No. 25- 477

IN THE

Supreme Court of the United States

AARON J. MINDIOLA, *Petitioner,*

v.

STATE OF ARIZONA, ET AL., *Respondents.*

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

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

In an Arizona divorce, despite A.R.S. §25-403(5)'s best-interests standard addressing the mental health of all parties, the court compelled only the disabled-veteran father to disclose VA mental-health records and denied his request for reciprocal disclosure of the mother's mental health records under that standard. Then, in the absence of his mental health records, the state court imposed non-support penalties that the state enforcement agency later misclassified as child-support arrears and reported at the default 10% statutory rate contrary to the decree. Oregon 9th Circuit affirmed dismissal and denied leave to amend as futile. The questions presented are:

1. Whether a federal court may dismiss a pro se complaint and deny leave to amend as "futile" without (a) liberally construing the allegations under *Johnson v. City of Shelby*, 574 U.S. 10 (2014), to recognize a Title II ADA claim fairly disclosed by the facts, and (b) performing the claim-by-claim Eleventh Amendment analysis that *United States v. Georgia*, 546 U.S. 151 (2006), and *Tennessee v. Lane*, 541 U.S. 509 (2004), require for Title II claims.

2. Whether *Ex parte Young*, 209 U.S. 123 (1908), permits prospective relief against a state Title IV-D official to halt ongoing post-judgment enforcement that contradicts a decree and violates federal law—and, as necessary, whether a furnisher's legal misclassification (e.g., reporting court-ordered fees as "child-support arrears") can be an actionable "inaccuracy" under the Federal Credit Reporting Act (FCRA).

PARTIES TO THE PROCEEDINGS

Petitioner is Aaron J. Mindiola, proceeding pro se. He was the plaintiff in the district court and the appellant in the court of appeals.

Respondents are the State of Arizona and other state actors. They were the defendants in the district court and the appellees in the court of appeals.

DIRECTLY RELATED PROCEEDINGS

Mindiola v. State of Arizona, et al, No. 24-1842 (9th Cir.) (memorandum disposition filed July 17, 2025, affirming; submitted July 15, 2025).

Mindiola v. State of Arizona, et al., No. 3:23-cv-01008-SB (D. Or.) (orders entered February 23, 2024; final judgment entered February 29, 2024).

Mindiola v. State of Arizona, et al., No. CV-22-0237-PR (Ariz. Sup. Ct.) (petition for review denied, 2022).

Mindiola v. State of Arizona, et al., No. 1 CA-CV-21-0271 FC (Ariz. Ct. App.) (memorandum decision affirming trial-court orders issued August 10, 2022).

Mindiola v. Mindiola, No. FC 2018-055324 (Ariz. Super. Ct., Maricopa Cnty.) (decree of dissolution and income-withholding order entered March 31, 2021; order of assistance requiring return of daughter).

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INTRODUCTION

Arizona family courts have systematically compelled disabled veteran fathers to disclose VA mental-health records while shielding mothers' identical records, creating a pattern of discrimination that extends beyond individual cases. In Petitioner's proceedings, when he sought equal treatment under *A.R.S. §25-403(5)*, the court noted "vexatious" behavior and dismissed the request as "tit for tat." After Petitioner filed a bias petition seeking the judge's removal—

which was denied—and subsequently notified the court he would not attend the final hearing due to judicial bias, the court proceeded to judgment and imposed stereotype-based findings about his military service in the absence of the mental health records it had demanded. The court then imposed fees that were later converted-misclassified into child-support debt and reported to credit bureaus using an interest rate inconsistent with the decree. Petitioner brought claims under Title II of the Americans with Disabilities Act and the Fair Credit Reporting Act challenging this systemic discriminatory conduct and post-judgment enforcement practices.

Title II is "a broad mandate" that requires States to provide disabled persons equal access to public services and judicial proceedings. To implement those constitutional protections, Congress expressly abrogated state sovereign immunity for Title II claims, *42 U.S.C. §12202*, and state courts are "public entities" under *42 U.S.C. §12131(1)*. This Court's decisions require a step-by-step analysis: whether the challenged conduct independently violates the Fourteenth Amendment or denies access to the courts, and, if so, whether Title II's enforcement is a valid exercise of Congress's *§5* power. See *Tennessee v. Lane*, 541 U.S. 509 (2004); *United States v. Georgia*, 546 U.S. 151 (2006).

The lower courts short-circuited that framework and relied instead on sovereign-immunity and Rooker–Feldman (*See Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S. 462 (1983)) rulings that disregard this

Court's limits. Rooker–Feldman is narrow: it bars only suits by state-court losers complaining of injuries caused by a state-court judgment and inviting lower federal courts to review and reject that judgment. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280 (2005). Petitioner's claims do not seek appellate review of the custody decree. They address independent conduct by state actors—(i) discriminatory discovery and sanctions that burdened access to court and (ii) post-judgment enforcement and credit-reporting that contradict the decree's interest terms. Under *Exxon Mobil, Lance v. Dennis*, 546 U.S. 459 (2006), and *Skinner v. Switzer*, 562 U.S. 521 (2011), factual overlap and the phrase "inextricably intertwined" do not expand Rooker–Feldman where the requested relief does not undo the judgment.

Subsequently, the federal district court dismissed on sovereign-immunity grounds and futileness; the Ninth Circuit affirmed, invoking *Schneider, Walker, Boquist, and Scafidi.*

The questions presented are important and recurring. If sovereign immunity is extended without applying Georgia's stepwise inquiry, and then consequently, Rooker–Feldman is broadened beyond *Exxon Mobil*, States can circumvent Congress's civil-rights mandate and foreclose federal review of systemic disability discrimination in judicial settings—especially for pro se litigants—by recasting independent federal claims as de facto appeals.

OPINIONS BELOW

The court of appeals' memorandum disposition (Pet.

App. 2a–5a) is unpublished. It was filed July 17, 2025, in No. 24-1842 (9th Cir.).

The district court's orders (Pet. App. 6a–12a) are unpublished. The court entered an order and judgment for the county defendants on Feb. 23, 2024 (ECF 45/46), and an order and judgment for the state defendants on Feb. 29, 2024 (ECF 47/48), in No. 3:23-cv-01008-SB (D. Or.).

JURISDICTION

The court of appeals entered judgment on July 17, 2025. This Court's jurisdiction is invoked under *28 U.S.C. §1254(1)*. This petition is timely under Sup. Ct. R. 13.1–13.3.

RELEVANT STATUTORY AND REGULATORY PROVISIONS

Pertinent provisions of *42 U.S.C. §12131(1), 12132, 12202* and *A.R.S. §25-403(A)(5)* are reproduced in the appendix. (Pet. App. 70a–74a.)

STATEMENT

A. Statutory Background

1. Arizona's Title IV-D scheme. Arizona, like all states, operates a Title IV-D program to enforce child and spousal support obligations. *A.R.S. §25-510* directs that support and maintenance payments must be processed through the State's clearinghouse. By its terms, the statute applies to obligations for support or maintenance, and to "past-due support reduced to judgment." The statute fixes a 10 percent interest rate for those arrears. Nothing in *§25-510* authorizes treating civil fee awards or sanctions as "support."

2. The Fair Credit Reporting Act. The FCRA establishes nationwide duties of accuracy for all furnishers of credit information, including government agencies. See *15 U.S.C. §1681s-2*. Congress designed the Act to protect consumers against inaccurate reporting and to ensure uniform credit practices. Federal courts are divided over whether misreporting that turns on a legal classification—such as calling a civil judgment "child support arrears"—is actionable. Some circuits treat such disputes as beyond the Act; others, including the Second Circuit, hold that any objectively verifiable inaccuracy falls within its scope.

3. Title II of the ADA and sovereign immunity. Title II prohibits states from discriminating against individuals with disabilities in public services, including access to the courts. Congress expressly abrogated state immunity in *42 U.S.C. §12202*. This Court has held that Congress validly exercised its Fourteenth Amendment enforcement power at least in the class of cases implicating fundamental rights of access. *Tennessee v. Lane*, 541 U.S. 509 (2004). In *United States v. Georgia*, 546 U.S. 151 (2006), the Court required a step-by-step analysis: (1) identify Title II violations; (2) determine whether they also violate the Constitution; and (3) if not, apply congruence-and-proportionality review.

4. The Rooker doctrine. Under *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280 (2005), and *Skinner v. Switzer*, 562 U.S. 521 (2011), the doctrine is narrow: federal courts lack jurisdiction only when plaintiffs complain of injuries *caused by the state-*

court judgment itself. Independent claims challenging post-judgment conduct are not barred.

B. Family Court Proceedings

From 2018 to 2022, Petitioner—a disabled Navy veteran—litigated divorce and custody proceedings in Arizona. The family court compelled him to disclose his VA mental-health records under *A.R.S. §25-403(5)*, while declining to order the mother to produce comparable records. When Petitioner requested equal treatment, the court dismissed his request as "tit for tat." The court then drew adverse inferences about his mental health in his absence.

The court also awarded attorney's fees and sanctions against Petitioner, entering them as civil money judgments in favor of the other party. These judgments were punitive and fee-related, not child support or spousal maintenance.

On March 31, 2021, the court entered its final decree, which set ongoing child support obligations and issued an income-withholding order. The Arizona Court of Appeals affirmed in August 2022. The Arizona Supreme Court declined review.

C. Post-Judgment Misclassification and Enforcement

After judgment, the Arizona Division of Child Support Services ("DCSS") treated the civil fee and sanction awards as "child support arrears." DCSS applied the 10 percent statutory arrears interest, even though the decree did not authorize it and Arizona's general civil judgment rate was far lower.

DCSS then furnished the debt to national credit bureaus as delinquent "child support." Petitioner's credit reports reflected over $100,000 in supposed back support. This erroneous reporting carried severe stigma and caused substantial financial harm.

Petitioner was given no notice or meaningful opportunity to contest the reclassification before the reporting occurred. As a result, he suffered reputational damage, impaired credit, and exposure to enforcement tools—such as license suspension—designed for genuine support obligations.

D. Proceedings Below

In July 2023, Petitioner filed a federal civil-rights action against the State of Arizona, DCSS, and related officials. He alleged:

- FCRA violations, based on inaccurate reporting and failure to correct disputes;
- ADA Title II violations, based on discriminatory treatment of his disability in family-court proceedings; and
- Due-process violations, based on enforcement of non-support debts as support without notice or hearing.

The district court dismissed the case. It held the ADA claims barred by state sovereign immunity, without engaging in the *Georgia* framework. It also applied *Rooker–Feldman* to dismiss the FCRA and due-process claims as impermissible challenges to the state-court decree.

The Ninth Circuit affirmed in an unpublished

memorandum disposition, leaving Petitioner without federal review of his claims.

E. Procedural History

- March 31, 2021: Family court entered decree of dissolution, set child-support obligations, and awarded separate civil fee judgments.
- August 10, 2022: Arizona Court of Appeals affirmed.
- 2022: Arizona Supreme Court denied review.
- July 2023: Petitioner filed federal civil-rights action.
- February 2024: District court dismissed on sovereign-immunity and Rooker–Feldman grounds.
- July 17, 2025: Ninth Circuit affirmed in a summary disposition.
- This Petition: Filed to resolve federal conflicts concerning the scope of the FCRA, the application of *Rooker–Feldman*, and the proper analysis under *United States v. Georgia*.

REASONS FOR GRANTING THE PETITION

I. THE DECISION BELOW CONFLICTS WITH THIS COURT'S PRECEDENTS (JOHNSON; LANE; GEORGIA).

This petition satisfies Rule 10 in two independent and sufficient ways: (1) error-correction under Rule 10(c) where the panel departed from *Johnson* and *Lane/Georgia*—with concrete implications for pro se court access—and (2) a mature, entrenched split on the FCRA 'inaccuracy' standard (Rule 10(a),(b)).

1. **What the Ninth Circuit did.** The panel affirmed dismissal because the complaint lacked "ADA" allegations *(Schneider)* and deemed amendment futile (*Walker; Boquist*). It never addressed whether the facts, liberally construed, stated a Title II claim, nor did it conduct the *Georgia* claim-by-claim immunity analysis. *Schneider* itself (which the 9th Cir. relied on) cautions that "dismissal without leave to amend is improper unless it is clear, upon de novo review, that the complaint could not be saved by any amendment," so the panel erred in invoking *Schneider* to fault labels while denying leave to amend. (*Schneider v. Cal. Dep't of Corr.*, 151 F.3d 1194 (9th Cir. 1998) (quoting *Chang v. Chen*, 80 F.3d 1293, 1296 (9th Cir. 1996)).)

2. **Why that conflicts with Johnson.** *Johnson* rejects "magic-words" pleading. A pro se litigant need not cite "ADA" if the facts describe disability-based discrimination in a judicial proceeding. Treating the label as dispositive contravenes *Johnson's* rule and pro se leniency.

3. **Why that conflicts with Lane/Georgia.** *Lane* and *Georgia* require a stepwise inquiry: identify the Title II violation; ask whether it also violates the Fourteenth Amendment (e.g., court access); and apply congruence/proportionality for any residue. Skipping this framework and declaring immunity at the threshold is error.

4. **Alignment in other courts.** Multiple circuits insist on *Johnson's* liberal construction and on *Lane/Georgia's* analysis before invoking immunity.

See, e.g., *Toledo v. Sánchez*, 454 F.3d 24, 33–40 (1st Cir. 2006); *Constantine v. GMU*, 411 F.3d 474, 480–82 (4th Cir. 2005); *Assoc. for Disabled Americans v. FIU*, 405 F.3d 954, 958–60 (11th Cir. 2005); and, within the Ninth, *Kohn v. State Bar of Cal.*, 87 F.4th 1021, 1040–42 (9th Cir. 2023). The decision below departs from that approach.

5. **Why it matters.** Title II's promise of equal access to courts depends on uniform adherence to *Johnson* and *Lane/Georgia*, especially for pro se litigants. Letting courts dismiss on labels and bypass the immunity framework invites evasion of Congress's mandate.

II. *EX PARTE YOUNG* PERMITS RELIEF AGAINST ONGOING TITLE IV-D ENFORCEMENT; THIS CASE ALSO PRESENTS AN UNRESOLVED AND RECURRING FCRA QUESTION.

1. ***Young* applies here.** Petitioner challenges present-tense executive conduct: classifying non-support fees as support arrears, applying an interest rate contrary to the decree/judgment, and furnishing that status to credit bureaus. Enjoining ongoing violations fits *Young's* core. Treating sovereign immunity as a categorical bar contradicts *Young* and cases like *Verizon Maryland Inc v. Public Service Commission of Maryland*, 535 U.S. 635, 645–46 (2002).

2. **National importance.** Title IV-D programs operate in every state. Misclassification and interest-calculation errors recur and have concrete consequences

(credit denials, licensure, employment). Uniform federal rules matter both for child-support administration and credit-reporting accuracy.

3. **Divergence on FCRA "inaccuracy."** Courts diverge on whether a furnisher's "legal" misclassification can be actionable under the FCRA. The Second, Eleventh, and Fourth Circuits reject a bright-line "legal vs. factual" bar and apply an objectively and readily verifiable (ORV) standard. *Sessa v. Trans Union, LLC*, 74 F.4th 150, 157–60 (2d Cir. 2023); *Holden v. Holiday Inn Club Vacations Inc.*, 93 F.4th 1220, 1227–28 (11th Cir. 2024) (declining a categorical "legal vs. factual" bar and applying the ORV standard, but affirming dismissal on application); *Roberts v. Carter-Young, Inc.*, No. 23-1150, slip op. at 4–5 (4th Cir. Mar. 14, 2025) (adopting the ORV approach). Other precedent, by contrast, has emphasized that CRAs and furnishers are not obliged to adjudicate legal validity, describing actionable inaccuracy as limited to factual disputes. *Denan v. TransUnion LLC*, 959 F.3d 290, 295–97 (7th Cir. 2020) (holding CRAs not required to adjudicate legal validity); *Carvalho v. Equifax Info. Servs., LLC*, 629 F.3d 876, 891–92 (9th Cir. 2010) (treating actionable inaccuracy as limited to factual disputes).

4. **Why it matters here.** This case exemplifies the ORV standard. The challenged reporting is verifiable against the orders themselves:
   a. The decree classified the assessment as non-support fees/penalties; the agency furnished it as child-support arrears.

b. The separate judgment set an interest term different from the 10% the agency applied.
c. The agency continues to furnish the item with the wrong type and rate.

Each mismatch is an ORV inaccuracy: anyone can hold the decree and judgment next to the tradeline and see the inconsistency. No adjudication of domestic-relations law is required; the relief simply requires the agency to follow the decree and judgment. Whether such misclassifications are actionable is unsettled but recurring nationwide and directly determines whether *Young* relief is available here.

III. THIS CASE IS AN EXCELLENT VEHICLE.

1. **Purely legal posture.** Rule 12(b)(6) dismissal; facts assumed true; no evidentiary disputes.

2. **Questions pressed and outcome-determinative.** The judgment turns on (i) liberal construction *Johnson* and *Lane/Georgia* analysis and (ii) FCRA liability; a ruling for Petitioner changes the result.

3. **Final and clean record.** Ninth Circuit memorandum and district-court orders are in the appendix; mandate issued; no interlocutory complications; peripheral personal-jurisdiction notes do not affect the core claims.

4. **Relief fits *Young* without Rooker–Feldman concerns.** The injunction sought would not alter the decree; it would compel the agency to follow it—correct the debt-type code and interest term and furnish accurate information going forward.

5. **Rule 10 grounds.**
   - Split (Rule 10(a),(b)): An entrenched inter-circuit conflict on FCRA "inaccuracy" (2d/4th/11th vs. 7th/9th) warrants resolution.
   - Error-correction (Rule 10(c)): The panel departed from this Court's *Johnson* and *Lane*/*Georgia* precedents by declaring amendment "futile" without liberal construction and the required claim-by-claim Eleventh Amendment analysis.
   - Supervisory (Rule 10(a)): The decision sanctions a departure from the accepted course in handling pro se civil-rights pleadings and futility, justifying this Court's supervisory power.

CONCLUSION

For the foregoing reasons, and in which the petition satisfies the court's criteria for review; the petition for a writ of certiorari should be granted.

Respectfully submitted,

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