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SUPREME COURT, U.S.

25-571

ORIGINAL

Case No.

IN THE  
SUPREME COURT OF THE UNITED STATES

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RAYON PAYNE,  
*Petitioner,*

v.

UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF FLORIDA,

And

UNITED STATES DISTRICT COURT OF  
APPEALS FOR THE ELEVENTH CIRCUIT.  
*Respondents.*

On Petition For A Writ Of Mandamus To The U.S.  
District Court For The Middle District Of Florida  
And U.S. Court Of Appeals For Eleventh Circuit.

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**PETITION FOR A WRIT OF MANDAMUS**

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## **QUESTIONS PRESENTED**

1. Whether supervisory intervention by this court is required where a district judge—structurally conflicted due to collegial involvement—assumed jurisdiction and issued orders in a case that directly implicates the constitutional validity of her own court, while the eleventh circuit, previously defied by the same district court, now lacks the institutional capacity to enforce its own mandate or provide appellate relief.
2. Whether supervisory intervention is required where a district court, already in structural conflict, repeatedly violates due process and disregards eleventh circuit mandates—first by ignoring a tolling order in a § 1983 case, and now by exercising jurisdiction in a related § 1985(3) action despite unresolved constitutional challenges.
3. Whether due process is violated when a district judge selectively rules on non-substantive motions—such as denying e-service and issuing standing orders—while ignoring threshold motions challenging venue and demanding disclosure, despite knowing her own judicial colleagues are named defendants.
4. Whether the combined effect of structural conflict, judicial defiance of appellate orders, and statutory privacy barriers to personal service creates a constitutional impasse that entitles a pro se litigant to u.s. marshal service and mandates supervisory intervention by this court

## **PARTIES TO THE PROCEEDING**

### **Petitioner:**

Rayon Payne, an individual proceeding pro se.

### **Respondents:**

- U.S. District Court for the Middle District of Florida,
- U.S. Court of Appeals for the Eleventh Circuit

### **Parties in interest:**

- Julie S. Sneed, U.S. District Judge,
- Wendy W. Berger, U.S. District Judge,
- Carlos E. Mendoza, U.S. District Judge,
- Marcia Morales Howard, U.S. District Judge.
- Daniel Irick, U.S. Magistrate Judge,
- Leslie Hoffman Price, U.S Magistrate Judge,
- Elizabeth M. Warren, Clerk of Court,

**RELATED PROCEEDINGS**

**U.S. District Court for the Middle District of Fl.**

*Payne v. Munyon, et al - Case No.: 6:25-cv-00615*

*Payne v. Berger, et al - Case No. 6:25-cv-1552*

**United States Court of Appeals for the  
Eleventh Circuit**

*Payne v. Munyon, et al - Case No.: 25-11315*

*In re Rayon Payne - Case No.: 25-12566*

**Supreme Court of the United States**

*Rayon Payne v. Eric Parke LaRue, ii, et al. - Case  
No.: 25-5175 (Writ of Certiorari)*

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## PETITION FOR A WRIT OF MANDAMUS

Petitioner respectfully seeks a writ of mandamus pursuant to 28 U.S.C. § 1651(a), invoking this Court's supervisory power over both the U.S. District Court for the Middle District of Florida and the U.S. Court of Appeals for the Eleventh Circuit. This request arises from a rare confluence of structural conflict, appellate defiance, and constitutional paralysis across both levels of the federal judiciary.

The Middle District of Florida improperly assumed jurisdiction over a civil rights case naming its own judges and clerk as defendants. Without resolving pending venue and disqualification motions, the court issued substantive rulings—despite an undeniable duty under 28 U.S.C. § 455 to recuse. These actions violated due process and furthered a pattern of constitutional disregard.

Meanwhile, the Eleventh Circuit—having previously issued a tolling order in a related § 1983 case—now sits powerless to enforce its own mandate, as the very same District Court refuses compliance. Petitioner, recognizing the judicial gridlock, strategically removed a connected matter to the District of Columbia under 28 U.S.C. § 1447(b), which remains pending.

Given this unprecedented breakdown, Petitioner seeks this Court's intervention.

## OPINIONS BELOW

There are no formal published opinions issued below in the proceedings relevant to this Petition. However, this Petition arises from recent orders and procedural rulings entered by the United States District Court for the Middle District of Florida..

These orders are available in the Appendix and unreported. No decision has yet been issued by the Eleventh Circuit on the related pending Interlocutory appeal in *Rayon Payne v. Lisa Munyon*, et al Case No. 25-11315 and Writ of Mandamus petition *In re Rayon Payne* - Case No. 25-12566.

This Petition thus seeks original supervisory relief from this Court in the absence of adequate appellate remedies. See accompanying Appendix.

## JURISDICTION

This Court has jurisdiction under the All Writs Act, 28 U.S.C. § 1651(a), which authorizes it to issue “all writs necessary or appropriate in aid of [its] jurisdiction[] and agreeable to the usages and principles of law.” The supervisory writ of mandamus is an extraordinary remedy, reserved for correcting profound violations that compromise the structural integrity of the federal judicial system.

Jurisdiction is proper here because both the U.S. District Court for the Middle District of Florida and the U.S. Court of Appeals for the Eleventh

Circuit are judicial bodies directly subject to this Court’s supervisory authority. The Eleventh Circuit, though not named as a respondent, is functionally at issue because its prior directive in a related § 1983 case has been openly disregarded by the district court—creating a constitutional impasse the appellate court cannot resolve without undermining its own authority.

This petition presents a rare but appropriate invocation of the Court’s original supervisory power over the federal judiciary. See La Buy v. Howes Leather Co., 352 U.S. 249 (1957); McClellan v. Carland, 217 U.S. 268 (1910). The extraordinary nature of the case, involving simultaneous structural conflict, due process violations, and jurisdictional paralysis across both the trial and appellate levels, justifies direct intervention by this Court to preserve the constitutional separation of powers and ensure compliance with its appellate framework.

This petition is timely and necessary. It arises from an active civil rights proceeding in which federal judicial officers—including Article III judges—are named as defendants in their individual capacities. The District Court is structurally conflicted and has taken substantive action despite pending threshold motions challenging jurisdiction. Meanwhile, the Eleventh Circuit is jurisdictionally immobilized due to the District Court’s open defiance of its orders. No other remedy or forum exists to correct this breakdown.

## CONSTITUTIONAL AND LEGAL PROVISIONS INVOLVED

- **U.S. Const. Art. III, § 1 & § 2** — Vesting the judicial power in Article III courts and defining the scope of federal jurisdiction.
- **U.S. Const. Amend. V** — Guaranteeing due process of law.
- **U.S. Const. Amend. XIV** — Guaranteeing due process and equal protection under the law.
- **28 U.S.C. § 1651(a)** — The All Writs Act, authorizing the Supreme Court to issue extraordinary writs in aid of its jurisdiction.
- **28 U.S.C. § 455** — Mandating judicial disqualification where impartiality might reasonably be questioned.
- **28 U.S.C. § 1447(b)** — Providing for removal and vesting jurisdiction in the district court when removal jurisdiction is challenged.
- **42 U.S.C. § 1983** — Authorizing civil redress for the deprivation of constitutional rights under color of law.
- **42 U.S.C. § 1985(3)** — Addressing conspiracies to interfere with civil rights.
- **Fed. R. Civ. P. 4(c)(3)** — Allowing for court-directed service by U.S. Marshals in appropriate circumstances, especially for pro se litigants.
- **The Judicial Privacy Act of 2020** — Restricting public access to judges' personal information, including home addresses, impacting service of process.

## STATEMENT OF THE CASE

This petition arises from an extraordinary and compounding constitutional breakdown within the U.S. District Court for the Middle District of Florida and the Eleventh Circuit Court of Appeals, resulting in a jurisdictional paralysis that necessitates this Court's supervisory intervention.

On August 14, 2025, Petitioner filed a civil rights action under 42 U.S.C. § 1985(3) in the Middle District of Florida, naming several federal officials—including Article III and magistrate judges of that very court, the Clerk of Court, and others—as defendants. This followed a previously filed § 1983 case (still pending via a tolling order and mandamus petition at the Eleventh Circuit) and a 28 U.S.C. § 1447(b) immigration-related matter now pending in the District of Columbia, which had been strategically removed from the Middle District due to ongoing structural prejudice and impartiality concerns.

Despite the structural conflict created by naming court officers and judges as defendants, the Clerk's Office assigned the new action to Judge Julie Sneed, a judge within the same district. On the same day, Judge Sneed issued an order denying a motion for electronic service and entered a general standing order—despite pending motions challenging venue and seeking disclosure based on known conflicts. The order was not signed, but relayed through a “text order” from chambers, further highlighting procedural irregularities.

Petitioner immediately filed three motions objecting to the judge's authority, requesting a stay of all proceedings, and moving for formal recognition of related cases. On August 18, 2025, Petitioner filed an amended complaint naming Judge Sneed herself as a defendant due to her unauthorized rulings and failure to disclose a known structural conflict under 28 U.S.C. § 455. The Clerk issued a summons confirming acceptance of the filing, but has since failed to docket the amended complaint, placing the court in a state of procedural paralysis.

Simultaneously, Petitioner filed a Notice of Structural Conflict and Constitutional Impairment, informing the Middle District that he would seek supervisory relief directly from this Court within seven days. That notice emphasized that no judge within the Middle District could legally proceed in this case and that any further action would compound existing due process violations.

Petitioner also filed a formal Judicial Notice with the Eleventh Circuit, which currently holds jurisdiction over two pending matters—a tolling order appeal and a related petition for writ of mandamus highlighting that the district court had already defied the circuit's directives, rendering the circuit unable to enforce its own orders or grant relief. Accordingly, both the district and circuit courts are structurally and constitutionally compromised. In light of the multiple converging constitutional injuries, defiance of appellate mandates, and jurisdictional collapse at two federal levels, Petitioner respectfully seeks this Court's supervisory authority.

## **REASONS FOR GRANTING THE PETITION**

### **I. Supervisory Intervention Is Required to Address Ongoing Structural and Constitutional Violations That Preclude Fundamental Due Process**

This Court's intervention is warranted where the very institution tasked with adjudicating constitutional claims becomes the source of constitutional injury. In this case, the U.S. District Court for the Middle District of Florida is structurally incapacitated from exercising neutral judicial authority over a civil rights action that names its own Article III judges, magistrates, and the Clerk of Court as defendants.

The moment the Clerk of Court assigned the matter to a colleague of the named defendants—and the assigned judge issued sua sponte rulings despite having constructive and actual knowledge of the pending structural challenges—the district court triggered a series of non-discretionary violations under 28 U.S.C. § 455(a), (b) and the Due Process Clause of the Fifth Amendment.

These constitutional impairments are not merely technical. They reflect a systemic breakdown of impartial adjudication, evidenced by:

- The assignment of a conflicted judge in defiance of structural neutrality;
- Issuance of orders (e.g., denial of electronic service) before resolving challenges to jurisdiction and venue;

- Failure to disclose obvious conflicts involving judicial colleagues;
- Subsequent refusal to docket an amended complaint that names the judge as a defendant, while still issuing a summons, confirming the complaint's acceptance.

These acts reflect a judicial body acting to shield itself from review, not a neutral forum for adjudication. Where litigants are barred from receiving basic process—such as neutral venue, proper disclosure, or timely docketing—the remedy must come from this Court. Such collapse of constitutional safeguards is precisely the kind of “exceptional circumstance” warranting issuance of a writ of mandamus or other supervisory relief under this Court’s inherent supervisory authority.

## **II. The Eleventh Circuit Is Jurisdictionally Paralyzed and Unable to Enforce Its Own Directives, Requiring Supervisory Oversight from This Court**

This Court has long recognized that appellate courts must have the capacity to enforce their orders, especially where a lower court’s inaction or defiance compromises the appellate function itself. In this case, the Eleventh Circuit’s own supervisory authority has been rendered ineffectual due to ongoing structural failures in the Middle District of Florida.

In a prior related § 1983 action, the Eleventh Circuit issued a tolling order directing the district

court to rule on a renewed motion for judicial disclosure—a motion implicating a serious conflict of interest. The Middle District never complied. Instead, the district court circumvented the directive by ruling on unrelated procedural matters, thereby violating both the Eleventh Circuit’s mandate and petitioner’s due process rights.

This pattern has now repeated itself in the related § 1985(3) action, which includes many of the same defendants and structural allegations. The district court again assumed authority while conflict issues and jurisdictional objections were pending, and the same institutional actors—named defendants—are involved. The result is a recursive collapse of process: the Eleventh Circuit cannot send the matter back to the Middle District for resolution because the Middle District has already shown it cannot (or will not) act impartially or lawfully.

Petitioner has already filed a writ of mandamus and interlocutory appeal in the Eleventh Circuit regarding these violations, but neither remedy can be meaningfully adjudicated while the district court remains mired in conflict. Thus, the Eleventh Circuit is jurisdictionally frozen and unable to exercise its Article III role—creating a unique and urgent need for this Court’s supervisory authority to intervene and preserve the appellate structure itself.

This petition is not an attempt to bypass the ordinary process. Rather, it is a last resort, necessitated by the complete breakdown of both trial-level neutrality and appellate enforcement.

This Court has the authority—and the obligation—to correct such an institutional failure when no lower court is capable of doing so.

### **III. Structural Collapse of the Middle District of Florida Warrants Immediate Transfer to the District of Columbia**

The Middle District of Florida has, by its own actions, rendered itself structurally and jurisdictionally incapable of presiding over the instant case. The assignment of the original complaint to a judge whose colleagues were named as defendants—without recusal, transfer, or external reassignment—triggered a cascading constitutional failure. The subsequent attempt by the conflicted judge to issue substantive rulings while motions challenging venue and seeking disclosure were pending only deepened that structural crisis.

This is not a procedural irregularity; it is a constitutional breakdown that precludes the possibility of impartial adjudication. The District Court cannot correct itself. Its own clerk is a named defendant. Its assignment mechanisms have already been weaponized. And any further motion practice or reassignment would require intervention by the very institution that created and sustained the conflict.

Moreover, there is already a related removal matter under 28 U.S.C. § 1447(b) pending in the District of Columbia. That petition was strategically and lawfully filed there due to similar jurisdictional concerns in the Middle District. Consolidating these matters before a neutral forum—outside the zone of

demonstrated structural prejudice—is not only prudent, but constitutionally necessary to safeguard the appearance and reality of impartial adjudication.

Accordingly, the interests of justice and judicial integrity compel this Court to exercise its supervisory authority and order immediate transfer of this action, and its related matters, to the United States District Court for the District of Columbia under this Court’s extraordinary power to remedy systemic failure.

**IV. Structural Conflicts and the Judicial Privacy Act Preclude Traditional Service, Warranting U.S. Marshal Intervention in Both the § 1983 and § 1985(3) Cases**

Petitioner is constitutionally entitled to effectuate personal service on federal and state judicial officers named in their individual capacities in both the § 1983 and § 1985(3) actions. However, traditional service has become impossible due to two intersecting and compounding barriers: (1) the Judicial Privacy Act of 2020, which shields federal judges’ residential addresses from public access, and (2) entrenched structural conflicts within the Middle District of Florida, whose judges and clerk are named defendants and are legally precluded from processing or responding to motions for service.

The Judicial Privacy Act of 2020 (Pub. L. No. 117-263, Div. H, Title LIX, § 5931) was enacted to enhance security protections for members of the federal judiciary by restricting public access to their personal identifying information, including home

addresses. While its protective intent is legitimate, the Act creates a constitutional impasse when plaintiffs are left without any alternative means to serve judges sued individually—especially where service through official chambers has been expressly refused.

In both the § 1985(3) action and the earlier-filed § 1983 case (now on appeal via tolling order), named defendants include Article III federal judges, magistrate judges, court clerks, and state judicial officers. Petitioner attempted courthouse service through the Clerk's Office but was met with refusal, with personnel stating they would not accept service for any judicial officer—even for the Clerk of Court herself, who is a named defendant.

Due to these systemic obstructions, Petitioner is unable to file a motion for alternative service in the district court because the very same court is structurally conflicted, lacks lawful authority to rule in its own interest, and is effectively paralyzed. Without intervention, the 90-day service deadline under Fed. R. Civ. P. 4(m) threatens dismissal of cases that cannot proceed solely because of institutional self-protection.

Accordingly, Petitioner respectfully requests that this Court authorize U.S. Marshal Service under 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(c)(3) to serve all named judicial defendants in both the § 1983 and § 1985(3) actions. Absent such relief, the constitutional claims and underlying facts of serious misconduct may never reach adjudication due to service paralysis imposed by judicial actors.

**CONCLUSION AND PRAYER FOR RELIEF**

This petition presents an extraordinary constitutional crisis—one where a district court, structurally conflicted from the outset, improperly assumed jurisdiction over a case implicating its own officers and judicial colleagues. In doing so, it disregarded foundational due process protections, violated 28 U.S.C. § 455, and triggered a breakdown in judicial neutrality that has infected the integrity of the entire proceeding. The situation is compounded by the Eleventh Circuit’s inability to enforce its own tolling order in a related case, leaving the appellate system paralyzed.

Given the intersecting jurisdictional dysfunction, systemic constitutional violations, and the ongoing prejudice to Petitioner’s rights, supervisory intervention by this Court is not only appropriate—it is imperative.

**Petitioner respectfully prays that this Court:**

1. Assume supervisory jurisdiction over the U.S. District Court for the Middle District of Florida and the U.S. Court of Appeals for the Eleventh Circuit;
2. Order immediate transfer of Petitioner’s civil rights cases (1983 and 1985(3)) to the U.S. District Court for the District of Columbia pursuant to the structural necessity and active 28 U.S.C. § 1447(b) petition pending there;

3. Authorize U.S. Marshal service for all defendants named in their individual capacities in both the § 1983 and § 1985(3) actions, in light of the Judicial Privacy Act of 2020 and the structural bar to alternative service;
4. Grant such other relief as this Court deems just and proper.

Date: 10/ 23 /2025      Respectfully submitted,

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