

No. 25-1392

In the Supreme Court of the United States

ERNST T. TENEMILLE,

Petitioner,

v.

TOWN OF RAMAPO, ET AL.,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

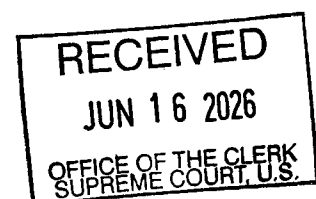
PETITION FOR WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether a federal court may dismiss federal constitutional claims at the pleading stage by treating findings or conclusions drawn from prior state disciplinary or Article 78 proceedings as dispositive, without determining whether those proceedings afforded a full and fair opportunity to litigate the federal constitutional issues, and without permitting factual development.

PARTIES TO THE PROCEEDINGS

Petitioner, and plaintiff-appellant below is Ernst T. Tenemille.

Respondent, and defendant-appellee below are the Town of Ramapo; Christopher St. Lawrence, Ex-Town Supervisor; Patrick Withers, councilman, Town of Ramapo; Town of Ramapo Police Department; Bradley R. Weidel, Chief of Police; Thomas Cokeley, Chief of Staff; William Gravina, ex-Administrative Lieutenant; Daniel Hyman, Squad Lieutenant; Brian Corbett, Detective Sergeant; Salomon Matos, Squad Sergeant; Christopher Franklin, Desk Sergeant; and Al Gumbs, Police Sergeant, and David Holmes.

RELATED PROCEEDINGS

United States District Court (SDNY):

Ernst Theodore Tenemille v. Town of Ramapo, et al. No. 18-cv-724 (Jan. 13, 2022) (dismissal)

Ernst Theodore Tenemille v. Town of Ramapo, et al. No. 18-cv-724 (Jun. 7, 2022) (reconsideration denied)

United States Court of Appeals (CA2):

Ernst Theodore Tenemille v. Town of Ramapo, et al. No. 22-1715 (Sep. 15, 2025) (dismissal affirmed)

Ernst Theodore Tenemille v. Town of Ramapo, et al. No. 22-1715 (Nov. 4, 2025) (rehearing denied)

OPINIONS BELOW

The Second Circuit's decisions are reproduced in the Appendix at App. 1–9. The Southern District of New York's decisions are reproduced in the Appendix at App. 10–79.

JURISDICTION

The Second Circuit's decision was entered on September 15, 2025. The Second Circuit denied rehearing on November 4, 2025. This Court has jurisdiction under 28 U. S. C. § 1254(1).

STATEMENT OF THE CASE

I. State Disciplinary and Article 78 Proceedings

Petitioner, a public employee, was subjected to state disciplinary proceedings that resulted in his termination. Petitioner consistently maintained that those proceedings were procedurally deficient and did not afford a meaningful opportunity to litigate federal constitutional claims. Subsequent Article 78 review upheld the administrative determination under deferential standards and did not adjudicate federal constitutional claims on the merits.

II. District Court Proceedings

Petitioner thereafter filed this action in the Southern District of New York, asserting claims under 42 U. S. C. § 1983 and related federal law. The operative complaint alleged constitutional violations independent of the prior state proceedings and specifically challenged reliance on those proceedings as a basis for dismissal.

III. District Court Decision

On January 13, 2022, the district court granted Respondents' motion to dismiss under Rule 12(b)(6) (App. 10–55). In doing so, the court relied on the existence and outcomes of the prior state disciplinary and Article 78 proceedings to resolve disputed factual and legal issues, without determining whether Petitioner had a full and fair opportunity to litigate his federal constitutional claims.

IV. Post-Judgment Proceedings

Petitioner sought post-judgment relief, again raising the impropriety of relying on state proceedings to foreclose federal review. The district court denied relief in an 18-page order reaffirming its prior reasoning. App. 56–79.

V. Appellate Proceedings

The Second Circuit summarily affirmed the dismissal on September 15, 2025, and denied Petitioner's timely petition for rehearing on November 4, 2025.

REASONS FOR GRANTING THE PETITION

I. The Decision Below Conflicts with This Court's Precedents

This Court has repeatedly held that federal courts may not accord dispositive effect to state administrative or judicial proceedings unless the plaintiff had a full and fair opportunity to litigate the relevant federal issues. The decisions below departed from that rule by dismissing Petitioner's federal claims at the pleading stage based on unexamined assumptions

about the adequacy of prior state proceedings (App. 10-43, 44-61).

II. The Lower Courts Misapplied Rule 12(b)(6) Standards

At the pleading stage, courts must accept well-pleaded allegations as true and may not resolve disputed facts. By importing findings and conclusions from prior state proceedings to reject Petitioner's allegations, the courts below converted a Rule 12(b)(6) motion into a premature merits determination (App. 10-43).

III. The Question Presented Is Important and Recurring

Public employees and civil-rights plaintiffs frequently encounter state administrative proceedings before seeking federal relief. If allowed to stand, the rule applied below will permit federal constitutional claims to be dismissed at the threshold whenever a prior state proceeding exists, regardless of its procedural adequacy. This issue recurs nationwide and warrants this Court's review.

CONCLUSION

For the foregoing reasons, the petition for writ of certiorari should be granted.

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