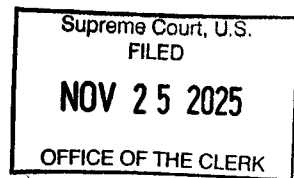


25-6500 ORIGINAL



IN THE
SUPREME COURT OF THE UNITED STATES

Anita Bryant — PETITIONER

vs.

Estate of Laura J. Bryant, et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

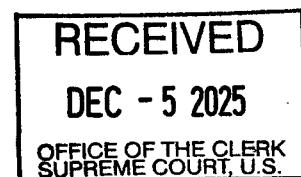
PETITION FOR WRIT OF CERTIORARI

Anita Bryant, Pro Se

14002 San Casa Pl, Apt. 201

Tampa, FL 33613

813-494-6292



QUESTION(S) PRESENTED

1. Whether the United States Court of Appeal Seventh Circuit abused its discretion by improperly dismissing an In Forma Pauperis (IFP) action as frivolous, not providing a reason for denial when Petitioner submitted a Meritorious Claim, and preventing Petitioner to exercise her right to appeal?

- Anita Bryant, Petitioner v. Delaware County Treasurer, et al. No. 23-5867.
U.S. Supreme Court. Judgement entered February 20, 2024.

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LIST OF PARTIES

[X] 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

- *Delaware County Auditor/Treasurer v. Anita Bryant*, No. 18C05-2208-TS-000232, State of Indiana Delaware County Circuit Court #5. Judgment entered Sept. 30, 2023.
- *Anita Bryant v. Delaware County Auditor/Treasurer*, No. 22A-TS-2380, Court of Appeals Indiana. Judgment entered on March 9, 2023.
- *Estate of Laura J. Bryant*, No. 18C01-2106-ES-000015, Delaware County, Indiana Circuit Court 1 (Probate Court). Judgement entered on May 24, 2024.
- *Anita Bryant v. Supervised Estate of Laura J. Bryant et al*, No. 25-1222, U.S. Seventh Circuit Court of Appeals. Judgement entered on August 27, 2025.
- *Anita Bryant v. Supervised Estate of Laura J. Bryant, et al*, No. 1:24-cv-00940-JPH-TAB, U.S. District Court Southern District Of Indiana Indianapolis Division. Judgement entered January 17, 2025.
- *Anita Bryant v. Supervised Estate of Laura J. Bryant*, No. 24A-ES-01461, Court of Appeals Indiana. Judgement entered October 11, 2024.
- *Anita Bryant v. Delaware County Auditor, et al*, No. 24-1280, U.S. Seventh Circuit Court of Appeals. Judgement entered June 17, 2024.
- *Anita Bryant v. Delaware County Auditor, et al*, No.1:23-cv-01792-TWP-MKK, U.S. District Court Southern District Of Indiana Indianapolis Division. Judgement entered. April 29, 2024.
- *M Jewell, LLC v. Estate of Laura J. Bryant, et al*, No. 18C05-2310-TP-000171, State of Indiana Delaware County Circuit Court #5. Judgement entered December 12, 2023.
- *Anita Bryant v. Delaware County Auditor/Treasurer*, No.24A-TP-00044, Court of Appeals Indiana. Judgement entered February 23, 2024.
- *M Jewell, LLC v. Anita Bryant, Heir to the Estate Of Laura J. Bryant. Interested Party, et al*, No. 18C04-2401-MI-000009, State of Indiana Delaware County Circuit Court #4.

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 A_ 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 B_ 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 7/10/2025.

☐ 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: 8/27/2025, and a copy of the order denying rehearing appears at Appendix C.

☐ 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution, Amendment 1.10.2 Doctrine on Freedoms of Assembly and Petition:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

United States Constitution, Amendment 14. § 1.1 (Amdt 14. § 1.1):

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

United States Constitution, Amendment 5 (U.S. Const. Amdt 5):

“nor be deprived of life, liberty, or property, without due process of law” —provided for the right of trial according to the process and proceedings of the common law. In interpreting the Due Process Clause, the Supreme Court has recognized that the Fifth Amendment guarantees procedural and substantive due process.

STATEMENT OF THE CASE

On June 2, 2024, Petitioner filed a complaint in the United States District Court for the Southern District of Indiana (No. 1:24-cv-00940-JPH-TAB). Petitioner's complaint requested that a State Probate case be transferred to said court for judicial review.

Additionally, Petitioner filed a Motion to Proceed in Forma Pauperis on the same day.

On June 4, 2024, the court filed 1) Magistrate Judge's Notice of Availability to Exercise Jurisdiction, and 2) Notice to File Rule 7.1 Disclosure Statement.

On June 6, 2024, Petitioner filed a Motion for Clarification requesting clarification of the basis for jurisdiction as to which the above cause number has been assigned, by the court, and filed her Consent to Jurisdiction.

On June 26, 2024, the court issued an Order of Jurisdiction Federal holding that Federal courts may "not interfere with the probate proceedings". citing Marshall v. Marshall, 547 U.S. 293, 311 (2006), directing Petitioner to file an amended complaint no later than July 24, 2024, or show cause why the case not be dismissed for lack of subject-matter jurisdiction.

On July 9, 2024, Petitioner's Motion to Proceed in Forma Pauperis was granted by the court.

On July 19, 2024, Petitioner timely filed her amended complaint to the court.

On September 26, 2024, Petitioner filed a Motion to Appoint Counsel and also filed a second Motion to Proceed in Forma Pauperis, per court rules when requesting this assistance.

On October 21, 2024, Petitioner filed a Motion to Request a status of the case.

On November 12, 2024, the court issued an order dismissing Petitioner's case, denying Petitioner's Motion to Appoint Counsel and is now moot, and denying Petitioner's Motion to Proceed in Forma Pauperis, citing said Motion as a Motion to Proceed on Appeal.

On the same day the court issued a Final Judgment Under Federal Rule of Civil Procedure 58, holding Final Judgment in favor of Defendant and against Plaintiff. Dismissing the action without prejudice.

On November 27, 2024, Petitioner then filed a Motion to Correct with respect to the court's order on the Motion to Proceed in Forma Pauperis that was filed along with Petitioner's Motion to Appoint Counsel, as Petitioner had not filed an Appeal as of yet.

On January 17, 2025 the court denied Petitioner's Motion to Correct clarifying in

said order that Petitioner's unnecessary to amend the Final Order denying the IFP motions or said judgment as Petitioner already had been granted IFP status in this case, and she has not lost that status. Moreover, altering the dismissal order or judgment would not change that.

On February 11, 2025, Petitioner filed a Notice of Appeal in the United States Court of Appeals for the Seventh Circuit, along with a Motion to Proceed on Appeal in Forma Pauperis. Also on this day a Docketing Statement was filed by Petitioner.

On February 12, 2025, the court issued a Parties' Short Record, Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals.

On February 13, 2025, the Appellate Court issued a docketing statement.

On March 25, 2025, Order Denying Request To Proceed On Appeal In Forma Pauperis was issued by the Southern District Court.

On April 14, 2025, Petitioner filed a Motion to Proceed on Appeal in Forma Pauperis with the Appellate Court.

On May 30, 2025, the Appellate denied Petitioner's Motion to Proceed in Forma Pauperis Motion to proceed in forma pauperis on appeal. Holding that Petitioner has not identified a potentially meritorious claim that the district court erred in dismissing the complaint, and Petitioner shall pay the required docketing fee within 14 days, or else this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b).

On June 6, 2025, Petitioner filed Motion to Request Leave to Comply with the Court's Request to Identify a Meritorious Claim and to Set Order Aside.

On June 10, 2025, the Appellate Court granted said motion, and held that Petitioner shall pay the required docketing fee or move for reconsideration of this court's

order denying her motion to proceed on appeal in forma pauperis on or before July 14, 2025.

On July 7, 2025, Motion for Reconsideration was filed by Petitioner of May 30, 2025 Order.

On July 10, 2025, said Motion was denied by the court and ordered Petitioner to pay the required docketing fee within 14 days, or else appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b).

On August 1, 2025, Petitioner filed a Motion for Rehearing En Banc presenting her reasons for unable to pay the filing fee, and reasons why her Complaint had Merit, and arguing that the court did not issue a reason for denying Petitioner's said Motion.

On August 4, 2025, the Court denied said Motion and ordered Petitioner to pay the \$605.00 required docketing fee in the district court by August 18, 2025, or the appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b). The Order did not include a reason for denial.

Petitioner was unable to pay due to her current financial status.

On August 27, 2025, the court ordered the cause Dismissed pursuant to Circuit Rule 3(b).

REASONS FOR GRANTING THE WRIT

I. A Pro Se's inability to pay should not exclude her from having access to the courts.

This case is based on a probate matter in the state court of Indiana.

Petitioner resides in the state of Florida. Petitioner had been granted the IFP Status in her complaint that was filed in the district court, which meant she qualified financially for the status. Therefore, she should not be denied when her status has not changed when she appealed.

In denying Petitioner an opportunity for Appellate review, this prevents Petitioner from having access to the courts for appellate review, which she would otherwise be entitled. This is a violation of United States Constitution, Amendment 1.10.2.

II. The Appellate Court abused their discretion by improperly dismissing an In Forma Pauperis (IFP) action as frivolous, and not providing a reason for denial when Petitioner submitted a Meritorious Claim.

Although Petitioner received the first order in the District Court holding the jurisdiction issue and Probate Exception, Petitioner feels her Amended Complaint reformed her original complaint to where her case could be viewed as the District Court having jurisdiction and having merit, which was the reason for the Appeal.

The same being said for Petitioner's Motion to Request Leave to Comply with the Court's Request to Identify a Meritorious Claim and to Set Order Aside that was filed in the Appellate Court on June 6, 2025.

Pursuant to Federal Rule of Appellate Procedure (FRAP) 24(a)(2) and (a)(3) holds that when a district court denies an IFP motion or certifies that an appeal is

not in good faith. While this rule specifically addresses the district court, the principle of providing reasons for an appealable order generally applies to maintain due process and facilitate review.

Here, that did not happen.


The court's abuse of discretion by failing to provide reasons for the denial, which is a procedural error that hinders Petition's ability to understand and challenge the ruling.

In summary, at the very least the U.S. Court of Appeals for the Seventh District should provide a reason for the Motion to Proceed on Appeal in Forma Pauperis was denied.

CONCLUSION

For the foregoing reasons, the petition for a writ of certiorari should be granted.

Respectfully submitted,

_____

Date: November 26, 2025