6/26/26

No. 25-1432

In the Supreme Court of the United States

MEHRAN TAVAKOLI,

Petitioner,

v.

SREYA VUTH,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF APPEALS OF WASHINGTON
DIVISION ONE

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

The Fourteenth Amendment forbids a State from depriving any person of property without due process of law. This Court has held that due process requires, at a minimum, notice and a meaningful opportunity to be heard before a deprivation of property, *Mathews* v. *Eldridge*, 424 U. S. 319 (1976); *Mullane* v. *Central Hanover Bank & Trust Co.*, 339 U. S. 306 (1950), and that a court may penalize a litigant for misconduct only "in compl[iance] with the mandates of due process," including a finding of bad faith and fair notice, *Chambers* v. *NASCO, Inc.*, 501 U. S. 32 (1991). The questions presented are:

1. Whether the Due Process Clause permits a state court to impose a monetary sanction on a litigant for filing an unsuccessful motion, where the opposing party never sought sanctions and never alleged bad faith, and the court made no finding of bad faith, frivolousness, or intransigence and identified no sanctionable conduct, and whether an appellate court may sustain that penalty by inferring the missing findings after the fact.

2. Whether the Due Process Clause permits a state court to order one spouse to transfer his concededly separate property to the other under an open-ended "just and equitable" standard without identifying or valuing the property at issue, so that the deprivation rests on no ascertainable factual basis and is insulated from meaningful review.

PARTIES TO THE PROCEEDINGS

Petitioner, and petitioner-appellant-petitioner below is Mehran Tavakoli.

Respondent, and respondent-respondent-respondent below is Sreya Vuth.

RELATED PROCEEDINGS

Superior Court of Washington (Clark Cnty.):

Mehran Tavakoli v. *Sreya Vuth*, No. 20–3–01138–06 (Nov. 15, 2023) (Findings and Conclusions about a Marriage)

Mehran Tavakoli v. *Sreya Vuth*, No. 20–3–01138–06 (Dec. 12, 2023) (reconsideration denied)

Court of Appeals of Washington (Div. 1):

Mehran Tavakoli v. *Sreya Vuth*, No. 88030–6–1 (Sep. 28, 2025) (superior court affirmed)

Mehran Tavakoli v. *Sreya Vuth*, No. 88030–6–1 (Oct. 28, 2025) (reconsideration denied)

Supreme Court of Washington:

Mehran Tavakoli v. *Sreya Vuth*, No. 104822–00 (Apr. 1, 2026) (discretionary review denied)

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TABLE OF AUTHORITIES

Cases

Constitutional Provisions, Statutes, and Rules

OPINIONS BELOW

Division One's opinion is reproduced in the Appendix at App. 1–14. The superior court's decisions are reproduced in the Appendix at App. 15–29.

JURISDICTION

Division One's opinion was entered on September 29, 2025. Division One denied rehearing on October 28, 2025. The Supreme Court of Washington denied discretionary review on April 1, 2026. This Court has jurisdiction under 28 U. S. C. §1257(a).

CONSTITUTIONAL PROVISIONS INVOLVED

U. S. Const, Amdt. XIV, provides in relevant part: "[N]or shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT OF THE CASE

This case arises from a Washington dissolution decree that deprived petitioner of property through two rulings, each entered without the process the Fourteenth Amendment requires.

First, the trial court ordered petitioner to pay respondent $2,640 as a penalty for filing a motion for reconsideration the court found unmeritorious. Respondent had not moved for sanctions, had not alleged bad faith or intransigence, and had not invoked any fee statute. The court made no finding of bad faith, frivolousness, or intransigence, identified no sanctionable conduct, and cited no authority; it found only that the time respondent's counsel spent responding to the motion was "reasonable." App–29. The Court of Appeals affirmed by inferring that the trial court "agreed that the motion was frivolous" and recharacterizing the award as an exercise of the inherent power to sanction. App. 13–14.

Second, the trial court ordered petitioner to transfer $30,000 of his concededly separate property to respondent to achieve a "just and equitable" distribution under Wash. Rev. Code §26.09.080, without identifying or valuing the assets on which that award rested and without stating how it derived the figure. The Court of Appeals affirmed, holding that the trial court was not required to value the property and that the award was supported by a generalized "disparity in wealth." App. 5–9.

A. The Marriage and the Dissolution Trial

The parties married in July 2019 and separated eleven months later, in June 2020. They had no children together. Petitioner is a physician of several decades; respondent is a foreign national who came to the United States shortly before the marriage. App. 1–2. The parties had signed a prenuptial agreement, which the trial court held unenforceable; that ruling is not challenged here. App. 2–3.

At a four-day trial, the court heard nine witnesses and received more than fifty exhibits. App–2. Petitioner asked the court to confirm his pre-marital assets, real property, a medical practice, and several financial accounts, as his separate property. The court agreed those assets were petitioner's separate property and did not award any specific separate asset to respondent. App. 2–3.

B. The Property Transfer and the Fee Sanction

Although it characterized the disputed assets as petitioner's separate property, the trial court ordered petitioner to pay respondent a $30,000 "transfer payment" under Section 26.09.080. App. 3. The court did not value petitioner's real property, his medical practice, or his financial accounts; it did not value respondent's separate property in Cambodia; and it did not state the method by which it arrived at $30,000. It rested the award on a "huge disparity between the separate property available to each party post-dissolution." App. 3, 22.

Petitioner moved for reconsideration under Washington Civil Rule 59, arguing among other things that the court was required to identify and value the property before redistributing it. The trial court denied the motion in a written order addressing each asserted ground. App. 24–29. In the same order, under a heading titled simply "Attorney's Fees," the court granted respondent's request for $2,640 "for having to respond" to the motion, stating only that it found "the time spent to respond ... reasonable given the legal and factual issues presented." App. 29. The court made no finding that the motion was filed in bad faith or that petitioner had been intransigent, and it cited no statute or rule authorizing the award. App. 29.

C. Appellate Proceedings

Division One affirmed in an unpublished opinion. App. 1. On the fee award, the court reasoned that a trial court has "continuing equitable jurisdiction" in family-law matters and the "power to sanction a party for any action that makes the proceedings unduly difficult and costly," and it concluded that "[i]t is evident that the trial court agreed that the motion was frivolous." App. 13–14. The court did not address petitioner's argument that a sanction for intransigence cannot be imposed without prior notice and supporting findings. On the property award, the court held that the trial court was not obliged to value each asset because petitioner had not proposed a valuation date or introduced sufficient evidence of value, and that the record "amply support[ed]" a "disparity in wealth." App. 5–9. Division One denied reconsideration and the Supreme Court of Washington subsequently denied discretionary review. This petition followed.

REASONS FOR GRANTING THE PETITION

I. A Litigant May Not Be Penalized without Notice or Findings

"The fundamental requisite of due process of law is the opportunity to be heard," and the hearing must be preceded by notice "reasonably calculated" to apprise the affected party of what is at stake. *Mullane* v. *Cent. Hanover Bank & Tr. Co.*, 339 U. S. 306, 314 (1950); *Grannis* v. *Ordean*, 234 U. S. 385, 394 (1914). What process is due turns on the private interest at stake, the risk of erroneous deprivation, and the government's interest. *Mathews* v. *Eldridge*, 424 U. S. 319, 335 (1976). An order extracting money from a litigant is a deprivation of property to which these protections attach. *Sniadach* v. *Family Fin. Corp.*, 395 U. S. 337 (1969); *Fuentes* v. *Shevin*, 407 U. S. 67 (1972); *Goldberg* v. *Kelly*, 397 U. S. 254 (1970).

These protections apply with special force when a court penalizes a litigant for misconduct. This Court has held that a court's inherent power to sanction "must be exercised with restraint and discretion," and that a court "must comply with the mandates of due process, both in determining that the requisite bad faith exists and in assessing fees." *Chambers* v. *NASCO, Inc.*, 501 U. S. 32, 44, 50 (1991). A sanctioned party is entitled to "fair notice and an opportunity for a hearing on the record," and the court must make a bad-faith finding adequate to support the penalty. *Roadway Express, Inc.* v. *Piper*, 447 U. S. 752, 767 (1980).

The rulings below cannot be reconciled with these rules. Respondent never moved for sanctions, never alleged bad faith or intransigence, and never invoked a fee statute; petitioner therefore had no notice that a monetary penalty was at stake when he exercised his right to seek reconsideration. The trial court made no finding of bad faith and identified no sanctionable conduct; it found only that opposing counsel's time was "reasonable." App. 29. Under Washington law itself, attorney's fees in dissolution are available only by statute or on a finding of bad faith or intransigence, and a court "must state on the record" the basis and method of any award. See *In re Marriage of Littlefield*, 133 Wn. 2d 39, 46–47 (1997). The order satisfied neither requirement.

The Court of Appeals then supplied the rationale the trial court omitted, declaring it "evident" that the trial court "agreed that the motion was frivolous" and recasting the fee award as an exercise of the inherent power to sanction. App. 13–14. But *Chambers* permits resort to that power only "in compl[iance] with the mandates of due process." 501 U. S. at 50. An appellate court cannot cure the absence of notice and findings by inferring, after the fact, what the trial court must have meant. Doing so erases the line between a reasoned, noticed sanction and an unannounced penalty for losing a motion, and it leaves the litigant nothing in the record to test on review.

The consequences are serious and systemic. If a litigant can be fined for filing a non-frivolous motion he had every right to file, with no warning that sanctions were possible and no findings he can challenge, the right to seek reconsideration is chilled and the right to appellate review of the penalty is hollow. That is the antithesis of due process, and it is the regime the decision below approves.

II. A Property Deprivation Must Rest on Identified, Valued Property and Remain Open to Review

Due process also constrains the second ruling. A State may equitably distribute marital property, but when it orders one person to surrender property to another, the deprivation must rest on an ascertainable factual basis. Otherwise, there is nothing for a reviewing court to test, and the "opportunity to be heard" guaranteed by *Mullane* is an empty formality: a litigant cannot meaningfully contest, or obtain review of, a figure the court never explains.

Here the trial court ordered petitioner to transfer $30,000 of his separate property without valuing any of the assets that supposedly justified it. It did not value petitioner's real property, his medical practice, or his accounts; it did not value respondent's foreign property; and it never explained how it derived $30,000. App. 3, 15–23. The award floated free of any identified asset, resting on a generalized sense of "disparity." App. 22. Division One affirmed precisely because the trial court retained discretion so broad that it needed neither to value the property nor to show its work, and it placed on the deprived party the burden of supplying valuations the court itself was obligated to find. App. 5–9.

The federal problem is not that Washington reviews distributions for abuse of discretion. It is that the standard, as applied below, tolerates a deprivation of property unsupported by findings sufficient to permit meaningful review. A standard that excuses a court from identifying what property is being redistributed, and on what basis, is "so vague that men of common intelligence must necessarily guess at its meaning," *Connally* v. *Gen. Constr. Co.*, 269 U. S. 385, 391 (1926), as applied to the very questions of whose property may be taken and how much. Review is warranted to confirm that the Due Process Clause requires at least enough findings to make a property deprivation reviewable.

III. The Questions Recur Throughout State Family-Law Litigation

Although this case arises in a dissolution, the questions are not parochial. Dissolution courts in every State exercise broad discretion over property and routinely award fees, and they do so in proceedings that disproportionately involve self-represented and under-resourced litigants. The Due Process Clause applies in full to these proceedings. *Santosky* v. *Kramer*, 455 U. S. 745 (1982). Yet the decision below shows how readily the rhetoric of "equitable discretion" can be invoked to dispense with the notice and findings due process requires. The reasoning that sustained the rulings here, an appellate court inferring an unstated finding of "frivolousness," and excusing the absence of any property valuation, recurs across thousands of dissolution appeals each year.

This Court has not addressed how its sanction-power and property-deprivation decisions apply to the discretionary regime of state dissolution law, and lower courts have filled the gap with standards that, as here, permit deprivations untethered to identified facts. A litigant's constitutional right to notice before being penalized, and to a reviewable basis before being deprived of property, should not turn on the label "family law." The recurring nature of the questions, the substantial interests at stake, and the absence of guidance make this an appropriate vehicle for review.

CONCLUSION

This Court should grant certiorari.

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APPENDIX

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