

No. 25-1065

**IN THE
SUPREME COURT OF THE UNITED STATES**

OCT TERM 2025

PRENTIS BOLES,

Petitioner,

v.

UNION PACIFIC RAILROAD COMPANY,

Respondent.

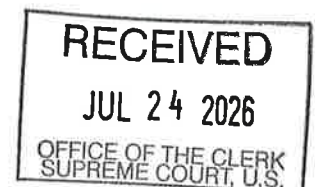
**On Petition for Writ of Certiorari
to the Missouri Court of Appeals, Western District**

PETITION FOR REHEARING

Prentis Earl Boles, Pro Se Petitioner

2310 South Glenview Ct.

Independence, Missouri 64057



PAGE 1

GROUND FOR REHEARING

Pursuant to Supreme Court Rule 44 Petitioner respectfully moves for rehearing to this Court Order denying the Petition for Writ of Certiorari. Rehearing is warranted because exceptional, substantial and controlling grounds exist. The Missouri Court overlooked, misapprehended and failed to apply controlling Federal law under the Federal Employer's Liability Act, (FELA) 45 U.S.C 51-60 and the Supremacy Clause of the United States Constitution.

This Court has review Jurisdiction over the final state-court judgment under 28 U.S.C. 1257 (a) because Petitioner special set up and claimed rights, privileges, and immunities under Federal law, including FELA, the Supremacy Clause, and controlling decisions of this Court. Petitioner does not invoke original Jurisdiction; rather, Petitioner invokes this Court's appellate review authority over final judgment from the highest state Court in which a decision could be had.

**INTERVENING CIRCUMSTANCES OF SUBSTANTIAL OR CONTROLLING
EFFECT AND SPECIFIC POINTS OF LAW OR FACT OVERLOOKED OR
MISAPPREHEDED**

Pursuant to Supreme Court Rule 44 rehearing is warranted because of this Petition presents substantial grounds showing that the Court overlooked or misapprehended controlling federal questions concerning FELA, the Supremacy Clause, and this Court's controlling under FELA "stare decisis" final decision precedent. Rule 44 limits rehearing after denial of Certiorari to intervening circumstance of substantial or controlling effect, or to other substantial grounds not previously presented. Petitioner respectfully submits that the Missouri Court's refusal to apply controlling Federal substantive law.

PAGE 2

Which Missouri Courts committed constitutional and legal errors by abandoning their FELA judicial Authority duties by not applying and relying on controlling FELA Federal substantive laws. That controls the injured FELA employee's rights, the causation standard, and the FELA Juries role as factfinder.

State Missouri Court may apply its own procedural rule only so long as those rules do not interfere, defeat, or diminish Federal law rights created by US Congress intent Missouri Court's defied, disregarded and ignored the controlling FELA Federal law that disputes, issues of negligence, causation, injury damage, credibility and remedy belong to the FELA Juries' decision makers unless no fair-minded FELA Juries could reasonably differ. This Court has held in *Rogers v. Missouri Pacific Railroad Co.*, 352 U.S. 500 (1957), a Missouri FELA Claim Case that tests is whether the evidence permits the conclusion that the employer negligence played any part, even the slightest, in producing the injury. This Court further recognized that U.S. Congress vested decision-making power in the Jury in all but the rare cases where fair-minded FELA Juries could not differ.

The Missouri Court's action did not merely apply a neutral procedural rule. It operated to bar, deprive, interfere and restricted Petitioner's Federal law rights to have mandated FELA Juries decide disputed facts. By removing and restricting those disputes matters from potential FELA Juries constitutional duties and powers given by this Court and U.S. Congress. By removing those disputed matters from potential FELA Juries duties. Missouri Courts substituted their own state-court judgment for the Federal substantive standard imposed by U.S. Congress and enforced by this Court. That is a Supremacy Clause violation because state-court rules and state-court practice cannot override one of its precedents, and Missouri Courts must analyze the matter under the doctrine of stare decisis principle of decision-making, under which all Federal and State must follow.

PAGE 3

This Court's decision in *Norfolk Southern Railway Co. v Sorrell* 549 U.S. 158 (2007), has confirmed the same principle. In numbers another Missouri FELA Claim Cases, this Court has vacated and remanded because Missouri had applied a FELA causation practice Inconsistent and conflict with FELA Federal law. Missouri Court's may have flexibility in the wording of Jury instructions, but they have no authority are power, disregard, dilute, alter or overrule federally required for FELA standards.

Petitioners respectfully submit that the Court should grant rehearing, vacate the denial of Certiorari and grant the Petition because the decision below conflicts with this Court's controlling FELA "stare decisis" final decision precedent and permits Missouri Courts to interfere with Federal substantive rights guaranteed by U.S. Congress. If allowed to stand, the decision below would permit state Court's to defeat FELA's remedial purpose by procedural characterization, thereby depriving injured Railroad employees of the FELA Juries' determination U.S. Congress. Which this Court has repeatedly protected.

STATEMENT OF GROUND AND UNIFIED ARGUMENT FOR REHEARING

I. THE MISSOURI'S COURTS UNCONSTITUTIONALLY ENFORCED LOCAL PROCEDUAL RULES TO DEFEAT SUBSTANTIVE RIGHTS GRANTED BY US CONGRESS

On 05 October 2023 state of Court below utilized Missouri Supreme Court Rule 84.0.04, 74.04 and not as administrivia guides, but as a hyper-technical barrier to grant Summary Judgment for Union Pacific Railroad, Company, Respondent. By rigidly enforcing these local rules which effectively neutralized the Federal Employer's Liability (FELA), a remedial Federal statute explicitly designed by US Congress, to protect injured Railroad employees. When this state of Missouri Court's weaponized its local rule of brief-writing. By barring and restricting Petitioner, from vindicating. Federal statutory rights. By an unconstitutional mechanism that chokes out Federal law. In violation of the Supremacy Clause.

II. THE LOWER COURT'S DECISION DIRECTLY CONFLICTS WITH CONTROLLED SUPREME "STARE DECISIS" PRECEDENT AND FELA UNDER SUPREMACY CLAUSE.

This Court has repeatedly and unequivocally held that state Courts cannot use local rules of practice or pleading to minimize or destroy Federal rights granted by US Congress. SEE: Dice v. Akron, Canton & Youngstown R. Co., 342 U.S. 359 (1952). Especially when this Court made clear that the right to Trial by Jury under FELA is a "basic and fundamental part of the right of many thousands of injured Railroad employee" and cannot be denied by state local rules.

Furthermore, in Brown v. Western R. Alabama, 338 U.S. 294 (1949). This Court strictly established that Federal rights cannot be local forms of practice interpretations of state pleading rules. By ignoring this controlling precedent, the inferior lower Court's has asserted that a state rule of state of Missouri Appellate Court Western District formatting possesses greater authority than an Act of US Congress. A rehearing must be granted to correct this defiance of established constitutional hierarchy

III.THERE ARE MULTIPLE JUDGES, FROM THIS STATE MISSOURI JUDICIARY HAVE EXPRESSLY WARNED THAT WEAPONIZING RULE 84.04. WOULD BE UNCONSTITUTIONALLY BY BLOCKING FEDERAL STAUTORY DUE PROCESS RIGHTS LIKE FELA CLAIM CASE

The substantial and controlling nature of Petitioner Prentis Boles litigant FELA Claim Case issue is further evidence by a growing schism within the Missouri Appellate Judicially itself. There' are multiple Appellate Judges in Missouri who have issued formal, written dissents and warning that the hyper-technical enforcement of rule 84.04 has mutated into a structural barrier to justice. These jurists have cautioned that using the rules as mechanisms to summarily violate the fundamental tenets of Due Process and deprive litigants of their day in Court. It presents an issue of exceptional importance for this Court. Multiple Appellate Jurists have noted in their opinions that using structural form over

PAGE 5

substance to deny a merits base review functions as a hostile barrier to justice, directly violating the rights to Juries Trial under Article I, Section 22(a) of the Missouri Constitution. And therefore, denying fundamental Due Process under the Fourteenth Amendment to the United States Constitution.

IV. THE STATE OF MISSOURI COURT RIGID APPLICATION OF PROCEEDCEDURAL RULES VIOLATES FELA CONSTUTUTIOANL SAFEGUARDS, TO BAR FELA FEDERAL LAWS

On 16 JAN 2024. Petitioners filed a certified legal Transcript “VERBATIM” “QUOTE” from state of Missouri Appeals Court Western District. The state of Missouri Trial Circuit Court Judge expressly stated. On 05 OCT 2023. On Page 6, Line 25 and Page 7, Line 1-3 “verbatim” “I am following the letter of the law and following the rules outlined by Missouri Supreme Court”. “quoted”

Legally the state of Missouri Court cannot use structurally deployed Missouri Supreme Court Rule 84.04 and Rule 74.04 as an unconstitutional mechanism to defeat substantive thus, Court ruling or Federal laws and rights. Under the U.S. Constitution’s Supremacy Clause. This statement by state Missouri Trial Circuit Court Judge. That he didn’t’ apply the Federal substantive standards. Which raises substantial Federal question for this Court When the state of Missouri Trial Circuit Court Judge focused entirely on the

“LETTER OF THE LAW” STATE RULE

This state of Missouri Trial Circuit Court Judge stopped being a neutral **ARBITER**. Which thus, state of Missouri Trial Circuit Court Judge was essentially becoming an **Advocate**, for Union Pacific Railroad, Company by literally searching for technical ways to grant Summary Judgment for Union Pacific Railroad Company, Throughout the entire Petitioner, FELA Claim Cases proceeding.

PAGE 6

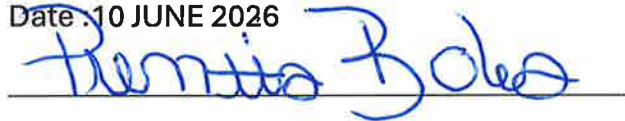
CONCLUSION

For the foregoing reasons, Petition respectfully request that this Court grant this Petition for rehearing, vacate the Order denying Certiorari, grant the Petition for Writ of Certiorari, and provide such other relief as justice requires. When relying on prior FELA Claim Case under precedent of “stare decisis” doctrine principle of decision-making decisions on matter of constitutional law.

Respectfully submitted,

Petitioner, Prentis Earl Boles, Pro Se, Litigant

Date: 10 JUNE 2026



Signature in blue ink

PAGE 7

CERTIFICATE OF COUNSEL / PRO SE LITIGANT

I hereby certify that this Petition for rehearing is presented in good faith and not for delay,
and that it is restricted to the grounds specified in Supreme Court Rule 44.2

Prentis Earl Boles, Pro Se, Petitioner Litigant

Prentis Earl Boles 22 July 2026

PAGE 8

No. 25-1065

IN THE SUPREME COURT OF THE UNITED STATES

PRENTIS EARL BOLES, Petitioner

v

UNION PACIFIC RAILROAD, COMPANY.

Respondent

CERTIFICATE OF COUNSEL/ PRO SE LITIGANT (RULE 44.2)

Pursuant to Supreme Court Rule 44.2,

Petitioner, Prentis Earl Boles, Pro Se Litigant respectfully states that this Petition is filed in good faith, is not filed for delay, and is limited to the substantial Federal law and constitutional point that Petitioner submits were overlooked or misapprehended

Dated Month Day

10 JUNE 2026

Respectfully submitted, Prentis Earl Boles

CERTIFICATE OF COMPLIANCE (Rule 33.1 (h))

Pursuant to Rule 33.1 (h), I certify that this brief contains 1,484 words

Signature



No. 25 -1065

IN THE SUPREME COURT OF THE UNITED STATE

PRENTIS BOLES,

Petitioner.

v.

UNION PACIFIC RAILROAD, COMPANY,

Respondent.

DECLARATION CERTIFICATE PROOF OF SERVICE

I, Prentis Earl Boles, Petitioner, Litigant declared under penalty of perjury that on 10 JUNE 2026 that Mail the Envelope, I served the enclosed Petition for Rehearing upon the parties in this matter by depositing true and correct copies into the United States Mail, first-class postage prepaid, addressed as follows:

Prentis Boles 22 July 2026

Alice A. Craig MO # 70492

1111 Main St. Suite 700

Kansas City, Missouri 64105

Gina M. Rossi Co 72666

1001 Seventeenth Street,

Denver, Colorado 80202