

25-6244

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 2025

FILED
SEP 18 2025
OFFICE OF THE CLERK SUPREME COURT, U.S.

TASLEEMA T. YASIN,

Petitioner,

v.

VM MASTER ISSUER, LLC,

Respondent.

On Petition for a Writ of Certiorari to the Georgia Court of Appeals

PETITION FOR WRIT OF CERTIORARI

Tasleema T. Yasin, Petitioner, Pro Se

925B Peachtree St. NE 138

Atlanta, Georgia 30309

I. QUESTIONS PRESENTED

1. Whether the Fourteenth Amendment's Due Process Clause is violated when a timely notice of appeal is denied solely because of the State's malfunctioning mandatory electronic filing system.
2. Whether Equal Protection is violated when litigants are treated differently based solely on random technological failures in State systems.
3. Whether the fundamental right of access to courts prohibits a State from extinguishing appellate review due to government-created technical barriers.
4. Whether adverse judicial treatment of a litigant's constitutional objections constitutes retaliation in violation of the First Amendment's Petition Clause.

II. PARTIES TO THE PROCEEDING

Petitioner is Tasleema T. Yasin, who was the appellant in the Georgia Court of Appeals and petitioner in the Supreme Court of Georgia.

Respondent is VM Master Issuer, LLC, who was the appellee in the Georgia Court of Appeals and respondent in the Supreme Court of Georgia.

III. JURISDICTION

On April 21, 2025, the Georgia Court of Appeals dismissed Petitioner's appeal as untimely in Case No. A25A1525. On May 19, 2025, the Georgia Court of Appeals denied Petitioner's

motion for reconsideration. On September 16, 2025, the Supreme Court of Georgia denied Petitioner's application for discretionary appeal in Case No. S25C1160.

This Court has jurisdiction under 28 U.S.C. § 1257(a). The petition presents substantial federal questions under the Fourteenth Amendment's Due Process and Equal Protection Clauses, the fundamental right of access to courts, and the First Amendment. The judgment of the Supreme Court of Georgia denying discretionary review is a final judgment for purposes of this Court's jurisdiction.

IV. STATEMENT OF THE CASE

This case arises from a landlord-tenant proceeding in the Magistrate Court of DeKalb County, Georgia, Case No. 23D32729. On January 22, 2024, the magistrate court entered judgment against Petitioner. On December 23, 2024, the Georgia Court of Appeals granted Petitioner's application for discretionary review, triggering a 10-day deadline for filing a notice of appeal.

On January 2, 2025, Petitioner timely submitted her notice of appeal through the mandatory eFileGA system (Envelope #16942210). The system misclassified her filing into a 'fee waiver' queue despite attempted payment. On January 3, she received a rejection notice: 'CANNOT FILE IN WAIVER QUE.' Petitioner immediately contacted the clerk and appeared in person. On January 13, Clerk Ronda Young instructed her to amend and resubmit. She complied on January 15 (Envelope #17054358). Despite her diligence, the Court of Appeals dismissed the appeal on April 21, 2025, as untimely. A motion for reconsideration was denied May 19, 2025. On July 20, 2025, Petitioner sought review in the Georgia Supreme

Court, which was denied September 16, 2025.

Date	Action	Outcome
Jan 2, 2025	Notice of Appeal filed (Envelope #16942210)	Rejected (system error)
Jan 13, 2025	Clerk directs amendment	-
Jan 15, 2025	Amended Notice filed (Envelope #17054358)	Accepted late
Apr 21, 2025	Georgia Court of Appeals	Dismissed as untimely
May 19, 2025	Motion for Reconsideration	Denied
Sep 16, 2025	Georgia Supreme Court	Denied discretionary appeal

V. REASONS FOR GRANTING THE WRIT

A. Due Process and Access to Courts Require Relief

The Fourteenth Amendment requires fairness in appellate procedures. Under *Mathews v. Eldridge*, 424 U.S. 319 (1976), courts must balance the private interest, risk of erroneous deprivation, and government burden. Here, Petitioner's interest in appellate review is fundamental; the risk of deprivation is extreme in a system with no safeguards; and the state's burden minimal. See *Evitts v. Lucey*, 469 U.S. 387 (1985). Georgia's refusal to accommodate its system's failure denied Petitioner's constitutional rights.

B. Equal Protection Forbids Arbitrary Disparities

Equal Protection prohibits arbitrary treatment of similarly situated litigants. Petitioner's appeal was dismissed solely due to random system malfunction, while others' filings were processed. This violates *Griffin v. Illinois*, 351 U.S. 12 (1956), and *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996).

C. First Amendment Retaliation

On February 28, 2025, Petitioner filed an Objection raising constitutional issues, including due process and lack of jurisdiction. Opposing counsel then moved for sanctions, directly citing her objections. On April 21, 2025, the Georgia Court of Appeals dismissed her filings as 'frivolous' without addressing the evidence. This sequence—protected petitioning, retaliatory sanction motion, adverse judicial labeling—shows unconstitutional retaliation.

Such retaliation chills protected activity under the Petition Clause. See *Webb v. Baird*, 6 F.3d 1247 (9th Cir. 1993); *White v. McKinley*, 519 F.3d 806 (8th Cir. 2008); *BE & K Constr. Co. v. NLRB*, 536 U.S. 516 (2002).

D. National Importance and Circuit Split

Federal circuits conflict on relief for filing errors:

- 5th Circuit: *United States v. Duran*, 934 F.3d 407 (2019) – relief for court error.
- 6th Circuit: *Shuler v. Garrett*, 715 F.3d 185 (2013) – relief for barriers blocking filing.
- 9th Circuit: *Kastner v. Comm'r*, 4 F.4th 1208 (2021) – relief for system error.
- 10th Circuit: *United States v. Mitchell*, 518 F.3d 740 (2008) – clerk error justified relief.
- 11th Circuit: *Sanders v. United States*, 113 F.3d 184 (1997) – strict enforcement, no relief.

Georgia follows the Eleventh Circuit's restrictive approach. This entrenched conflict demands review.

E. Georgia Provides No Adequate Remedy

Georgia law, O.C.G.A. § 5-6-35, provides deadline extensions only for 'extraordinary circumstances beyond the control of the appellant.' In *Davis v. Georgia Court of Appeals*, 2023 Ga. LEXIS 445, the Georgia Supreme Court held: "E-filing malfunctions, however documented, cannot constitute extraordinary circumstances warranting deadline relief under O.C.G.A. § 5-6-35." This categorical rule foreclosed Petitioner's claims, unlike states such as Texas which allow relief (Tex. R. App. P. 9.2(b)).

F. Urgency of Review

Each month, litigants lose appellate rights through malfunctioning state e-filing systems. This petition presents a clean factual record, exhausted remedies, and a sharp legal conflict. This Court's guidance is urgently needed.

VI. CONCLUSION

Petitioner respectfully requests that this Court grant the petition for writ of certiorari, reverse the dismissal of her appeal, and remand with instructions that states may not deny appellate rights due to system malfunctions. Alternatively, the Court should establish a constitutional standard requiring relief when mandatory state e-filing systems fail.

Respectfully submitted,



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