

25-5801

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

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

AUG 21 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

David C. LeHerr — PETITIONER  
(Your Name)

vs.

Santander — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

First Circuit court of appeals  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

David C. LeHerr  
(Your Name)

P.O. Box 879  
(Address)

Ayer, MA 01432  
(City, State, Zip Code)

\_\_\_\_\_  
(Phone Number)

## Questions

1. Does a circuit have a right to ignore a response?
2. Doeg Mollane v Central Hoover Bank & Trust Co. 339 U.S. 300 not apply to being heard?
3. Why order a response when I wasn't entertained?
4. What does the due process clause have to be heard?

## 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:

## RELATED CASES

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*Due process*  
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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.

**OPINIONS BELOW**

☒ For cases from **federal courts**:

The opinion of the United States court of appeals 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☒ is unpublished.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 United States district 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☐ is unpublished.

☐ 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☐ is unpublished.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☐ is unpublished.

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was June 18, 2025.

☒ 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. A.

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. A.

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

## statutory and constitution provision

1. Due process

2. Mullane v Central Hanover Bank & Trust Co, 339 U.S.

300



## Statement of case

This is in regards to a matter that wasn't heard since the petitioner had made a response by the first circuit had just not entertain such and made it claim as though the petitioner didn't make a response to such. This under *Mullane v. Central Hanover Bank Trust Co.*, 339 U.S. 300 was violated under the due process clause and not been heard which should be remanded to be heard within the constitution rights of the land.


## Reason to grant writ

Do to the Due process clause of a right to be heard  
in a fair manner by the First circuit not entertaining  
the response that was filed October 16, 2024 which was  
filed before under the prison mail box rule should be  
remanded to be heard under Mollane v Central Haver  
Bank & Trust Co. 334 US 300

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
\_\_\_\_\_

Date: August 16, 2025