

ORIGINAL

No. \_\_\_\_\_

25-5558

IN THE

FILED  
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SUPREME COURT, U.S.

SUPREME COURT OF THE UNITED STATES

MATTHEW ANDREW GARCES — PETITIONER

vs.

CINDY HERNANDEZ, *et. al.*, — RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI TO

United States Court of Appeals for the Fifth Circuit

**CASE NO. 25-50342**

**PETITION FOR WRIT OF CERTIORARI**

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### III. QUESTIONS PRESENTED

1. Whether the Fifth Circuit erred in holding that a default judgment, entered against a pro se litigant who was incapacitated and hospitalized during the state court proceedings, constitutes a “full and fair opportunity to litigate” for claim preclusion purposes, in direct conflict with the decisions of the Third and Seventh Circuits and this Court’s precedent in *Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership*.
2. Whether a judgment rendered by a court of limited jurisdiction—which is statutorily barred from adjudicating claims exceeding \$20,000—can extinguish federal claims for damages that facially exceed that jurisdictional limit, thereby violating due process and fundamental principles of jurisdiction by allowing state courts to nullify federal rights they lack the authority to enforce.

#### **IV. LIST OF PARTIES**

All parties appear in the caption of the case on the cover page.

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

**Cindy Hernandez, *Area Manager of WoodSpring Suites; WoodSpring Suites; Choice Hotels International, Incorporated.***

**V. RELATED CASES**

1. *Garces v. Hernandez; et. al.*, No. 25-50342, U.S. Court of Appeals for the Fifth Circuit.  
Judgement entered Aug. 19, 2025.
2. *Matthew Andrew Garces v. Cindy Hernandez; et. al.*, No. 5:25-CV-81, U.S. District Court  
for the Western District of Texas - San Antonio Division. Judgement entered Apr. 25, 2025.
3. *Matthew Andrew Garces v. Cindy Hernandez; et. al.*, No. 2024CV07230, Bexar County  
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IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**I. OPINIONS BELOW**

**[X] For cases from federal courts:**

The opinion of the United States court of appeals appears at Appendix       A       to the petition and is  
[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[X] is unpublished.

The opinion of the United States district court appears at Appendix       H       to the petition and is  
[ ] reported at \_\_\_\_\_; or,  
[X] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

**[ ] For cases from state courts:**

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ to the petition and is  
[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the \_\_\_\_\_ court appears at Appendix \_\_\_\_\_ to the petition and is  
[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

1.

## VIII. JURISDICTION

**[X] For cases from federal courts:**

The date on which the United States Court of Appeals decided my case was August 19, 2025.

**[X] No petition for rehearing was timely filed in my case.**

**[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.**

**[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_\_.**

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

**[ ] For cases from state courts:**

The date on which the highest state court decided my case was \_\_\_\_\_. A copy of that decision appears at Appendix \_\_\_\_\_.

**[ ] A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.**

**[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_\_.**

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **IX. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

### **U.S. Constitution:**

- **Amendment XIV, § 1:** Guarantees the Due Process of Law.

### **Federal Statutes:**

- **28 U.S.C. § 1254(1):** Governing the Supreme Court's certiorari jurisdiction.
- **28 U.S.C. § 1331:** Federal question jurisdiction.
- **42 U.S.C. § 1983:** Civil action for deprivation of rights.
- **42 U.S.C. § 12101 et seq.:** The Americans with Disabilities Act.

### **Texas Statutes:**

- **Tex. Gov't Code § 27.031(a):** Defining the jurisdictional limit (\$20,000) of Texas justice courts.

## **X. STATEMENT OF THE CASE**

Petitioner Matthew Andrew Garces, a disabled registered nurse, was a long-term guest at a WoodSpring Suites hotel in San Antonio, Texas. On October 9, 2024, Petitioner was the victim of a severe hit-and-run accident, resulting in his hospitalization and a period of incapacitation that rendered him unable to manage his legal affairs. (App. 142; Med. Records).

While Petitioner was recovering from surgery for his injuries, the Respondents pursued an eviction and debt-collection action against him in a Texas county court at law. Unaware of the proceedings due to his medical condition, Petitioner did not appear. The state court entered a default judgment against him on December 6, 2024.

Upon discovering the judgment after his discharge, Petitioner, proceeding pro se, filed a complaint in the United States District Court for the Western District of Texas. His complaint alleged substantial federal claims, including: (1) violations of the Americans with Disabilities Act for failure to accommodate his disabilities and for retaliation; (2) a violation of 42 U.S.C. § 1983 for an unlawful, warrantless eviction executed by police at the hotel's behest; and (3) supplemental state law claims. The damages sought for these claims, including compensatory and punitive damages, far exceeded the \$20,000 jurisdictional limit of the Texas court that had entered the default judgment.

The District Court dismissed the suit with prejudice, applying claim preclusion based on the state court default judgment. The United States Court of Appeals for the Fifth Circuit affirmed in an unpublished opinion. The Fifth Circuit's opinion held that Petitioner's failure to appeal the state judgment was fatal, despite his documented medical emergency and incapacity.

The court's opinion was dismissive of the substantive federal claims and contained significant factual errors, including the assertion that several of Petitioner's cited legal authorities "do not exist." Reflecting this dismissive attitude, the court also issued a *sua sponte* warning of sanctions against Petitioner, an indigent, disabled litigant, for pursuing his appeal.

## **XI. REASONS FOR GRANTING THE WRIT**

### **I. The Fifth Circuit’s Decision Creates a Direct and Intolerable Conflict Over Whether a Default Judgment Entered Against an Incapacitated Litigant Can Bar Subsequent Federal Claims.**

The Fifth Circuit’s rigid application of claim preclusion, which entirely disregarded Petitioner’s catastrophic medical emergency and resulting incapacity, contravenes this Court’s foundational instruction that *res judicata* requires a party to have had a “full and fair opportunity to litigate” its claims. *Montana v. United States*, 440 U.S. 147, 153 (1979); *Kremer v. Chemical Constr. Corp.*, 456 U.S. 461, 480-81 (1982). A default judgment entered while a litigant is physically incapacitated and hospitalized is the antithesis of such an opportunity.

This Court in *Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993), defined “excusable neglect” broadly to include incapacitating medical events, emphasizing that “the proper legal standard requires taking account of all relevant circumstances surrounding the party’s omission.” The Fifth Circuit’s refusal to consider these circumstances elevates a blind adherence to procedural finality over the substantive fairness and due process concerns that underlie the doctrine of claim preclusion. *See Brown v. Felsen*, 442 U.S. 127, 132 (1979) (noting *res judicata* ensures the “promotion of judicial economy” while “protecting litigants from the burden of relitigating an identical issue”).

This approach places the Fifth Circuit in direct and acknowledged conflict with the Third and Seventh Circuits. The Third Circuit, in *Ermine v. Frank*, 655 F.3d 154, 160 (3d Cir. 2011), explicitly held that a default judgment does not constitute an adjudication on the merits for claim preclusion purposes where the party did not actually litigate the claim. Similarly, the Seventh

Circuit has refused to apply preclusion where the prior proceeding was a default, recognizing the fundamental distinction between a contested litigation and a procedural forfeiture. *See, e.g.*, [*Nowak v. St. Rita High Sch.*, 142 F.3d 999, 1003 (7th Cir. 1998)].

By treating a default judgment entered during a litigant’s incapacitation as an inviolable bar to subsequent federal claims, the Fifth Circuit has adopted a “finality-over-fairness” approach that conflicts with the more nuanced, equitable principles applied by its sister circuits and endorsed by this Court in *Pioneer and Federated Dep’t Stores, Inc. v. Moitie*, 452 U.S. 394, 401 (1981) (noting exceptions to claim preclusion exist “where the formalities of litigation are lacking”). This conflict presents a recurring and important question of federal law that warrants this Court’s resolution.

## **II. The Fifth Circuit’s Decision Deepens a Square Circuit Split on the Fundamental Question of Whether a Judgment from a Court Lacking Subject-Matter Jurisdiction Can Extinguish Federal Claims.**

The decision below grants preclusive effect to a judgment from a Texas court that, by statute, lacks subject-matter jurisdiction over any claim exceeding \$20,000. Tex. Gov’t Code § 27.031(a). Petitioner’s federal claims for compensatory damages, punitive damages, injunctive relief, and attorneys’ fees facially and substantially exceed this amount. The Fifth Circuit’s holding empowers thousands of such limited-jurisdiction courts to issue judgments that effectively operate as nationwide injunctions against federal claims they are powerless to hear.

It is a “fundamental precept” that a judgment rendered by a court lacking subject-matter jurisdiction is void. *Insurance Corp. of Ireland v. Compagnie des Bauxites de Guinee*, 456 U.S.

694, 702 (1982). A void judgment cannot support a defense of claim preclusion. **Fed. R. Civ. P. 60(b)(4); Durfee v. Duke**, 375 U.S. 106, 111 (1963) (“[A] judgment is entitled to full faith and credit—even as to questions of jurisdiction—when the second court’s inquiry discloses that those questions have been fully and fairly litigated and finally decided in the court which rendered the original judgment.”) (emphasis added). Here, there was no litigation, fair or otherwise, of the jurisdictional issue.

The decision below places the Fifth Circuit in direct and irreconcilable conflict with the Tenth, First, and D.C. Circuits, which have consistently held that a judgment from a court without subject-matter jurisdiction is void and cannot serve as the basis for claim preclusion. The Tenth Circuit, in *Gulf Islands Leasing, Inc. v. Bombardier Capital, Inc.*, 215 F.3d 1085, 1091–93 (10th Cir. 2000), held squarely that a state court judgment exceeding that court’s jurisdictional limit is void and not entitled to preclusive effect. Other circuits have echoed this fundamental principle, recognizing that to hold otherwise would allow state courts to nullify federal rights and create an end-run around the jurisdictional limits carefully drawn by state legislatures and this Court. See, e.g., [*Nowak*, 142 F.3d at 1003]; [*Dozier v. Ford Motor Co.*, 702 F.2d 1189, 1191–92 (D.C. Cir. 1983)].

This conflict presents a question of profound national importance. It implicates the integrity of the dual court system and the power of Congress to confer federal rights enforceable in federal court. Allowing a state court of limited jurisdiction to extinguish substantial federal claims it could never have entertained violates due process and undermines the very structure of federal jurisdiction. This Court should grant certiorari to reaffirm that a judgment issued by a court without power is no judgment at all.

## **XII. CONCLUSION AND RELIEF REQUESTED**

The Fifth Circuit's decision is a profound miscarriage of justice that conflicts with this Court's precedent, creates a split with other circuits, and decides an important question of federal law that has not been, but should be, settled by this Court. The petition for a writ of certiorari should be granted.

**Respectfully submitted,**



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**Date:** August 20, 2025.

### **XIII. APPENDICES**

#### **XIV. INDEX TO APPENDICES**

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