.

Respectfully Submitted,

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