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November 13, 2025

**Scott S. Harris, Clerk**  
Supreme Court of the United States  
1 First Street, N.E.  
Washington, D.C. 20543

**Re: Supplemental Submission of Jurisdictional Defect and Constructive Knowledge by the Eleventh Circuit**  
*In Re: Mohamed Nguida (Petition for Writ of Mandamus)*

Dear Mr. Harris:

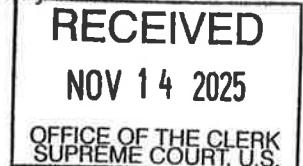
I respectfully submit this final supplemental authority detailing a newly clarified jurisdictional defect that conclusively demonstrates the Eleventh Circuit's failure to exercise its supervisory duty, thereby satisfying all elements for this Court's mandamus review under Rule 20.

#### **I. THE ELEVENTH CIRCUIT'S CONSTRUCTIVE KNOWLEDGE OF NLRB'S INCAPACITY**

As documented in the attached docket entries (Exhibit B), counsel for the National Labor Relations Board (NLRB) and its Office of Inspector General (OIG)—Dalford Dean Owens, Jr. and Arish Sadakat Ali—formally entered appearances in the Eleventh Circuit case (No. 25-11741) in June 2025.

This is critically important for two reasons:

- 1. The Court Had Long-Standing Knowledge:** The Eleventh Circuit had a continuous, formal record of the NLRB's involvement as a named respondent for nearly five months prior to its October 24, 2025 order.
- 2. The Court Had a Duty to Monitor Jurisdictional Status:** This longstanding representation imposed a duty on the court to monitor the jurisdictional capacity of the



respondents before it, especially a federal agency known to be operating under a public quorum crisis and, later, a complete funding lapse.

Despite this knowledge, the Eleventh Circuit proceeded to issue an order on October 24, 2025, while the NLRB was legally incapacitated due to the appropriations lapse and prohibited from operating by the Anti-Deficiency Act. The court's failure to acknowledge this status and its duty to *sua sponte* verify the capacity of parties before it constitutes a fundamental jurisdictional error and a constructive denial of due process.

This constitutes precisely the kind of jurisdictional irregularity condemned in *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83 (1998), which reaffirmed that a federal court must confirm jurisdictional capacity before proceeding to the merits.

## **II. CONVERGENCE OF SYSTEMIC FAILURES PROVES EXCEPTIONAL CIRCUMSTANCES**

This jurisdictional flaw is not an isolated incident. It is part of a demonstrable pattern of systemic failure:

- **Unreasonable Delay:** The Eleventh Circuit's failure to rule on an Emergency Mandamus Petition for over five months constitutes an effective denial of justice.
- **State-Level Bias:** The New Jersey Disciplinary Review Board's post-notice, self-exonerating decision (Exhibit A) demonstrates a complete denial of a fair and neutral forum at the state level, exhausting all state remedies.
- **Federal Jurisdictional Breakdown:** The Eleventh Circuit's ruling during a key respondent's legally mandated shutdown demonstrates a structural failure within the federal appellate system itself.

## **CONCLUSION**

The convergence of these facts presents a dispositive case for this Court's intervention. The lower federal court ruled while possessing constructive knowledge of a jurisdictional defect, the state court system has demonstrated irreparable bias, and no forum has provided a timely remedy.

This constitutes the precise "exceptional circumstances" and "absence of alternative relief" demanded by Rule 20.1. The writ of mandamus is now the only remaining remedy to correct this profound breakdown of the judicial process.

This Court's supervisory power is the sole remaining safeguard capable of restoring the rule of law in this matter.

Respectfully submitted,



**Mohamed Nguida (Pro Se)**

**ENCLOSURES:**

- Exhibit A: Letter from the New Jersey Disciplinary Review Board
- Exhibit B: Eleventh Circuit Docket Entries Showing Appearances of NLRB Counsel

OF THE  
SUPREME COURT OF NEW JERSEY

- EXHIBIT A

HON. MARY CATHERINE CUFF, P.J.A.D.  
(RET.), CHAIR  
PETER J. BOYER, ESQ., VICE-CHAIR  
JORGE A. CAMPELO  
THOMAS J. HOBERMAN  
STEVEN MENAKER, ESQ.  
SOPHIA A. MODU  
PETER PETROU, ESQ.  
LISA J. RODRIGUEZ, ESQ.  
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DEPUTY COUNSEL  
SALIMA ELIZABETH BURKE  
ADALINE KASER  
ASHLEY KOLATA-GUZIK  
NICHOLAS LOGOTHETIS  
ALISA H. THATCHER  
ASSISTANT COUNSEL

November 5, 2025

**VIA REGULAR MAIL**

Mohamed Nguida  
433 Donnelly Street  
Eustis, FL 32726

**RE: Allegations of Improper Processing by Mohamed Nguida adv.**  
**Jason D. Saunders, First Assistant Ethics Counsel, Office of**  
**Attorney Ethics**

**DECLINED FOR DOCKETING**

Dear Mr. Nguida:

Pursuant to R. 1:20-7(j)(1), the Disciplinary Review Board (the Board) reviewed your allegations of improper processing against Jason D. Saunders, First Assistant Ethics Counsel, Office of Attorney Ethics, and declined to docket this matter.<sup>1</sup>

Following its review of your submissions, the Board found no evidence of improper processing or misconduct by First Assistant Ethics Counsel Saunders. Accordingly, the Board declined this matter without docketing or action.

Very truly yours,  
*/s/ Barry R. Petersen, Jr.*  
Barry R. Petersen, Jr.  
Deputy Counsel

BRP/tj

c: See attached list.

<sup>1</sup> Member Menaker was recused.

**Re: Allegations of Improper Processing by Mohamed Nguida adv. Jason D. Saunders, First Assistant Ethics Counsel, Office of Attorney Ethics**

**November 5, 2025**

**Page 2 of 2**

**Heather Joy Baker, Clerk**

**Supreme Court of New Jersey (via interoffice mail and e-mail)**

**Hon. Mary Catherine Cuff, P.J.A.D. (Ret.), Chair**

**Disciplinary Review Board (via e-mail)**

**Jason D. Saunders, First Assistant Ethics Counsel**

**Office of Attorney Ethics (via e-mail)**

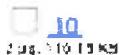
06/23/2025



**Certificate of Interested Persons and Corporate Disclosure Statement filed by Attorney Arish Sadakat Ali for Mandamus Respondents Inspector General Office and National Labor Relations Board. On the same day the CIP is served, any filer represented by counsel must also complete the court's web-based stock ticker symbol certificate at the link here <http://www.ca11.uscourts.gov/web-based-cip> or on the court's website. See 11th Cir. R. 26.1-1(b). [25-11741] (ECF: Arish Ali) [Entered: 06/23/2025 05:45 PM]**

**EXHIBIT B**

06/23/2025



**AMENDED Certificate of Interested Persons and Corporate Disclosure Statement filed by Attorney Arish Sadakat Ali for Mandamus Respondents Inspector General Office and National Labor Relations Board. On the same day the CIP is served, any filer represented by counsel must also complete the court's web-based stock ticker symbol certificate at the link here <http://www.ca11.uscourts.gov/web-based-cip> or on the court's website. See 11th Cir. R. 26.1-1(b). [25-11741] (ECF: Arish Ali) [Entered: 06/23/2025 06:12 PM]**

06/23/2025



**Supplemental Motion for writ of mandamus [1] filed by Petitioner Mohamed Nguida. [Entered: 06/30/2025 11:56 AM]**

06/25/2025



**Notice that no action will be taken on Certificate of Interested Persons & Amended Certificate of Interested Persons filed by Attorney Arish Sadakat Ali for Mandamus Respondents National Labor Relations Board and Inspector General Office.**

**Reason no action being taken on filing: the**

filed by Petitioner Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 07/22/2025 02:45 AM]

08/04/2025

 21  
13 pg. 757 KB

*Amended Motion [19] filed by Petitioner Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 08/04/2025 08:52 AM]*

08/21/2025

 22  
13 pg. 1014 KB

*Amended Motion for writ of mandamus [1] filed by Petitioner Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 08/21/2025 01:52 AM]*

09/08/2025

 23  
13 pg. 52 63 KB

*EMERGENCY MOTION Emergency Motion for Writ of Mandamus, to Vacate Void District Court Order, for Sanctions, and Immediate Injunctive Relief filed by Mohamed Nguida. Motion is Opposed. [23] [25-11741] (ECF: Mohamed Nguida) [Entered: 09/08/2025 04:57 AM]*

10/16/2025

 24  
13 pg. 213 KB

*Amended Motion [23] filed by Petitioner Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 10/16/2025 02:03 AM]*

10/24/2025

 25  
130.176 KB

**ORDER: Nguida's motions to supplement or amend his mandamus petition are GRANTED. However, his motion to proceed IFP is DENIED. [5]; Finally, Nguida's motion for expedited review is also DENIED because he failed to provide any substantive argument as to why he is entitled to expedited review of his petition or motions. [14]; [24], [22], [21], [19], [18]; [23]; [14] BL (See attached order for complete text) [Entered: 10/24/2025 04:58 PM]**

his petition or motions. [14]; [24], [22], [21], [19], [18]; [23]; [14] BL (See attached order for complete text) [Entered: 10/24/2025 04:58 PM]

10/26/2025  26  
1 pg. 157 KB

**Emergency Notice of Judicial ADA Violation, Unreasonable Delay, and Systemic Denial of Access (with Exhibit A) filed by Party Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 10/26/2025 09:44 PM]**

10/29/2025  27  
1 pg. 157 KB

**Notice of Payment Under Protest, Reservation of Rights, and Demand for Ruling on Pending ADA Accommodation, filed following Receipt No. A11-116308-481 (Payment Confirmed on October 29, 2025) filed by Party Mohamed Nguida. [25-11741] (ECF: Mohamed Nguida) [Entered: 10/29/2025 05:44 PM]**

10/29/2025  28  
1 pg. 157 KB

***MOTION Immediate ruling on pending ADA accommodation request filed by Mohamed Nguida. Opposition to Motion is Unknown. [28]* [25-11741] (ECF: Mohamed Nguida) [Entered: 10/29/2025 11:10 PM]**

10/29/2025  29  
1 pg. 157 KB

**Appellate fee was paid on 10/29/2025 as to Petitioner Mohamed Nguida. [Entered: 11/03/2025 11:30 AM]**

Select All  Clear All

**Documents and Docket Summary**  
 **Documents Only**

**Includes Page Numbers**

Selected Pages: 0

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Totals reflect accessible documents only and do not include unauthorized restricted documents.

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