ORIGINAL

25-600

No. 25-____

In the Supreme Court of the United States

JOHN PAUL BEAUDOIN, SR.,

Petitioner,

v.

CHARLES D. BAKER, JR., ET AL.,

Respondents.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the First Circuit

PETITION FOR A WRIT OF CERTIORARI

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November 10, 2025
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QUESTION PRESENTED

In the past 40 years, case dismissals increased in frequency and now occur earlier in the litigation process. In 1986, the standard to survive summary judgment in the discovery phase was heightened in *Anderson v. Liberty Lobby* (1986) and *Celotex Corp. v. Catrett* (1986), which became the two most cited cases in U.S. history. In *Lujan v Defenders of Wildlife* (1992), this Court resolved disparities among the Circuit Courts by defining a 3-prong test for "standing," used to dismiss cases in the pleading stage. In 2007 and 2009, the pleading "plausibility" standard was heightened via *Bell Atlantic v. Twombly* (2007) and *Ashcroft v. Iqbal* (2009), newly the most cited two cases in U.S. history by a large margin in only 16 years and used almost exclusively to dismiss cases after the initial complaint. In 2020, an overwhelming workload event besieged U.S. Courts when 414,469 civil cases were filed, 180,538 (62%) more than expected. The overwhelming workload manifested habitual dismissals of meritorious cases, thus violating plaintiffs' rights to due process, petition for redress, and access to courts for dispute resolution. Dismissals of meritorious cases *en masse* leave disputes unresolved, which, in turn, causes a breakdown of civil society. The Question Presented is:

Whether the lower court erred in dismissing this case on standing and pleading standards? Whether meritorious cases filed in U.S. Courts are habitually dismissed under heightened Fed. R. Civ. P. doctrines in violation of Constitutional rights to access the courts for dispute resolution? Whether decisions under Fed. R. Civ. P. are effectively equitable and should be scrutinized as such?

PARTIES TO THE PROCEEDINGS

Petitioner and Plaintiff-Appellant

- John Paul Beaudoin, Sr.

Respondents and Defendants-Appellees

- Charles D. Baker, Jr.,
  former Governor of the Commonwealth of Massachusetts, in his official and individual capacity
- Maura Tracy Healey,
  in Her Official Capacity as Governor of the Commonwealth of Massachusetts

The following in their individual and Official Capacity within the Commonwealth of Massachusetts:

- Margaret R. Cooke
  Commissioner of the Department of Public Health
- Mindy Hull,
  Chief Medical Examiner
- Janice Y. Grivetti,
  Medical Examiner
- Michele N. Matthews,
  Medical Examiner
- Robert M. Welton,
  Medical Examiner
- Julie Hull,
  Medical Examiner

LIST OF PROCEEDINGS

U.S. Court of Appeals for the First Circuit
No. 23-2989
Beaudoin v. Baker, et al.
Final Judgment: August 11, 2025

U.S. District Court for the District of Massachusetts
D.C. No. 1:22-cv-11356
Beaudoin v. Baker, et al.
Final Memorandum and Order: October 27, 2023

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PETITION FOR A WRIT OF CERTIORARI

Petitioner John Paul Beaudoin, Sr. respectfully petitions for a writ of certiorari to review a judgment of the United States Court of Appeals for the First Circuit.

OPINIONS BELOW

The First Circuit's unpublished opinion is available at 2025 U.S. App. LEXIS 21432 (1st Cir. Aug. 11, 2025), and is reproduced at App.1a. The District of Massachusetts' opinion is available at 2023 U.S. Dist. LEXIS 192347 (D. Mass. Oct. 27, 2023), and is reproduced at App.4a.

JURISDICTION

The First Circuit issued its opinion on August 11, 2025. App.1a. This Court has jurisdiction under 28 U.S.C. § 1254(1).

STATUTORY PROVISIONS INVOLVED

United States Constitution Article III Section 2

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;—between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

28 U.S.C. § 2072 Rules of procedure and evidence; power to prescribe

(a) The Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district courts (including proceedings before magistrate judges thereof) and courts of appeals.

(b) Such rules shall not abridge, enlarge or modify any substantive right. All laws in conflict with such rules shall be of no further force or effect after such rules have taken effect.

(c) Such rules may define when a ruling of a district court is final for the purposes of appeal under section 1291 of this title.

42 U.S.C. § 1983 Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively

to the District of Columbia shall be considered to be a statute of the District of Columbia.

STATEMENT OF THE CASE

Petitioner Beaudoin asserts that the District Court erred in dismissing his case, the Circuit Court breached its contractual duty to earnestly review the case, and that this case is but one example of habitual doctrinal dismissals, now ingrained in the organizational culture of U.S. Courts.

In August 2020, Petitioner Beaudoin negotiated for admission to the Massachusetts School of Law ("MSLaw"), was accepted, and expressed to the Dean of Admissions that he would not take a Covid vaccine. The Dean of Admissions expressly responded that Petitioner would not have to take the Covid vaccine when it becomes available because he is over 30 years old.

Petitioner Beaudoin matriculated at MSLaw in the fall semester of 2020 and the spring semester of 2021.

On or about June 2021, MSLaw instituted a Covid vaccine mandate for the fall 2021 school year expressly reasoning that the Defendants, each in part or through *respondeat superior*, reported many Covid deaths and that Covid vaccines prevent Covid disease and transmission to others, which are false representations.

For refusing the Covid vaccine, Petitioner Beaudoin was unenrolled by MSLaw. Petitioner sought transfer

to another law school, but found it futile because other schools also enacted Covid vaccine mandates.

Petitioner Beaudoin has an open case against MSLaw for common law contract breach in state courts, not part of this action.

In February 2022, Petitioner Beaudoin obtained about 420,000 official non-redacted death records from the Commonwealth of Massachusetts, years 2015 through 2021. Petitioner Beaudoin now retains about 1.6 million records from 4 states, 2015 through 2024. Petitioner Beaudoin learned from the records that Massachusetts medical examiners entered false representations on numerous death records including 1) certifying "Covid" as a cause or contributing condition of death, where the certifier knew Covid had no causal relationship to the death, and 2) certifying records omitting Covid vaccine as a cause of death, where the certifier knew that Covid vaccine caused the death.

In August 2022, knowing the representations, made by the Defendants, to be false, Petitioner Beaudoin commenced the original action in this case against the Massachusetts governor, health commissioner, chief medical examiner, and 4 individual medical examiners.

Petitioner Beaudoin brought the action under the third party doctrine theory that law schools would not have enacted Covid vaccine mandates but for the false representations on official death records. *Id est*, Petitioner Beaudoin sought from the court the only plausible remedy, which is to correct the false representations at the root cause of the mandates.

On the face of the complaint and in its Exhibit F in support of his claims, Petitioner Beaudoin included

numerous examples of facts and supporting evidence from official government records.

Despite the overwhelming evidence from the Defendants' official records placed in the complaint, the district court found that the facts pled were insufficient.

Despite law schools expressly stating that Covid vaccine mandates were enacted due to the Defendants' representations, which are false, the district court found that the mandates that caused the injury to Petitioner could not be causally traced to the Defendants.

Despite near certainty that the remedy sought in the complaint would cause mandates to be rescinded, the district court found that Petitioner's complaint lacked redressability. To be clear, the court found that if law schools learned that accidental deaths were falsely attributed to Covid, and vaccine deaths were falsely attributed to Covid, then it is merely speculative that law schools would rescind Covid vaccine mandates. No reasonable person who reads the amended complaint's verifiable facts could find it to lack such redressability.

REASONS FOR GRANTING THE PETITION

Granting writ would provide the opportunity to 1) correct the error of dismissal in the present case and, 2) address a question of national importance by apprising this Court of a system failure in U.S. Courts' primary mission of dispute resolution, which is manifesting nationwide societal schisms and incivility.

The People are held together as a civil society through access to the courts for dispute resolution, effected through the "cases and controversies" clause of the U.S. Constitution Article III Section 2.

The Supreme Court of the United States functionally manages the lower courts through *stare decisis*. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), for examples, have been broadly interpreted by the courts to be a significantly heightened pleading plausibility standard resulting in numerous dismissals of meritorious cases.

In 2020, an overwhelming workload event resulted in 180,538 excess civil cases filed in District Courts.

Habit formation models strongly suggest that an overwhelming workload event accelerated habitual dismissals of meritorious cases. The habits formed in dismissing cases based on pleading plausibility from *Twombly* and *Iqbal* likely spilled over into also dismissing meritorious cases based on standing, summary judgment, qualified immunity, mootness, ripeness, and other dismissal doctrines.

In only sixteen (16) years, the case citation rates of *Twombly* and *Iqbal* are nearly ten (10) times greater than the seminal case in standing doctrine, *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992).

The data also shows that the same pattern of doctrinal dismissal acceleration occurred in 1986 for summary judgment standards based on *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986) and *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986).

The authority for procedural doctrinal dismissals is highly attenuated when measured against The

People's foundational rights of due process of law, trial for suits at law, and to petition the Government for a redress of grievances. These foundational rights, the glue of civil society, are now subjugated by procedural doctrines used to dismiss meritorious cases.

Procedural decisions are effectively equitable decisions.

Judicial economy, though rarely mentioned in docket entry writings, is often mentioned in status conferences and obviously weighs heavily in courts' decisions. However, the courts' views of "economy" runs contrary to management studies using systems and economic analyses.

In summary, 2020 brought such a sharp increase in caseload that it was impossible for the courts to manage all the meritorious cases. For survival during the overwhelming workload event, courts heightened the pleading, standing, and other thresholds to hear cases. The result manifested since 2020 is that the organizational behavior of the U.S. Courts was systemically tuned to habitual dismissals, which the case citation rate data conclusively shows. The additional caseload excesses of 2021 and 2023 solidified and furthered the systemic habit of doctrinal dismissals.

Lastly, Petitioner believes that the Supreme Court will enjoy hearing from a rare *pro se* litigant, one with a viewpoint involving not solely jurisprudence, but also economics, sociology, psychology, management systems, engineering systems analysis, and moral philosophy. A grant of *certiorari* will be enlightening to all attorneys and courts of the land; and may facilitate mending the civil litigation system toward

that which the authors of the Constitution intended, and which justice and equity require.

I. ERRORS IN LAW

A. There Was Not Likely an Earnest Review of the Record by the First Circuit

Petitioner Beaudoin contracted with the First Circuit Court of Appeals to earnestly review the dismissal of his First Amended Complaint (Dkt. 22, filed Jan. 3, 2023) ("1st Am. Compl."), App.11a. Petitioner provided $605.00 consideration for the service to be provided.

Petitioner called the clerk's office for the status 18 months after filing his appellate brief. A week later, the First Circuit issued its JUDGMENT in 2 short paragraphs. *Beaudoin v. Baker*, No. 23-2989, slip op. (1st Cir. Jan. 3, 2023) ("1st. Cir. Op."), App.1a.

The first paragraph (1st Cir. Op.) ¶ 1, App.2a, cursorily reviewed the facts and pleadings.

The second paragraph (1st Cir. Op.) ¶ 2, App.2a, stated that Petitioner Beaudoin had "failed to offer allegations sufficient to establish Article III standing to sue" and added, ("It is [plaintiff's] burden . . . to allege sufficient facts to plausibly demonstrate standing.") The summary stated, "We have carefully considered each of the arguments offered by Beaudoin in briefing and conclude that he has failed to identify any infirmity in the district court's standing reasoning." In the second paragraph, the JUDGMENT habitually dwells upon pleading sufficiency, which ultimately relies upon *Twombly* and *Iqbal*.

Petitioner argues that the First Circuit could not have fully reviewed Petitioner's amended complaint, the District Court's Memorandum and Order, or the Petitioner's appellate brief.

Turning to the lower court's MEMORANDUM & ORDER (*Beaudoin v. Baker*, No. 1:22-cv-11356-NMG (D. Mass. Oct. 27, 2023) ("Dist. Ct. Judg.")) at 3-4, App.4a, pleading sufficiency under *Twombly* (2007) and *Iqbal* (2009) are highlighted in the first paragraph of section II "Legal Standard".

While the First Circuit's JUDGMENT (1st Cir. Op.) ¶ 2, App.2a, only mentions pleading standards from the ancestral line of *Twombly* and *Iqbal*, the Dist. Ct. Judg. at 5-7, section III, App.7a-8a, "Application" almost entirely argues "standing" in context of the three (3) prong test in the ancestral line of *Lujan*, specifically, injury-in-fact, traceability, and redress-ability.

To summarize, Petitioner contends that the First Circuit only reviewed the first paragraph of "Legal Standard" and did not at all review the "Application" section of the Dist. Ct. Judg.

This is a breach of contract for $605 consideration in exchange for appellate review, which does not seem to have happened. Had the First Circuit performed the review, they would have seen the plethora of facts, in support of Petitioner's claims, on the face of the amended complaint. And the First Circuit would have concluded that the pled facts satisfy the *Iqbal* pleading standard and the 3-prong test from *Lujan*.

B. The Amended Complaint Satisfies All Pleading and Standing Doctrinal Standards

1. Plausibility and Sufficient Facts (To Be Taken as True)

Petitioner asserts that no reasonable person who actually reads the 1st Am. Compl., App.11a, would find the facts alleged to be insufficient to meet the pleading standards.

The line of authority of pleading standards for plausibility and sufficiency of facts derives from U.S. Const. art. III, § 2 "Cases, in Law and Equity, arising under . . . the Laws of the United States" to 28 U.S.C. § 2072(a) "power to prescribe general rules of practice and procedure" to Fed. R. Civ. P. 8(a)(2) "a short and plain statement of the claim showing that the pleader is entitled to relief" and Fed. R. Civ. P. 12(b)(6) "failure to state a claim upon which relief can be granted" to *Twombly* and *Iqbal*, which require that a stated claim be "plausible on its face" and not be founded on "conclusory" statements or "threadbare recitals."

One check to the this attenuated authority is 28 U.S.C. § 2072(b) stating, "Such rules shall not abridge, enlarge or modify any substantive right," which, in the hierarchy of authority, comes before Fed. R. Civ. P. rules and *stare decisis*. This abridgment check has been habitually ignored by the courts in analyzing the facts and evidence surrounding plausibility, pleading sufficiency, standing, and other procedural matters.

Petitioner Beaudoin argues that an analysis of plausibility and pleading sufficiency should be weighed against the "substantive right" to access the courts for

dispute resolution supported by 28 U.S.C. § 2072(b) and U.S. Const. amend. I, VII, IX, and XIV. A dismissal of a meritorious case is a deprivation of substantive rights. The courts' analyses of these procedural matters should not be habitual, but rather, in every procedural decision, the courts' should earnestly consider the moral hazard of abridgment.

To reiterate, the plausibility and pleading standards should always be weighed against abridgment of substantive rights.

Other checks on the authority of plausibility and pleading standards are within *Twombly* and *Iqbal* "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."

Petitioner argues that the following paragraph references from 1st Am. Compl., App.11a, exceed the "reasonable inference" standard in *Iqbal* (2009) by a large margin including numerous facts and supporting evidence on its face and in the exhibits, especially knowing that the pled facts must be taken as true.

1st Am. Compl., ¶¶ 13-14, App.18a-19a reference official U.S. government explanations of when it is appropriate to apply "Covid" to a death record.

1st Am. Compl., ¶ 16, App.19a states the fact that MSLaw's Covid vaccine mandate cited the Defendants' false representations as the basis for the mandates.

1st Am. Compl., ¶ 19, App.20a states the fact that Petitioner was injured by being unenrolled from MSLaw for refusing the Covid vaccine.

1st Am. Compl., ¶ 21, App.20a states the fact that MSLaw further expressed the reasons for their Covid vaccine mandate in a letter to Petitioner. The reasons included citations of sources, which were based, in part, on the false representations from the Defendants.

1st Am. Compl., ¶¶ 23-26, App.20a-21a and much of its Exhibit F include facts and evidence that Defendants falsified death records to raise the Covid death count.

1st Am. Compl., ¶¶ 27-29, App.22a include facts supported by evidence that Defendants made false statements that Covid vaccines were safe, when they knew many died from causes directly linked to Covid vaccines.

1st Am. Compl., ¶¶ 30-43, App.22a-29a include facts supported by evidence that several people died from Covid vaccines, where Defendants knew Covid vaccines caused the death and where there was no mention of a Covid vaccine on the death record, making the records knowingly false representations by omission. For example, Brianna McCarthy was 30 years old, tested positive for Covid asymptomatically in November 2020, reacted in hours to the Moderna vaccine in March 2021, experienced seizures, paralysis, loss of consciousness, and died in April 2021. Six doctors from Harvard Medical College and Beth Israel Deaconess Medical Center published a report stating that the vaccine killed Brianna. For 3 years, Brianna's death record omitted mention of the vaccine and stated that Covid was the root cause of Brianna's death. After 3 years of family insistence to correct it, Massachusetts amended Brianna's record in 2024 adding Covid vaccine as a cause, but did not remove Covid as a cause.

1st Am. Compl., ¶¶ 44-47, App.29a-30a include facts supported by evidence that Defendants falsified death records involving blunt force trauma and fentanyl overdose by labeling them as Covid deaths, where the guidance from the government in 1st Am. Compl., ¶¶ 13-14, App.18a-19a precluded the legitimate use of Covid as a cause of death.

The circumstance of Brianna's death is one of many facts elucidated in the Petitioner's 1st Am. Compl., App.11a. The facts of this case are hidden behind an habitual pleading and standing dismissal of this case.

If Petitioner Beaudoin's amended complaint does not have enough facts showing that Petitioner is entitled to relief, then what complaint can possibly pass the courts' heightened plausibility and pleading standards that flow from *Twombly* and *Iqbal*?

2. Injury-in-Fact

The line of authority of pleading standards for "standing" derives from U.S. Const. art. III, § 2 "Cases, in Law and Equity, arising under . . . the Laws of the United States" to 28 U.S.C. § 2072(a) "power to prescribe general rules of practice and procedure" to Fed. R. Civ. P. 12(b)(1) "lack of subject matter jurisdiction" to *Lujan* (1992).

The first prong of *Lujan* requires that a complainant plead enough facts to establish an injury-in-fact which is "concrete and particularized," "actual or imminent," and not "hypothetical or conjectural."

1st Am. Compl., ¶ 19, App.20a includes the fact that Petitioner Beaudoin experienced the cognizable, actual, concrete, particularized, and very real injury

of being dismissed from law school for not taking the Covid vaccine and being barred from other law schools for the same reason. Whether this can be traced to the Defendants as a third party is discussed *infra* in "Traceability."

In the Dist. Ct. Judg. at 5, App.8a, the lower court first selected the statement, "like all citizens of the Commonwealth" in order to somehow claim that Petitioner Beaudoin's injury was a "generalized grievance." The lower court ignored all the factual allegations specific to the Petitioner's injury outlined by enumerated paragraphs *supra* from 1st Am. Compl., App.18a-32a. Petitioner Beaudoin was thrown out of law school, his year of work is not transferrable, he paid approximately $28,000.00 tuition, and he forbore a year's salary during matriculation. These facts are specific to the Petitioner, not generalized to the public. The district and appellate courts erred by claiming there was not an injury-in-fact. *See Lujan.*

3. Traceability

The second prong of *Lujan* requires that a complainant plead enough facts to establish traceability in which "there must be a causal connection between the injury and the conduct complained of—the injury has to be "fairly . . . trace[able] to the challenged action of the defendant, and not . . . th[e] result [of] the independent action of some third party not before the court."

In the Dist. Ct. Judg. at 6, App.9a, the lower court characterized the facts expressed in the 1st Am. Compl., ¶¶ 16, 21, App.19a-20a as a "bare hypothesis," stating, "While plaintiff claims these mandates were the result of fraud and coercion by the defendants, this

allegation 'is nothing more than a bare hypothesis' that does not demonstrate that defendants' conduct caused any law school to act."

1st Am. Compl., ¶¶ 16, 21, App.19a-20a are supported by evidence; and even if the evidence was not within the complaint, it can certainly be reasonably inferred, which is the standard.

There is no attenuation in causal chain from the Defendants to law schools. MSLaw and other law schools expressed in writing that they enacted Covid vaccine mandates because of the false representations from the Defendants. The Defendants, concurrent with special legal and fiduciary duties to The People, falsely represented the number of Covid deaths, safety of Covid vaccines, and the effectiveness of Covid vaccines to prevent disease and transmission of disease. It is a pled fact that law schools relied upon Defendants' outward expressions when they enacted Covid vaccine mandates.

Petitioner contends that traceability is conclusively satisfied with facts and evidence in support of them. The lower courts erred.

There is no attenuation when a party expresses that their act was in reliance on the false representations of a third. The third has liability in such a case, especially when the third is the government's heavy hand that controls the majority of law school student loan cash flows. Schools were compelled by government to follow government recommendations for Covid vaccines.

Third party liability was made clear in a statement by this Court in 2021. "Where a standing theory rests on speculation about the decision of an independent

third party (here an individual's decision to enroll in a program like Medicaid), the plaintiff must show at the least 'that third parties will likely react in predictable ways.'" *California v. Texas*, 593 U.S. 659 (2021).

Any reasonable person knows that law schools acted predictably upon false representations from Defendants when they enacted Covid vaccine mandates and would act predictably upon learning facts pled by Petitioner to be taken as true. This is congruous to transferred intent in tort law.

4. Redressability

The third prong of *Lujan* requires that, "it must be 'likely,' as opposed to merely 'speculative,' that the injury will be 'redressed by a favorable decision.'"

In the Dist. Ct. Judg. at 7, App.9a, the lower court stated, " . . . plaintiff's alleged loss of his right to a legal education would in no way be redressed by a favorable decision. To rectify the alleged injury, plaintiff seeks broad and all-embracing relief that would require the Commonwealth to, among other things, audit its public health records and correct its past COVID-19 pronouncements. The alleged injury and requested relief are incongruous."

Petitioner hopes this Court sees the biased and opinion-laden verbiage from the district court, which is characteristic of the habitual denial of foundation rights to dispute resolution by and through doctrinal dismissals. Is the third prong of *Lujan* so abstract that logic plays no part in the decision as it purely rests on the subjective whim of a clerk or district court? The district court's " . . . would in no way be redressed by

a favorable decision." is a preposterous statement. *See* Dist. Ct. Judg. at 7, App.9a.

Petitioner contends that no reasonable person can possibly find that if law schools learned the facts pled by Petitioner, which are to be taken as true in the evaluation of "standing," schools would not immediately rescind Covid vaccine mandates.

The trial court is not limited to remedies expressed in the 1st Am. Compl. at 24-25, App.28a-39a. As an equitable matter of injunctive and declaratory relief, the Court has authority to employ its own remedy.

Petitioner Beaudoin argues that knowledge of the truth would self-compel law schools to rescind Covid vaccine mandates. Petitioner also argues that the court need not enjoin a co-equal branch to make a public statement as the remedy. The court's declaration of facts would be a signal to The People that evidence was heard from both sides. Any reasonable person would find that even this declaratory pathway would highly likely remedy the injury to the Petitioner.

II. A Matter of National Importance — A Management Systems Analysis of U.S. Courts

The empirical evidence in this section leads to a *res ipsa loquitur* conclusion that the U.S. Court system habitually dismisses meritorious cases *en masse*. There is no other plausible conclusion from the numbers. It is a fact that the U.S. Court system organization behavior has become tuned to doctrinal dismissal to avoid trials.

Many judges in the District Courts openly state they do not want cases to go to trial. Even if a plaintiff makes it past the pleading stage, soft coercion is

commonly used to nudge litigants toward settlement. Mediation is coerced upon litigants, who comply to appease the nudge from the Court.

A. The U.S. Courts Experienced an Overwhelming Workload Event in 2020 as the Irrefutable Caseload Statistics from the U.S. Courts Show

Petitioner performed a management systems analysis of the U.S. Court system.

The source of the data is the United States Courts, *Caseload Statistics Data Tables*, found at https://www.uscourts.gov/statistics-reports/caseload-statistics-data-tables on 2025-08-09. The data was retrieved from "Table C-8, U.S. District Courts–Civil Cases Filed, by Origin, Fiscal Year Periods Ending September 30."

The study spans 30 years from 1995 through 2024. The baseline is established upon years 1995 through 2019. The years under test compared against the baseline are 2020 through 2024. The data represent all civil cases in U.S. District Courts by fiscal year.

Using normal distribution probability method and base years 1995 to 2019, the caseload mean is 271,603, standard deviation is 14,663, and 95% confidence interval [95% CI] is 265,855 to 277,351. Year 2020 yields the Z-Score of 13.6. More than 13 standard deviations above a quarter century mean is astounding. Few operations can handle such an overwhelming workload event. This would break most companies.

Using linear trend method and base years 1995 through 2019, excess civil cases filed in 2020 total

180,538, or 62.2% excess, where the greatest excess in the prior 25 years was 5.7% in 1997. In other words, this was unexpected and was an overwhelming workload event.

Res ipsa loquitur tells us that there is no way the U.S. Court system could handle this many extra cases and something needed to be done to dispose of them. It is assumed that every person in the system did not work 62% more hours for a year. It is also assumed that the courts did not hire 62% more people in 2020 and provide them with 62% more office real estate, computers, and other required incidentals.

The only plausible and conceivable solution to this event was dismissals *en masse*, which included meritorious cases among the 180, 538 excess caseload.

B. *Twombly* and *Iqbal*, Used Almost Exclusively in Motions to Dismiss for Pleading Plausibility and Insufficiency, Became the Most Cited Cases in the History of the United States in Fewer than 20 Years

Petitioner performed a management systems analysis of the number of citations by case for Supreme Court decisions throughout the history of the United States.

The data was gleaned from *Westlaw* by Thompson Reuters, and from Google *Scholar* as a redundant check, both on October 24, 2025. Thirty cases were compared.

Westlaw reported the following data. The Petitioner found these to be the top ten total numbers of citations and citation rates (total citations divided by the

number of years since the Supreme Court issued that decision). Even if there are cases missing, none come close to the top cases on the list.

1. *Bell Atlantic Corp. v. Twombly* (2007) - 550 U.S. 544; 391,246 citations; 21,736 citations /year
2. *Ashcroft v. Iqbal* (2009) - 556 U.S. 662; 372,011 citations; 23,251 citations/year
3. *Anderson v. Liberty Lobby* (1986) - 477 U.S. 242; 358,962 citations; 9,204 citations/year
4. *Celotex Corp. v. Catrett* (1986) - 477 U.S. 317; 332,543 citations; 8,527 citations/year
5. *Strickland v. Washington* (1984) - 466 U.S. 668; 231,791 citations; 5,653 citations/year
6. *Matsushita v. Zenith Radio* (1986) - 475 U.S. 574; 169,116 citations; 4,336 citations/year
7. *Slack v. McDaniel* (2000) - 529 U.S. 473; 110, 966 citations; 4,439 citations/year
8. *Anders v. California* (1967) - 386 U.S. 738; 108,631 citations; 1,873 citations/year
9. *Jackson v. Virginia* (1979) - 443 U.S. 307; 107,009 citations; 2,326 citations/year
10. *Miranda v. Arizona* (1966) - 384 U.S. 436; 78,816 citations; 1,336 citations/year

Anderson v. Liberty Lobby and *Celotex Corp. v. Catrett*, which are used to dismiss cases on summary judgment during or after discovery phase of the civil litigation process, were the leaders from 1986 until sometime after 2007. If the data was available in time period blocks, then it would likely show that 2020 is

when *Twombly* and *Iqbal* surpassed *Liberty Lobby* and *Celotex* as the leading cases cited in U.S. history.

Interesting to note is that summary judgment was the U.S. Court system's habitual method to dispose of cases before trial for more than 2 decades until habitual dismissals were moved further back in the litigation process to the pleading stage using *Twombly* and *Iqbal.*

Before addressing the comparative numbers, it is important to note other cases famous for civil procedure rules definition.

- *Lujan v. Defenders of Wildlife* (1992) - 504 U.S. 555; 39,093 citations; 1,185 citations/year
- *International Shoe v. Washington* (1945) - 326 U.S. 310; 31,952 citations; 399 citations/year
- *Erie v Tomkins* (1938) - 304 U.S. 64; 27,559 citations; 317 citations/year

In comparison to all cases, criminal and civil, *Twombly* and *Iqbal* reign in both total citations and citation rate in only 17 and 19 years, respectively.

Now compare *Lujan,* the seminal case used for "standing" doctrine. *Twombly* is 10 times greater and *Iqbal* is 9 times greater than *Lujan* in total citations. *Iqbal* is 20 times greater and *Twombly* is 18 times greater than *Lujan* in citation rate (citations/year). *International Shoe* and *Erie v. Tomkins* are not even worth comparing to *Twombly* and *Iqbal.* The difference is an order of magnitude in total citations and more than 50 times greater in citation rate.

The citations and citation rate for *Twombly* and *Iqbal* demonstrate a meteoric and historic rise in

citations coincident with the overwhelming workload event of 2020. However, one year of excess cases filed cannot account for the extreme rise in citations. The habit must have carried through the following years.

The years 2021 and 2023 also had significant excess cases filed. 2021 totals 53,106 excess cases, a Z-Score of 4.98 standard deviations above mean. 2023 totals 45,433 excess cases, a Z-Score of 4.65 standard deviations above mean.

These case citation totals and rates demonstrate conclusively that habitual dismissals in the pleading stage have been occurring and likely accelerating as a matter of custom and practice in the U.S. Courts. Meritorious cases have to have been dismissed *en masse* in order for the system to amass these numbers.

This Court has functional management responsibility for the U.S. Courts in this exact context. If meritorious cases are being dismissed in large numbers, then the U.S. Courts are failing in their primary mission of dispute resolution.

The facts speak for themselves, *res ipsa loquitur*. The Petitioner's meritorious case was caught up in the habitual doctrinal dismissals accelerated since an overwhelming workload event in 2020.

C. Habit formation models in management research and organizational behavior studies explain the formation of habitual dismissals of meritorious cases

As the functional managers of the lower courts, the Supreme Court is responsible for the consequences of *Twombly* and *Iqbal*. Theories of habit formation in

organizations are well-established in management research and academia. Please consider the following.

- ***COR (Conservation of Resources) Theory*** (Steven E. Hobfoll, *Conservation of Resources: A New Attempt at Conceptualizing Stress*, 44 AM. PSYCHOLOGIST 513 (1989)) - Employees defer work to conserve cognitive or emotional resources when faced with stress or high demands, leading to habitual avoidance
- ***Ecological Systems Theory*** (Urie Bronfenbrenner, *The Ecology of Human Development: Experiments by Nature and Design*, HARVARD UNIVERSITY PRESS (1979)) - Overwhelming work environments (e.g., excessive deadlines) create conditions where bad habits (e.g., rushed, low-quality work) become the norm, as employees adapt to survive

Ecological Systems Theory explains the behavior throughout the entire U.S. District Court system in 2020. Having no other means to process the overwhelming workload, meritorious cases were dismissed as court staff adapted to survive. 180,538 excess civil cases were filed in 2020. There is no plausible explanation for how the excess was handled except dismissals *en masse*. The habit of dismissal, which, according to attorneys polled over the past 5 years, was already an issue in the U.S. District Courts since *Twombly* and *Iqbal*. The case citation rates of *Twombly* and *Iqbal* are significant factual evidence of habit formation effectuating dismissals of meritorious cases. Review of subsequent years shows that 2021, the year of Covid vaccine mandates, and 2023 also manifested significant increases in caseloads, thereby perpetuating and accelerating habitual doctrinal dismissals.

D. The Authority for Civil Procedure Doctrinal Dismissals Is Highly Attenuated; and Cases Are Analyzed for Standing Without an Equitable Test to Consider the Abridgment of the People's Foundational Rights to Access the Courts for Dispute Resolution

Courts refer to one's "Article III standing" rights, when discussing "standing." Article III does not mention standing expressly and implies standing only in the context of requiring that the dispute involve a federal law or the parties be in diversity (from different states). From that abstract implication began winding and slippery slope of *stare decisis* that created an intricate web of doctrinal tests used to dismiss cases at ever earlier litigation stages.

In 1986, the summary judgment standard was heightened. In 1992, the "standing" standard was heightened. Almost 20 years ago (2007 & 2009), the "pleading" standard was heightened.

The authority for courts to make their own rules of evidence, civil procedure, and criminal procedure derives from 28 U.S. Code § 2072 "Rules of procedure and evidence; power to prescribe." Under Fed. R. Civ. P., motions to dismiss are constructed for standing, pleading insufficiencies, summary judgment and other dismissal doctrines. For example, the authority to dismiss under *Twombly* and *Iqbal* follows the path from the U.S. Const. Art. III § 2 to 28 U.S. Code § 2072 to Rule 8 to Rule 12 to the *Twombly* and *Iqbal* decisions.

At each juncture from complaint to trial, motions are submitted to dispose of cases. Court must decide whether to dismiss each case. The standards to have

a case heard were heightened at each stage making it nearly impossible to have even a meritorious case heard in U.S. Courts, according to most attorneys surveyed, and supported by factual evidence in this petition.

Every time a case is dismissed before trial, the court is stating that the case has no merit and that the time and resources of the court should not be wasted on the case. Given that the mission of the courts is dispute resolution, what are the risks of habitual dismissal based upon heightened standards of pleading, standing, evidence *et al*?

On the other side of dismissal doctrines are the rights of plaintiffs. While dismissals purport to protect defendants and the courts from the costs of frivolous litigation, the rights of the plaintiffs seem to have been subjugated in context.

The dismissal doctrines are shown to be quite attenuated in the chain of authority. Measure the *Twombly* and *Iqbal* standard against the Article III right to access the U.S. Courts for cases and controversies, First Amendment right to petition for redress, Seventh Amendment right to a jury trial for suits at law, and Fourteenth Amendment rights to due process and equal protections of the law. These foundational rights that hold society together are subjugated and cast aside when a meritorious case is habitually dismissed on procedure.

Petitioner Beaudoin does not argue that procedural rules are not necessary for the proper order and economic efficiency of operations within the courts. There obviously needs to be a set of rules. However, without proper checks and balances on those rules, the system

chokes the rights of The People to have their disputes heard and resolved in a proper and civil manner.

E. Decisions in Matters Involving Rules of Civil Procedure and Evidence Are Effectively Equitable Decisions and Should Be Analyzed Under Tests Used in Other Equitable Matters

Petitioner understands that in matters at law, courts must follow the law, whether statutory law or *stare decisis* case law, and that for all other matters in which there may not be an express statute or congruous case law on point, a court sits in equity, or chancery, and makes decisions based on fairness and equity.

Even after merging the courts, the United States had a separate set of "Federal Equity Rules" for procedure until the Rules Enabling Act of 1934, when the Federal Rules of Civil Procedure merged the rules of procedure for matters at law and matters in equity.

In matters in equity, the court employs tests, the two most common of which are a balance of harms, or balance of equities, and the effect of a decision on the public interest.

Petitioner asserts that most of the rules of civil procedure now in effect in the U.S. Courts are matters in equity. The courts must decide procedural matters in the unique and individual contexts of the cases, including the facts pled. Attorneys and courts attempt to view civil procedure through a lens of "at law" rather than "in equity." This omits the balance of harms and public interest tests. For example, the pleading standard of *Lujan* for standing doctrine is viewed as a matter at law. Yet all 3 prongs of the *Lujan* standing test are

abstract prose requiring objective fairness in context of the case, thus framing it a matter in equity and fairness, not a matter at law.

Petitioner asserts that balance of harms and public interest tests should be employed in procedural decisions. Instead, courts habitually use attenuated authority of standing doctrine, subjugate foundational rights of due process and access to courts for dispute resolution, and dismiss meritorious cases.

F. Judicial Economy, a Term Misunderstood by Those Learned in Jurisprudence, Supports Cases Being Heard and Not Dismissed *En Masse*

At a macro-economic level, the courts argue that they had to dismiss meritorious cases based on judicial economy because the court system could not handle such an overwhelming workload event in 2020. At a micro-economic level, the courts argue that, for each case, they weigh the economic harm to a defendant and to the court versus the frivolity level of the claim brought by the plaintiff or petitioner.

Neither of these arguments is based on facts and systems analyses. The courts do not seem to evaluate the alternative harm to the plaintiff in dismissals.

Petitioner Beaudoin argues that, in the macro-economic view of 2020, most of the 180,538 excess civil cases filed could have been avoided by hearing and adjudicating the first excess cases as they were filed.

The issues of 2020 centered around Covid. Petitioner Beaudoin filed a case in 2020 (*Beaudoin v. Baker*, 530 F. Supp. 3d 169 (D. Mass. 2021)) regarding the face mask mandate in Massachusetts. Beaudoin claimed

legal issues festered in society without resolution. A robust analysis would show that judicial economy fails as an excuse at the macro-economic level.

In the micro-economic analysis, examine any given case using facts and estimated trial time. Beaudoin's mask case (*Beaudoin v. Baker*, 2020) would have taken fewer than 30 days of discovery and one to two days of trial. Discovery would have been a few hours work on each side. Instead, the actual case docket contained the original complaint, multiple motions to enlarge time, motion to dismiss, amended complaint, motion to dismiss, opposition memorandum, and multiple notices of appearance and supplemental authority. Tens of hours of extra work, docket entries, and 9 months of time were expended, rather than 30 days of discovery and 2 days of trial had the case not been run through the civil procedure technicality gauntlet.

Procedure dominates at the expense of justice and equity. Petitioner Beaudoin's present case is a prime example of habitual doctrinal dismissal of a meritorious case.

Petitioner argues that unnecessary work by the courts and parties could have been averted by hearing this case more than 3 years ago shortly after it was filed.

Counterarguments to the economic analyses herein elucidated do not hold up against the facts in this Management System Analysis. Judicial economy analysis, when performed by economists or systems analysts, will not side with the courts in their propensity to habitually dismiss meritorious cases.

The solution to overwhelming workload events is to hear the cases, solve the legal issues, and avert multiple cases from being subsequently filed.

G. Members of This Court and Circuit Courts Are Aware of the Significant Issue of Procedural Doctrinal Dismissals in U.S. Courts, Though Likely Do Not Know the Extreme Magnitude of the Habit Elucidated in This Petition

The following appellate court quotes demonstrate awareness of the inconsistent and overly restrictive procedural doctrines causing dismissals of meritorious cases, the issue at the heart of this petition. It is unlikely, however, that the courts know the extreme habit of doctrinal dismissal formed since 2020. This is a grave matter of national importance. Additional quotes are offered to remind the Court of rights at stake in each dismissal.

U.S. Circuit Judge for the District of Columbia Circuit Janice Rogers Brown, in a concurring opinion, wrote, "I write separately to emphasize the narrowness of today's ruling, and note the consequences of our modern obsession with a myopic and constrained notion of standing." *Arpaio v. Obama*, 797 F.3d 11 (D.C. Cir. 2015).

The following quote is evidence that this Court is often at odds with each other over the issue of standing and other civil procedural dismissal doctrines. The dissent of Assoc. Just. Sup. Ct. U.S. Samuel Anthony Alito Jr., joined by Assoc. Just. Sup. Ct. U.S. Neil McGill Gorsuch, states, "That is a remarkable holding. While the individual plaintiffs' claim to standing raises a novel question, the States have standing for reasons that are straightforward and meritorious. The Court's contrary holding is based on a fundamental distortion of our standing jurisprudence." *California v. Texas*, 593 U.S. 659 (2021).

Before Ruth Bader Ginsburg became an Assoc. Just. Sup. Ct. U.S., she authored an *Amicus Curiae* Brief in support of petitioners stating, "To deny standing to one who has suffered injury in fact would be to close the courtroom door to a person Congress meant to have a day in court." Brief for National Committee on the Causes and Prevention of Violence *et al.* as *Amici Curiae* Supporting Petitioners, *Trafficante v. Metro. Life Ins. Co.*, 409 U.S. 205 (1972) (No. 71-708), 1971 WL 136226 (U.S. Oct. 15, 1971).

Petitioner Beaudoin reminds this Court that, since 2020, the state of emergency, which was declared and periodically renewed *ad infinitum*, forged powers unchecked due to dismissals of meritorious cases. If the courts will not hear facts contrary to the false representations from executive branch agencies, then the Constitution is not operational. Where can a man bring his righteous dispute over violation of rights, if not to the courts? Justice Neil McGill Gorsuch dissented, joined by Justice Alito and Assoc. Just. Sup. Ct. U.S. Clarence Thomas, stating, "If human nature and history teach anything, it is that civil liberties face grave risks when governments proclaim indefinite states of emergency." *Does 1-3 v. Mills*, 142 S. Ct. 17 (2021) (*per curiam*)

Assoc. Just. Sup. Ct. U.S. William Joseph Brennan Jr. stated in the majority opinion, "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347

CONCLUSION

Petitioner Beaudoin respectfully urges this Court to grant a writ of *certiorari* to review, *de novo*, the facts pled in the amended complaint in the context of standing and plausibility standards balanced against Petitioner's foundational right to dispute resolution in the courts, and to further consider whether procedural matters, including pleading and "standing," are equitable decisions that should include balance of harms, public interest, and judicial economy tests.

Respectfully submitted,

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November 10, 2025