

No. 25-6443

In the
Supreme Court of the United States

**PETITION FOR A WRIT OF
CERTIORARI**

CARMINE AMELIO,

Petitioner,

v.

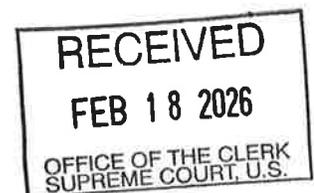
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE,

Respondent.

On Petition for Writ of Certiorari to
the Appellate Court of Connecticut

REPLY BRIEF FOR PETITIONER
(Filed Pursuant to Supreme Court Rule 15.8)

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I. PURPOSE AND SCOPE OF THIS REPLY

Petitioner Carmine Amelio, pro se, submits this reply under Rule 15.8 solely to address **new arguments and mischaracterizations** and legal errors in Respondent's Brief in Opposition ("BIO"). Petitioner does not seek to relitigate the merits of the underlying foreclosure, present new questions, introduce new facts, and seek to expand the record.

Specifically, this Reply addresses:

1. Respondent's erroneous claim that this Court lacks jurisdiction under 28 U.S.C. § 1257 due to the Connecticut Appellate Court's use of a "no final judgment" label;
2. Respondent's incorrect assertion that the Petition presents only issues of state law;
3. Respondent's claim that this case is an improper vehicle for adjudicating federal due-process violations; and
4. Respondent's factual narrative, which in fact confirms the certworthiness of the Petition by demonstrating the repeated foreclosure of any appellate forum for federal claims.

Respondent's opposition reframes the Appellate Court's dismissal as if it resolved the jurisdictional and constitutional issues presented. It did not. The dismissal expressly declined to reach those issues and instead relied on a procedural doctrine that, as applied, forecloses any forum for review.

Those points are incorrect or incomplete and do not defeat certiorari. Those arguments misapprehend both the nature of Petitioner's claims and this Court's jurisdiction. The Petition challenges a recurring **refusal by state courts to adjudicate jurisdictional and constitutional claims**, followed by dismissal of appellate review on procedural "finality" grounds. That practice raises a federal due-process question squarely within this Court's certiorari jurisdiction.

II. THE BIO'S "NO § 1257 JURISDICTION / NO FINAL JUDGMENT" ARGUMENT IS OVERSTATED

The BIO asserts that the Connecticut Appellate Court's dismissal of Petitioner's appeal for "lack of a final judgment" places this case categorically outside this Court's certiorari jurisdiction. That assertion is legally incorrect.

Respondent conflates three distinct concepts:

1. Connecticut's internal "final judgment" doctrine;
2. Federal finality under 28 U.S.C. § 1257; and
3. The settled rule that a state appellate disposition that conclusively forecloses review of a federal claim may be "final" for § 1257 purposes even when proceedings nominally continue below.

A. State Appellate Dismissals May Be "Final" for § 1257 Purposes

This Court has long recognized that certain state-court dispositions qualify as final for § 1257 purposes when they finally determine a federal issue and leave the petitioner without any later meaningful opportunity for review. *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 476–87 (1975).

The BIO never engages with *Cox* or its progeny. Instead, it simply treats Connecticut's "no final judgment" label as dispositive. That approach is incompatible with this Court's finality jurisprudence.

Here, the Appellate Court's dismissal operates as a terminal barrier to review of Petitioner's federal claims. Although foreclosure proceedings nominally continue, the state appellate court has repeatedly refused to permit review of jurisdictional and due-process claims, leaving Petitioner without any realistic avenue for later review.

B. States May Not Insulate Federal Questions Through Procedural Labels

Respondent's position would allow states to avoid federal review indefinitely by repeatedly characterizing rulings as "interlocutory," even where those rulings effectively prevent adjudication of federal constitutional claims.

That result is inconsistent with § 1257. A state procedural label cannot be used to erase federal jurisdiction. See *Cox*, 420 U.S. at 480–81.

C. Jurisdiction Must Be Resolved Before Procedural Doctrines Are Applied

The BIO treats the Connecticut Appellate Court's dismissal for "lack of a final judgment" as dispositive. That approach conflicts with settled federal law.

This Court has made clear that **jurisdiction is a threshold issue that must be resolved before a court may rely on procedural or prudential doctrines**. In *Steel Co. v. Citizens for a Better Environment*, the Court held:

"The requirement that jurisdiction be established as a threshold matter... is inflexible and without exception."

523 U.S. 83, 94–95 (1998).

Here, Petitioner repeatedly raised jurisdictional defects—challenging the trial court's authority to proceed—yet the state courts declined to adjudicate those challenges and instead dismissed appellate review on "final judgment" grounds. A dismissal that **avoids deciding jurisdiction** cannot constitutionally foreclose review of federal claims.

A state court may not insulate itself from federal review by labeling a case "interlocutory" while simultaneously refusing to decide jurisdiction. That maneuver conflicts with *Steel Co.*'s command and presents a federal question suitable for this Court's review.

The state courts here inverted that rule—using a procedural “no final judgment” doctrine to avoid adjudicating jurisdictional and constitutional claims. That inversion itself presents a federal question.

III. THE BIO IS WRONG THAT THE PETITION PRESENTS “STRICTLY ONE OF STATE COURT LAW”

The BIO asserts that the “question presented ... is strictly one of state court law” and does not raise a federal constitutional issue. That assertion is incorrect.

The Petition raises federal questions, including:

A. Procedural Due Process Under the Fourteenth Amendment

The Petition asks whether a litigant is denied due process when jurisdictional challenges are not adjudicated and appellate review is repeatedly foreclosed through procedural mischaracterization and dismissal.

Due process requires not only notice, but a meaningful opportunity to be heard. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

The BIO cites *Mullane* but then treats due process as irrelevant by relabeling the dispute as “state law.” That maneuver does not eliminate the federal question.

B. The Right to Adjudication of Jurisdictional Predicates

Jurisdictional defects cannot be converted into nonreviewable issues by procedural labeling. Where a state process repeatedly prevents adjudication of jurisdiction-based challenges and simultaneously blocks appellate review, the federal due-process question is squarely presented.

The BIO’s narrative emphasizes foreclosure merits and valuation procedure. But the Petition is directed to **process, reviewability**, and the state courts’ use of

procedural barriers to prevent adjudication of federal claims—precisely the kind of issue that is not resolved by repeating that foreclosure is “a matter of state law.”

IV. THE BIO’S “WRONG VEHICLE FOR DUE PROCESS” ARGUMENT MISSTATES THE PETITION

Respondent argues that this Petition is not an appropriate vehicle for adjudicating due-process claims. That argument misunderstands the nature of the Petition.

Petitioner does not seek an abstract or advisory ruling. This case arises from concrete state-court actions that, in operation, deny any meaningful appellate review of federal claims.

The BIO’s reasoning collapses into the proposition that “because state appellate procedure says ‘no final judgment,’ there is no federal issue.” That is backwards. The federal question is whether a state may deploy a procedural mechanism that **systematically forecloses adjudication and review of federal claims**, while insulating those actions from further review.

A state procedural doctrine cannot nullify the Fourteenth Amendment.

V. RESPONDENT’S FACTUAL PRESENTATION CONFIRMS WHY CERTIORARI IS WARRANTED

Respondent’s lengthy procedural narrative underscores the certworthiness of this case. It demonstrates that Petitioner’s federal claims have been repeatedly diverted, deferred, and dismissed on procedural grounds, leaving no meaningful appellate forum to review jurisdictional and constitutional challenges.

That procedural cul-de-sac—where federal claims are perpetually deemed “not yet reviewable” but never reviewable—is precisely the circumstance in which this Court’s intervention is warranted.

VI. CONCLUSION

The BIO overstates jurisdictional barriers, mischaracterizes the federal nature of the claims presented, and relies on state procedural labels to evade constitutional scrutiny. Section 1257 does not permit states to insulate federal questions in this manner.

For the foregoing reasons, the Petition for a Writ of Certiorari should be granted.

Dated: Febraury 11, 2026
New Milford, CT

Respectfully submitted,

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