SUPREME COURT OF THE UNITED STATES
No. 25-6617

NAQUEA ELAINE JOHNSON,
Petitioner,
v.
STATE OF NEW JERSEY, et al.,
Respondents.

PETITIONER'S NOTICE OF SUPPLEMENTAL AUTHORITY AND PROCEDURAL DEVELOPMENTS

Submitted pursuant to Supreme Court Rule 15(8)

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

Lower Court Case No. 2:25-cv-00186-MSD-DEM
(United States District Court, Eastern District of Virginia, Norfolk Division)

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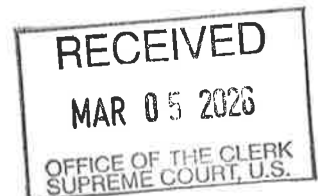
March 2, 2026



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I. THE DISTRICT COURT DISMISSED THE UNDERLYING CASE WHILE THIS PETITION WAS PENDING

A. Procedural Background

This supplemental notice is submitted to bring intervening procedural developments to the Court's attention that were not available at the time Petitioner filed her certiorari petition on January 8, 2026.

On March 31, 2025, Petitioner filed her complaint in the United States District Court for the Eastern District of Virginia, along with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a)(1). The district court did not rule on the IFP application. After more than sixty days passed without a ruling, Petitioner filed a petition for writ of mandamus in the Fourth Circuit on May 30, 2025. On June 4, 2025, the Fourth Circuit denied both the mandamus petition and the IFP application. Two days later, on June 6, 2025, the district court denied Petitioner's IFP application, finding her monthly income "*appeared to be sufficient*" to pay the requisite fees. On June 9, 2025, Petitioner appealed. On June 23, 2025, nineteen days after denying Petitioner's IFP application in connection with the mandamus petition, the Fourth Circuit granted Petitioner IFP status for the appeal, finding her unable to pay. On September 29, 2025, the Fourth Circuit affirmed the district court's IFP denial. Petitioner filed for rehearing and rehearing en banc on October 14, 2025. On December 23, 2025, at 4:47 PM, the Fourth Circuit entered a single compilation order disposing of eight pending motions simultaneously. (Appendix B: B1- B2). The mandate issued December 31, 2025. On January 5, 2026, the district court ordered Petitioner to pay $405.00 within 21 days or the action would be dismissed, and conditioned all pending motions on fee payment, creating precisely the barrier that *Bounds v.*

Smith, 430 U.S. 817, 821 (1977), recognized as a violation of "*the fundamental constitutional right of access to the courts*." On January 8, 2026, Petitioner filed this certiorari petition. On January 28, 2026, more than 21 days having passed, the district court dismissed this action without prejudice pursuant to Fed. R. Civ. P. 41(b). The complete procedural timeline is as follows: March 31, 2025 - Complaint and IFP application filed in district court; May 30, 2025 - Mandamus and IFP application filed in Fourth Circuit; June 4, 2025 - Fourth Circuit denies mandamus and IFP (Appendix F: F1-F3); June 6, 2025 - District court denies IFP application (Appendix F: F1-F3); June 9, 2025 - Petitioner appeals; new IFP application filed; June 23, 2025 - Fourth Circuit grants IFP for appeal (Appendix F: F1-F3); September 29, 2025 - Fourth Circuit affirms IFP denial on the merits (Appendix F: F1-F3); October 14, 2025, 4:59 PM - Petition for Rehearing and Rehearing En Banc filed (Entry #11) (Appendix F: F1-F3); October 14, 2025, 5:00 PM - Mandate automatically stayed pending rehearing (Entry #12) (Appendix F: F1-F3); October 21, 2025 - Motion to Continue Stay of Mandate served by courier (Appendix F: F1-F3); October 22, 2025, 3:25 PM - Motion to Continue Stay docketed (Entry #13) (Appendix F: F1-F3); December 23, 2025, 3:53 PM - Motion to Correct Docket filed (Entry #20) (Appendix F: F1-F3); December 23, 2025, 4:47 PM - Compilation order denying eight pending motions, entered 54 minutes after Petitioner's last filing (Entry #21) (Appendix F: F1-F3); December 31, 2025 - Mandate issues (Appendix F: F1-F3); January 5, 2026 - District court extends deadline 21 days; conditions all motions on fee payment (ECF No. 22) (Appendix F: F1-F3); January 8, 2026 - Petitioner files this certiorari petition; January 20, 2026 - Petition docketed by Supreme Court Clerk as No. 25-6617 (Appendix F: F1-F3); January 28, 2026: District court dismisses without prejudice (ECF No. 24) (Appendix F: F1-F3).

B. The Dismissal Was Without Prejudice and Does Not Moot This Petition

The district court explicitly dismissed this action "*without prejudice*." A case becomes moot "*only when it is impossible for a court to grant any effectual relief whatever to the prevailing party*." *Friends of the Earth, Inc. v. Laidlaw Environmental Services*, 528 U.S. 167, 190 (2000). That standard is not met here. If this Court grants certiorari and rules the IFP denial unconstitutional, Petitioner can refile and proceed without the unconstitutional fee barrier.

A party cannot escape review by engineering the very harm the petitioner seeks to remedy. See *City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283, 289 (1982). The dismissal resulted directly from the unconstitutional IFP denial that is the subject of this petition. The constitutional violation is ongoing, Petitioner still cannot afford the fees, the barrier *M.L.B. v. S.L.J.*, 519 U.S. 102, 119 (1996) prohibits remains in place, and Petitioner has no forum in which to vindicate her rights. As *Lewis v. Casey*, 518 U.S. 343, 351 (1996) held, "*meaningful access to the courts is the touchstone*." The dismissal is not a reason to deny certiorari. It is additional evidence of why certiorari must be granted.

II. THE DISTRICT COURT'S ASSERTION THAT PETITIONER "FILED NO SUCH MOTION" IS FACTUALLY INCORRECT

A. The District Court's Statement

In footnote 1 of the January 28, 2026, Dismissal Order, the district court stated:

> *"Rule 41(d)(2) of the Federal Rules of Appellate Procedure provides that '[a] party may move to stay the mandate pending the filing of a petition for a writ of certiorari in the Supreme Court'; however, Plaintiff has filed no such motion."*

This statement is factually incorrect and procedurally unsound.

B. Petitioner Did File the Motion

On October 21, 2025, Petitioner served her Motion to Continue Stay of Mandate by courier delivery to the Fourth Circuit. It was docketed October 22, 2025, at 3:25 PM as Entry #13. The Fourth Circuit denied that motion on December 23, 2025, as part of its compilation order disposing of eight pending motions. (Entry #21, entered 12/23/2025 at 4:47 PM) The motion exists. It has a timestamp. It has a docket number. It was filed, docketed, and denied.

The district court cited Fed. R. App. P. 41(d)(2), the certiorari stay provision, and asserted no such motion was filed. Petitioner's motion was filed pursuant to Fed. R. App. P. 41(d)(1), the stay-pending-rehearing provision, which was the procedurally correct rule at the time of filing on October 21, 2025, when rehearing was still pending. Rule 41(d)(1) governs exactly that posture. Whether characterized under subsection (d)(1) or (d)(2), the motion is Entry #13. It is on the docket. It was denied. The district court's distinction between subsections does not make Entry #13 disappear. The district court did not misread Entry #13. It did not mischaracterize Entry # 13. It declared Entry #13 did not exist – in writing, to a party whose certiorari petition was pending before this Court. The record says otherwise. (Appendix L: L1 – L6/Fourth Circuit Docket Sheet). The district court's own January 5, 2026, Order summarizes the Fourth Circuit proceedings in detail. (Order at 1-2, ECF No. 22). The information necessary to verify Petitioner's filing was in the record before the district court. It did not check. Fed. R. Civ. P. 52(a) requires findings be supported by the record. Canon 3(B)(2) of the Code of Conduct for United States Judges requires that a judge "*maintain professional competence in law and be faithful to the law*." The district court's definitive assertion, "*Plaintiff has filed no such motion*", was made without checking the Fourth Circuit docket or its own prior order. It is not a matter of interpretation. It is not a close call. It is factually wrong regardless of which subsection applies, and the timestamped docket entries prove it.

C. The District Court's Reasoning Is Also Procedurally Incorrect

Beyond the factual error, the district court's reasoning is independently untenable for five reasons. **First,** Fed. R. App. P. 41(d)(1) and 41(d)(2), both subsections the parties have referenced, govern motions filed with the court of appeals, not the district court. Petitioner filed her Motion to Continue Stay of Mandate pursuant to 41(d)(1), the correct rule when rehearing was still pending. The district court cited 41(d)(2) and asserted no motion existed. Under either subsection, the motion is Entry #13, it was filed with the correct court, and it was denied. **Second,** district courts are bound by appellate mandates and have no authority to delay their implementation. "*The district court is bound to carry the mandate of the upper court into execution and is without power to examine it for any other purpose.*" *United States v. United States Smelting Co.*, 339 U.S. 186, 198 (1950). Once the Fourth Circuit denied the stay and issued its mandate, the district court's role was ministerial. **Third,** "*a federal district court and a federal court of appeals should not attempt to assert jurisdiction over a case simultaneously.*" *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). Petitioner asked the only court with authority to stay the mandate, the Fourth Circuit. That court denied her. **Fourth,** the district court's January 5, 2026, Order issued a pay-or-dismiss ultimatum before Petitioner filed this certiorari petition on January 8, 2026. Once Petitioner filed, the district court was on notice that this Court's review was pending, yet it allowed the pay-or-dismiss clock to continue running without pause. It also categorically refused to address any of Petitioner's pending motions "*unless and until Plaintiff pays the requisite fees,*" simultaneously denying Petitioner access to the court and insulating that denial from any procedural challenge while Supreme Court review was actively pending. **Fifth,** the district court's only cited support for proceeding despite pending certiorari review consists entirely of unpublished district court decisions from other circuits,

none binding on the Eastern District of Virginia, none Fourth Circuit precedent, and none addressing the dispositive constitutional question, whether a district court may enforce a fee payment order and dismiss for non-compliance when the constitutionality of that very fee determination is simultaneously under review by this Court. The district court answered a jurisdiction question when the operative question was constitutional.

D. The Significance of These Errors

The district court made a definitive factual assertion without checking the record, in violation of Fed. R. Civ. P. 52(a) and Canon 3(B)(2). It quoted the precise rule governing Petitioner's motion, acknowledged the cert petition in the same footnote, and still asserted the motion was never filed. The chronology then reveals a compounding pattern, the January 5 Order conditioned all motions on fee payment; three days later Petitioner filed this certiorari petition placing the constitutionality of those fees before this Court; the district court's awareness of the pending certiorari petition is not asserted, it is documented on the district court's own docket. On January 22, 2026, Entry #23 was entered reading: "*Appeal Remark re 3 Notice of Appeal: SUPREME COURT REMARK – petition for writ certiorari filed. 01/08/2026.25-6617. [25-1661].*" That entry references Petitioner's exact Supreme Court case number and the underlying Fourth Circuit case number. It was entered eight days before the January 28 dismissal order. District Judge Mark S. Davis dismissed this action and made a definitive false statement about Petitioner's docket with the Supreme Court case number docketed on his own docket. See (Appendix N: N1-N6); District Court Docket Entry #23) That is not oversight. That is documented awareness followed by documented error. Canon 2 of the Code of Conduct for United States Judges requires that "*a judge should avoid impropriety and the appearance of impropriety in all activities.*" The combination of these actions raises serious concerns about

judicial candor and institutional integrity that this Court should weigh as it considers this petition. These errors also demonstrate that Petitioner exhausted every available remedy. She filed mandamus. She appealed. She sought panel rehearing. She sought rehearing en banc. She filed a Motion to Continue Stay of Mandate pursuant to Fed. R. App. P. 41(d)(2), docketed as Entry #13. She filed this certiorari petition. As *Boddie v. Connecticut,* 401 U.S. 371, 374 (1971) recognized, due process prohibits denying access to courts "*solely because of inability to pay.*" Petitioner did not fail to try. The courts held the door shut. The courts denied her the access the Constitution guarantees.

III. THE ATTORNEY GENERAL CONFLICT HAS MATERIALIZED AND IS ACTIVELY OPERATING

At the time Petitioner filed this certiorari petition on January 8, 2026, Jay Jones had been elected Attorney General of Virginia but had not yet taken office. That matter has now fully materialized, and in a manner more direct, more operational, and more legally significant than Petitioner could have anticipated at the time of filing.

A. The Inauguration

On January 17, 2026, Jay Jones was inaugurated as Attorney General of Virginia. He was sworn into office by his mother, Norfolk Juvenile and Domestic Relations District Court Chief Judge Lyn M. Simmons. Judge Simmons is a named defendant in this action. The defendant administered the oath of office to the Attorney General who now heads the office responsible for defending her against Petitioner's federal civil rights claims, on the same day that office assumed that responsibility.

B. The 30-Day Review

On that same inauguration day, Attorney General Jones issued a public press release announcing: "*Additionally, my office is immediately launching a comprehensive 30-day review of all existing litigation to determine which lawsuits we should join or withdraw from.*" Office of the Attorney General of Virginia, Press Release, January 17, 2026.

That 30-day window expired on February 16, 2026, nine days before the date of this filing. Attorney General Jones's office has, by his own public commitment, already completed its active evaluation of existing litigation, including, necessarily, the litigation in which his mother is a named defendant. This was not passive inheritance of a prior administration's caseload. This was an affirmative, announced, time-limited exercise of his litigation authority. His office made active decisions about which cases to pursue or abandon. It did so while his mother remained a named defendant. It did so without any public recusal or acknowledgment of the conflict.

C. The Applicable Recusal Obligations

Attorney General Jones's failure to recuse is not merely a matter of appearance. It implicates binding legal obligations at multiple levels. Virginia Rule of Professional Conduct 1.7 prohibits a lawyer from representing a client when the representation involves a personal interest that creates a material risk the representation will be materially limited. The Attorney General's client is the Commonwealth and its officials. One of those officials, his mother, is a named defendant in active federal civil rights litigation. The parent-child relationship is the paradigm conflict Rule 1.7 was designed to address. The Virginia State and Local Government Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., expressly governs the Attorney General by name. It prohibits participation in matters where a personal interest creates a conflict and requires disqualification when a reasonable person would question the officer's impartiality. A mother-son relationship in active litigation is not a close case under this standard.

The federal standard for government attorneys is equally clear. Under 28 C.F.R. § 45.2, a government lawyer must recuse when they have a "*personal relationship*" with any person "*substantially involved in the conduct that is the subject of the matter,*" defining personal relationship as "*a close and substantial connection of the type normally viewed as likely to induce partiality.*" No relationship more closely fits that definition than the one between a son and his mother. Attorney General Jones has not recused. He has not filed a public statement addressing the conflict. He conducted a comprehensive 30-day litigation review that necessarily encompassed this matter without any disclosed recusal mechanism.

D. Active Awareness Combined With Active Silence

The Supreme Court's own records confirm that the Court's Clerk formally notified Counsel for Respondent, the Commonwealth of Virginia, of the docketing of this petition on January 20, 2026, with a response deadline of February 19, 2026. That notice was served on the office of the Attorney General of Virginia three days after Jones took office and on the same day his 30-day litigation review was already underway. His office received official written notification from this Court that his mother was a named defendant in a case pending before the highest court in the country, while simultaneously conducting an active review of all existing litigation with authority to decide which cases to join or withdraw from. The response deadline passed on February 19, 2026. As of the date of this filing, no response and no waiver appear on this Court's docket. The complete absence of any action, no response, no waiver, no recusal, no public acknowledgment, following formal Supreme Court notification served during an active litigation review, in a matter where binding ethics obligations required either recusal or disclosed authorization to proceed, is itself a fact this Court should weigh.

E. The Institutional Contradiction

Attorney General Jones publicly declared that his mission is to "*protect Virginians, defend our Constitution, and ensure that the powers of this office are used to serve the public, not partisan agendas*." Office of the Attorney General of Virginia, Press Release, January 17, 2026. He heads the office defending a named defendant against Petitioner's claims that her fundamental constitutional rights were systematically denied. That defendant is his mother. She administered his oath of office. Virginia Rule 1.7, Virginia Code § 2.2-3100, and 28 C.F.R. § 45.2 impose affirmative obligations. Those obligations have not been met. The conflict has operated silently through a completed litigation review, a passed response deadline, and ongoing defense of a named defendant who is the Attorney General's mother. Petitioner respectfully brings this fully materialized conflict to the Court's attention as a matter bearing directly on the integrity of these proceedings and on whether Petitioner can receive fair adjudication of her claims in any forum in which the Commonwealth of Virginia has a role.

IV. THE DISMISSAL PROVES THE IFP DENIAL WAS FACTUALLY INCORRECT

The district court's IFP denial failed to consider four critical factors: parental rights under *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996); the void order challenge under *Kalb v. Feuerstein*, 308 U.S. 433, 438 (1940); mandatory court-ordered child support obligations non-dischargeable under 11 U.S.C. § 523(a)(5); and bankruptcy demonstrating objective financial hardship. It found Petitioner had "*sufficient income*" to pay $405 while still providing for the necessities of life. (Order at 1-2, ECF No. 2). The January 28, 2026, dismissal proves that finding was wrong, and the proof did not begin with the dismissal. On June 23, 2025, nineteen days after denying Petitioner's IFP application in connection with her mandamus petition, the Fourth Circuit granted Petitioner IFP status for her appeal, making an independent judicial determination that she was

unable to pay. Then on September 29, 2025, the Fourth Circuit affirmed the district court's finding that she had sufficient income to pay. The Fourth Circuit thus simultaneously held, within its own proceedings, that Petitioner was both able and unable to afford the fees. That internal contradiction is independent judicial confirmation that the IFP denial was factually unsupportable. The January 28 dismissal confirms it further. Petitioner did not pay because she cannot afford to pay. No parent with $405 available would allow a federal case challenging a custody order affecting fundamental parental rights to be dismissed for non-payment. *M.L.B.*, 519 U.S. at 119, holds courts may not "*bolt the door to equal justice*" when parental rights are at stake. As *Lewis v. Casey*, 518 U.S. 343, 351 (1996) held, "*meaningful access to the courts is the touchstone*." As *Bounds v. Smith*, 430 U.S. 817, 821 (1977) recognized, "*the fundamental constitutional right of access to the courts*" demands more than theoretical availability. The dismissal is not a procedural failure. The dismissal was predetermined the moment IFP denial issued. A petitioner who cannot afford fees will not pay them. A case conditioned on payment she cannot make will be dismissed. The constitutional violation did not produce an unexpected outcome. It produced its only possible outcome.

V. RESPONDENTS HAVE NOT ENGAGED THE CONSTITUTIONAL MERITS AT ANY LEVEL

Throughout these proceedings, spanning 332 days from March 31, 2025, through the date of this filing, no respondent has engaged with the constitutional merits of Petitioner's claims at any level. The reason is not that the claims lack merit. The reason is that the IFP denial ensured they never had to be answered. That is what IFP denial without constitutional review actually produces. It does not simply delay access to courts. It forecloses it entirely and permanently. When the Fourth Circuit granted IFP status to prosecute this appeal, it did not grant full merits

briefing, it granted an informal brief, a procedurally truncated vehicle that by its nature does not require engagement with the constitutional merits. Respondents did not respond to the informal brief. The Fourth Circuit affirmed without reaching the constitutional questions. The IFP framework itself became the mechanism of avoidance.

The dismissal completed that foreclosure. Petitioner did not pay the fees. Not by choice. Not by oversight. Because she cannot pay them. The case was dismissed for non-compliance with an unconstitutional barrier while this Court's review of that barrier was pending. At no level, district court, Fourth Circuit, or before the mandate issued, has any forum been permitted to engage whether Petitioner's constitutional claims have merit. The barrier has never been the strength of those claims. The barrier has always been the fees. As this Court held in *Lewis v. Casey*, 518 U.S. 343, 351 (1996), "*meaningful access to the courts is the touchstone.*" As *Bounds v. Smith*, 430 U.S. 817, 821 (1977) recognized, "*the fundamental constitutional right of access to the courts*" demands more than theoretical availability. The human consequence of that foreclosure is this, Petitioner has not had meaningful contact with her son since August 2023, a visit of under two hours. He was eleven months old when these proceedings began. He will be nine years old in April 2026. Fundamental parental rights, which this Court in *M.L.B. v. S.L.J.*, 519 U.S. 102, 119 (1996) recognized as among the most precious a person holds, are not vindicated by their theoretical existence. They are vindicated only when a court is permitted to reach them. The IFP denial has ensured that no court has. Without constitutional review of IFP denials in cases placing fundamental parental rights at stake, *M.L.B.*'s guarantee means nothing. Rights that cannot be accessed are not rights. They are the appearance of rights behind a door that has been bolted. The response deadline before this Court passed February 19, 2026. As of the date of this filing, no response and no waiver appear on the docket. Petitioner's constitutional

claims remain entirely uncontested on the merits, not because no constitutional violation occurred, but because $405 has stood between Petitioner and any forum willing to say so. And no one has offered any justification for that.

VI. CONCLUSION

Five significant developments have occurred since Petitioner filed her certiorari petition on January 8, 2026, each bearing directly on the constitutional questions presented.

First, the district court dismissed the underlying action on January 28, 2026, proving that Petitioner cannot afford the fees the court said she had sufficient income to pay under 28 U.S.C. § 1915(a)(1). That proof did not begin with the dismissal. The Fourth Circuit granted Petitioner IFP status on June 23, 2025, finding her unable to pay, and then on September 29, 2025, affirmed the district court's finding that she was able to pay. That internal contradiction within the Fourth Circuit's own proceedings independently establishes the IFP denial was factually unsupportable. The dismissal was without prejudice. Under *Friends of the Earth, Inc. v. Laidlaw Environmental Services,* 528 U.S. 167, 190 (2000), a case is moot only when it is impossible to grant effectual relief. That standard is not met. The dismissal confirms this petition; it does not moot it. Second, the district court's dismissal order contains factual and procedural errors made with full knowledge that this Court's review was pending. It asserted Petitioner filed no stay motion when she did, docketed as Fourth Circuit Entry #13 on October 22, 2025, at 3:25 PM, filed pursuant to Fed. R. App. P. 41(d)(1), the procedurally correct rule when rehearing was still pending. The district court cited 41(d)(2) and declared the motion nonexistent. It did not misread Entry #13. It did not mischaracterize Entry #13. It declared Entry #13 did not exist, in writing, to a party whose certiorari petition was pending before this Court. The record says otherwise. Its only justification for proceeding despite pending certiorari review consisted of unpublished non-

binding district court decisions from other circuits that addressed jurisdiction, not the dispositive constitutional question of whether fees whose constitutionality was pending before this Court could be enforced to extinguish Petitioner's claims. These errors raise serious concerns under Canon 2 and Canon 3(B)(2) of the Code of Conduct for United States Judges about judicial candor and institutional integrity. Third, the Virginia Attorney General conflict has fully materialized. Attorney General Jay Jones took office January 17, 2026, sworn in by his mother, Judge Lyn Simmons, a named defendant in this action. He announced an immediate comprehensive 30-day litigation review, the window for which expired February 16, 2026. His office received official Supreme Court notification of this pending petition on January 20, 2026, during that active review. He has not recused. Virginia Rule 1.7, Virginia Code § 2.2-3100, and 28 C.F.R. § 45.2 required otherwise. The conflict has operated silently through a completed litigation review and a passed response deadline with no public acknowledgment. Fourth, the IFP denial has ensured that Petitioner's constitutional claims have never been reached on the merits at any level. The Fourth Circuit's grant of IFP status permitted only an informal brief, a procedurally shortened mode that does not require engagement with constitutional merits. Respondents did not respond. The Fourth Circuit affirmed without reaching the constitutional questions. The dismissal completed the foreclosure. As *Lewis v. Casey*, 518 U.S. 343, 351 (1996) held, "*meaningful access to the courts is the touchstone*." As *Bounds v. Smith*, 430 U.S. 817, 821 (1977) recognized, "*the fundamental constitutional right of access to the courts*" demands more than theoretical availability. Petitioner has been denied both. The courts held the door shut. The courts denied her the access the Constitution guarantees. Fifth, Petitioner exhausted every available remedy. She filed mandamus. She appealed. She sought rehearing. She sought rehearing en banc. She filed a Motion to Continue Stay of Mandate, docketed as Entry #13. She

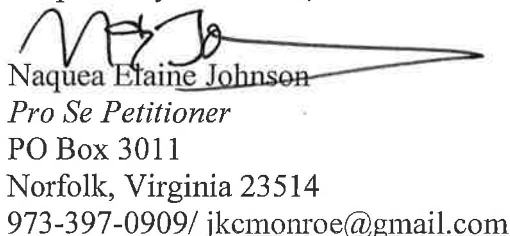
filed this certiorari petition. At every prior level, her requests were denied. This Court alone has not yet acted.

Petitioner has not had meaningful contact with her son since August 2023, a visit of under two hours. He was eleven months old when these proceedings began. He will be nine years old in April 2026. As *M.L.B. v. S.L.J.*, 519 U.S. 102, 119 (1996) commands, courts may not "*bolt the door to equal justice*." That door has been bolted. $405 has stood between Petitioner and any forum willing to say so. And no one has offered any justification for that.

When legitimate reasons ran out, a court with the Supreme Court case number on its own docket manufactured one, declaring a filed, docketed, and denied motion nonexistent. A child continues to grow up without his mother while the Constitution waits to be applied. Every court that has touched this case has found a reason not to reach the merits. The Fourth Circuit's application of a property framework to a parental rights IFP determination is not a question that ends with this case. Every parent denied IFP under *Dillard* in a case involving fundamental parental rights has been measured by the wrong constitutional standard. This Court has never said that is permissible. It should say so now.

Petitioner respectfully requests that this Court accept this supplemental notice pursuant to Supreme Court Rule 15(8) and consider these developments in connection with the pending petition for writ of certiorari.

Respectfully submitted,



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March 2, 2026

APPENDIX

TO

PETITIONER'S NOTICE OF SUPPLEMENTAL AUTHORITY AND PROCEDURAL DEVELOPMENTS

SUPREME COURT OF THE UNITED STATES

No. 25-6617

NAQUEA ELAINE JOHNSON,
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v.
STATE OF NEW JERSEY, et al.,
Respondents.

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

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