No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

In Re: Deon D. Colvin — PETITIONER
(Your Name)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition without prepayment of costs and to proceed *in forma pauperis.*

Please check the appropriate boxes:

☑ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):
United States Court of Appeals for the District of Columbia Circuit
United States Court for the District of Columbia

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☑ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: _____, or

☐ a copy of the order of appointment is appended.

Deon D. Colvin
(Signature)

**AFFIDAVIT OR DECLARATION**
**IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS***

I, Deon D. Colvin, am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

| **Income source** | **Average monthly amount during the past 12 months** | | **Amount expected next month** | |
|---|---|---|---|---|
| | You | Spouse | You | Spouse |
| Employment | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Self-employment | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Income from real property (such as rental income) | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Interest and dividends | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Gifts | $ 600.00 | $ N/A | $ 600.00 | $ N/A |
| Alimony | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Child Support | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Retirement (such as social security, pensions, annuities, insurance) | $ 0.00 | $ N/A | $ 0.00 | $ N/A |
| Disability (such as social security, insurance payments) | $ 0.00 | $ 0.00 | $ 0.00 | $ N/A |
| Unemployment payments | $ 0.00 | $ 0.00 | $ 0.00 | $ N/A |
| Public-assistance (such as welfare) | $ 0.00 | $ 0.00 | $ 0.00 | $ N/A |
| Other (specify): SNAP (EBT) | $ 291.00 | $ N/A | $ 291.00 | $ N/A |
| **Total monthly income:** | $ 891.00 | $ N/A | $ 891.00 | $ N/A |

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of Employment | Gross monthly pay |
|---|---|---|---|
| NONE | N/A | N/A | $ N/A |
| NONE | N/A | N/A | $ N/A |
| NONE | N/A | N/A | $ N/A |

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

| Employer | Address | Dates of Employment | Gross monthly pay |
|---|---|---|---|
| NO SPOUSE | N/A | N/A | $ N/A |
| NO SPOUSE | N/A | N/A | $ N/A |
| NO SPOUSE | N/A | N/A | $ N/A |

4. How much cash do you and your spouse have? $_____
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

| Type of account (e.g., checking or savings) | Amount you have | Amount your spouse has |
|---|---|---|
| CHECKING | $ 505.00 | $ N/A |
| SAVINGS | $ 60.00 | $ N/A |
| N/A | $ N/A | $ N/A |

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home
Value N/A

☐ Other real estate
Value N/A

☑ Motor Vehicle #1
Year, make & model 2013 Honda Civic
Value $5,000.00

☐ Motor Vehicle #2
Year, make & model N/A
Value N/A

☐ Other assets
Description N/A
Value N/A

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

| Person owing you or your spouse money | Amount owed to you | Amount owed to your spouse |
|---|---|---|
| N/A | $ N/A | $ N/A |
| N/A | $ N/A | $ N/A |
| N/A | $ N/A | $ N/A |

7. State the persons who rely on you or your spouse for support. For minor children, list initials instead of names (e.g. "J.S." instead of "John Smith").

| Name | Relationship | Age |
|---|---|---|
| N/A | N/A | N/A |
| N/A | N/A | N/A |
| N/A | N/A | N/A |

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

| | You | Your spouse |
|---|---|---|
| Rent or home-mortgage payment (include lot rented for mobile home)<br>Are real estate taxes included? ☐ Yes ☑ No<br>Is property insurance included? ☐ Yes ☑ No | $ 1075.00 | $ N/A |
| Utilities (electricity, heating fuel, water, sewer, and telephone) | $ 0.00 | $ N/A |
| Home maintenance (repairs and upkeep) | $ 50.00 | $ N/A |
| Food | $ 500.00 | $ N/A |
| Clothing | $ 0.00 | $ N/A |
| Laundry and dry-cleaning | $ 20.00 | $ N/A |
| Medical and dental expenses | $ 0.00 | $ N/A |

| | You | Your spouse |
|---|---|---|
| Transportation (not including motor vehicle payments) | $ 60.00 | $ N/A |
| Recreation, entertainment, newspapers, magazines, etc. | $ 20.00 | $ N/A |
| Insurance (not deducted from wages or included in mortgage payments) | | |
| Homeowner's or renter's | $ 0.00 | $ N/A |
| Life | $ 0.00 | $ N/A |
| Health | $ 0.00 | $ N/A |
| Motor Vehicle | $ 100.00 | $ N/A |
| Other: N/A | $ 0.00 | $ N/A |
| Taxes (not deducted from wages or included in mortgage payments) | | |
| (specify): N/A | $ 0.00 | $ N/A |
| Installment payments | | |
| Motor Vehicle | $ 0.00 | $ N/A |
| Credit card(s) | $ 0.00 | $ N/A |
| Department store(s) | $ 0.00 | $ N/A |
| Other: N/A | $ 0.00 | $ N/A |
| Alimony, maintenance, and support paid to others | $ 0.00 | $ N/A |
| Regular expenses for operation of business, profession, or farm (attach detailed statement) | $ 0.00 | $ N/A |
| Other (specify): N/A | $ 0.00 | $ N/A |
| **Total monthly expenses:** | $ 1825.00 | $ N/A |

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☐ Yes ☑ No If yes, describe on an attached sheet.

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☑ No

If yes, how much? N/A

If yes, state the attorney's name, address, and telephone number:

N/A

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☑ No

If yes, how much? N/A

If yes, state the person's name, address, and telephone number:

N/A

12. Provide any other information that will help explain why you cannot pay the costs of this case.

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 1st, 2026

Leon D. Cohen

(Signature)

# APPENDIX A

"Appendix A"

# Supreme Court of the United States
# Office of the Clerk
# Washington, DC 20543-0001

**Scott S. Harris**
Clerk of the Court
(202) 479-3011

March 23, 2026

Mr. Deon D. Colvin
743 Fairmont Street, NW, #211
Washington, DC 20001

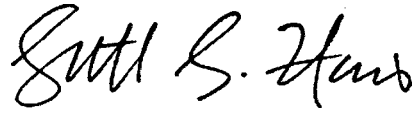
Re: In Re Deon D. Colvin
No. 25-6639

Dear Mr. Colvin:

The Court today entered the following order in the above-entitled case:

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus is dismissed. See Rule 39.8.

Sincerely,



**Scott S. Harris**, Clerk

# APPENDIX B

"Appendix B"

**SUPREME COURT OF THE UNITED STATES**
**OFFICE OF THE CLERK**
**WASHINGTON, DC 20543-0001**

April 22, 2026

Deon Colvin
743 Fairmont St., NW
#211
Washington, DC 20001

RE: Petition for Rehearing
No: 25-6639

Dear Mr. Colvin:

The petition for rehearing in the above-entitled case was hand-delivered April 17, 2026 and is herewith returned for failure to comply with Rule 44 of the Rules of this Court.

Please be advised a petition for rehearing pursuant to Rule 44 may only be filed as to a denial of a petition in this Court. If you are asking this Court to reconsider the dismissal of the petition from March 23, 2026 as to the above referenced case, your document must be titled as a motion for reconsideration of the Rule 39.8 dismissal and the contents included in the body of the motion should reflect a motion for reconsideration of the 39.8 dismissal.

Sincerely,
Scott S. Harris, Clerk
By:

Sara Simmons
(202) 479-3023

Enclosures

# APPENDIX C

"Appendix C"

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**DECLARATION OF DEON D. COLVIN IN SUPPORT OF MOTION TO RECONSIDER RULE 39.8 DISMISSAL, PURSUANT TO 28 U.S.C. § 1746**

I, Deon D. Colvin, declare under penalty of perjury that the following is true and correct:

1. I am the Petitioner in the above-titled case and submit this declaration in support of my motion for reconsideration of the Rule 39.8 dismissal.
2. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would testify competently thereto.
3. On March 23, 2026, my Motion for Leave to Proceed *In Forma Pauperis* (IFP) was denied pursuant to Rule 39.8, and my Petition for Writ of Mandamus was subsequently dismissed by the Supreme Court.
4. I believe these outcomes resulted from significant clerical errors, including the failure to docket my **Proof of Service** for my **Motion for Leave to File a Second Supplemental Brief**. On March 10, 2026, at approximately 10:10 p.m., the Proof of Service was submitted with the motion in person at the security booth at the Supreme Court. On March 18, 2026, at approximately 4:19 p.m., I was told during a phone conversation with Jackie, a staff person in the Clerk's Office, that the Proof of Service was docketed, but it

was not. This failure caused the motion to appear improperly filed to the Court. A true and correct copy of this Proof of Service is attached at **Appendix D**.

5. On March 10, 2026, at approximately 10:10 p.m., I filed **Petitioner's Motion for Judicial Notice and Leave to Supplement the Appendix** in person at the security booth at the Supreme Court. The Clerk's Office failed to docket the motion. The motion was properly filed pursuant to Rule 21. The Clerk's Office erroneously rejected the filing pursuant to Rule 15.8. This motion contained a request for the Justices to take judicial notice of critical evidence: the docket for case no. 1:23-cv-03485, which demonstrates that on July 16, 2024, the judge refused to grant me leave to file a Rule 59 (e) motion and on July 15, 2024 refused to grant me leave to file a supplement to the motion.
6. The docket shows that these specific rulings were not included in the case record sent to the D.C. Circuit, which explains why my Rule 59 (e) motion filed on June 3, 2024 remained undocketed and unadjudicated.
7. Furthermore, this undocketed motion included the full texts and exhibits for my three Rule 59 (e) motions filed on **February 12, 2024**, **March 28, 2024**, and **June 3, 2024**. This evidence was necessary for the Court to verify that these were bona fide Rule 59 (e) motions with requests for leave to amend requiring adjudication as a matter of law, and that I had an indisputable right to the Writ. A true and correct copy of **Petitioner's Motion for Judicial Notice and Leave to Supplement the Appendix**, that includes the docket for case no. 1:23-cv-03485 and the full text of the Rule 59 (e) motions (minus the Exhibits) is attached **Appendix F**.
8. On March 16, 2026, at approximately 5:30 p.m., I filed my **Motion to Postpone Conference** in person at the security booth at the Supreme Court. The Clerk's Office

failed to docket the motion. This motion requested that the Court's March 20 conference on my Petition for Writ of Mandamus be delayed until my **Petitioner's Motion for Judicial Notice and Leave to Supplement the Appendix** and **Motion for Leave to File a Second Supplemental Brief** was properly docketed and distributed to the Justices. A true and correct copy of my **Motion to Postpone Conference** is attached at **Appendix G**.

9. On March 19, 2026 and March 20, 2026, I made multiple phone calls and emails to the Clerk's Office requesting that a management official review these docketing failures and the incorrect information I was provided regarding my Proof of Service that it was docketed. These communications were never returned. The records of these communications are attached at **Appendix J**.

10. On May 21, 2026, and March 30, 2026, I mailed letters to the Clerk detailing these administrative failures. Both letters were returned to me with a letter dated April 7, 2026 from the Clerk that stated that no Rule of the Supreme Court allows for the filing of an "administrative complaint." A true and correct copy of my **letters to the Clerk** is attached at **Appendices K** and **L**. A true and correct copy of the **letter from the Clerk** is attached at **Appendix M**.

11. As a result of the above failures, the Court did not have all the evidence needed to make a fair assessment of my Petition, thus reconsideration is necessary to ensure its fair consideration, and that my Fifth Amendment right to procedural due process and First Amendment right to petition the government are not violated.

12. The same applies to my Renewed Application for Stay of the Mandate (case no. 25A918, denied April 6, 2026), as my **Emergency Application for Leave to File Supplemental Material In Support of Renewed Application for Stay**, filed on February 12, 2026, and

my **Motion for Leave to File Supplemental Material In Support of Renewed Application for Stay**, filed on March 13, 2026—filings that contained the actual date requested for stay of the mandate, which was necessary to show good cause—and my **Motion to Postpone Conference for Renewal Application**, filed on March 30, 2026, which requested delay of the April 2 Conference until these motions could be docketed and distributed, were not docketed by the Clerk's Office, and my phone calls and emails that were made to the Clerk's Office and to the Emergency Application Clerk Robert Meek were not returned.

13. On April 25, 2025, my **Motion to Reconsider Denial of the Renewal Application in Light of Clerical Error**, filed April 22, 2025, at approximately 4:21 p.m., which contained the undocketed motions and emergency application for leave, and my attempts to contact the Clerk's Office about the failures, was returned to me by the Clerk's Office with a letter stating the Court's Rules do not allow the filing. A true and correct copy of the Clerk's rejection letter is attached at **Appendix P**. A true and correct copy of pages from the motion is attached at **Appendix Q**.

14. A manifest injustice has occurred with my **Petition for Writ of Mandamus** and **Renewed Emergency Application for Stay of the Mandate** as the aforementioned critical and timely filed motions and Proof of Service were not docketed by the Clerk's Office for this Court's consideration.

I HEREBY declare under penalty of perjury that the foregoing is true and correct.

Executed on this 1st day of May, 2026 at Washington, D.C.

Signature Deon D. Colvin Deon D. Colvin, Petitioner, *pro se*

# APPENDIX D

"Appendix D"

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 10th, 2026, as required by Supreme Court Rule 29 I have served the enclosed **MOTION FOR LEAVE TO FILE A SECOND SUPPLEMENTAL BRIEF** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 10th, 2026 Deon D. Colvin (Signature)

UNITED STATES POSTAL SERVICE.

NATIONAL CAPITOL
2 MASSACHUSETTS AVE NE
WASHINGTON, DC 20002-9997
www.usps.com

03/10/2026 06:09 PM

TRACKING NUMBERS
9505 5104 7073 6069 8080 81
9505 5104 7073 6069 8081 04

TRACK STATUS OF ITEMS WITH THIS CODE
(UP TO 25 ITEMS)

TRACK STATUS BY TEXT MESSAGE
Send tracking number to 28777 (2USPS)
Standard message and data rates may apply

TRACK STATUS ONLINE
Visit https://www.usps.com/tracking
Text and e-mail alerts available

PURCHASE DETAILS

| Product | Qty | Unit Price | Price |
|---|---|---|---|
| 2026 MD Lrg Mlr | 1 | $2.89 | $2.89 |
| Priority Mail® | 1 | | $11.55 |
| Washington, DC 20001 | | | |
| Weight: 2 lb 7.40 oz | | | |
| Expected Delivery Date | | | |
| Fri 03/13/2026 | | | |
| Tracking #: | | | |
| 9505 5104 7073 6069 8080 81 | | | |
| Insurance | | | $0.00 |
| Up to $100.00 included | | | |
| Total | | | $11.55 |
| Priority Mail® | 1 | | $11.55 |
| Washington, DC 20001 | | | |
| Weight: 2 lb 7.30 oz | | | |
| Expected Delivery Date | | | |
| Fri 03/13/2026 | | | |
| Tracking #: | | | |
| 9505 5104 7073 6069 8081 04 | | | |
| Insurance | | | $0.00 |
| Up to $100.00 included | | | |
| Total | | | $11.55 |

Grand Total: $25.99

Debit Card Remit $25.99
Card Name: VISA
Account #: XXXXXXXXXXXX8702
Approval #: 031989
Transaction #: 189
Receipt #: 046923
Debit Card Purchase: $25.99
AID: A0000000980840 Contactless
AL: US DEBIT

# APPENDIX E

"Appendix E"

**SUPREME COURT OF THE UNITED STATES**
**OFFICE OF THE CLERK**
**WASHINGTON, DC 20543-0001**

March 19, 2026

Deon Colvin
743 Fairmont St., NW
#211
Washington, DC 20001

RE: Motion for judicial notice and leave to supplement appendix
No: 25-6639

Dear Mr. Colvin:

The above-entitled submission was postmarked March 10, 2026, and received March 12, 2026. The papers are returned for the following reason(s):

Under Rule 15.8, "[a]ny party may file a supplemental brief at any time while a petition for a writ of certiorari is pending, calling attention to new cases, new legislation, or other intervening matter not available at the time of the party's last filing." You filed your petition for a writ of certiorari on January 19, 2026.

While your submission does include references to other cases, none of those references are new cases, new legislation, or other intervening matter that were not available at the time of your last filing. Furthermore, such references do not appear to be intervening circumstances of a substantial or controlling effect in your present case before this Court. Therefore, the above-entitled supplemental brief does not comply with Rule 15.8 of the Rules of this Court and is herewith returned.

Sincerely,
Scott S. Harris, Clerk
By: Kyle R. Ratliff

Kyle R. Ratliff
(202) 479-3029

Enclosures

# APPENDIX F

"Appendix F"

No. 25-6639

IN THE SUPREME COURT OF THE UNITED STATES

IN RE: DEON D. COLVIN –PETITIONER

**ON PETITION FOR A WRIT OF MANDAMUS TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT**

**********

# PETITIONER'S MOTION FOR JUDICIAL NOTICE AND LEAVE TO SUPPLEMENT THE APPENDIX

**********


DEON D. COLVIN (APPLICANT-PRO SE, NON-ATTORNEY)
(Your Name)

743 FAIRMONT STREET NW #211
(Address)

WASHINGTON, DISTRICT OF COLUMBIA. 20001
(City, State, Zip Code)

216-396-8512
(Phone Number)

**TABLE OF CONTENTS** **PAGE**



## INDEX TO SUPPLEMENTAL APPENDICES



## TABLE OF AUTHORITIES

## INTRODUCTION

To the Honorable Justices of the Supreme Court:

Pursuant to Rule 21 of the Rules of the Supreme Court of the Unites States, and Federal Rule of Evidence 201, Petitioner[1] moves this Court for judicial notice of the District Court docket and for leave to supplement the Appendix with the full text of Petitioner's Rule 59 (e) motions.

## STATEMENT OF RELEVANCE

This Petition for Writ of Mandamus arises from the District Court's failure to rule on three Rule 59 (e) motions and the subsequent dismissal of the case by D.C. Circuit for want of prosecution. While Petitioner's Appendix currently includes date-Stamped front pages of these motions, the full text and the underlying District Court Docket is essential for this Court's review.

Specifically, the District Court docket—particularly the entry dates July 15 and 16, 2024—demonstrate that the District Court denied Petitioner leave to file his June 3, 2025 Rule 59 (e) motion and supplement and thereafter failed to include said entry in the record transmitted to the D.C. Circuit (case no. 1:23-cv-03485, ECF no. 25, 26). *See* App. R and App. H. Thus, this is a "missing piece" of why the Clerk did not docket Petitioner's June 3, 2024 Rule 59 (e) motion, and why the motion was not adjudicated.

## REASONS FOR GRANTING THE MOTION

---

[1] Petitioner is *pro se*. The pleadings of *pro se* litigants are provided liberal construction by the Court. *Haines v. Kerner*, 404 U.S. 519, 520-521 (1972) ("allegations of the *pro se* complaint...we hold to less stringent standards than formal pleadings drafted by lawyers"); *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)("A document filed *pro se is* to be liberally construed, and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers"); *Hall v. Bellmon*, 935 F. 2d 1106, 1110, n.3 (10th Cir. 1991)("The *Haines* Rule applies to all proceedings involving a *pro se* litigant.").

1. **Verification of the Record**: Judicial notice of the District Court docket is appropriate under Fed R. Evid. 201(b) as a public record whose accuracy cannot reasonably be questioned. This docket is vital to demonstrate the procedural history that was suppressed or omitted during the appeal to the D.C. Circuit.

2. **Necessity of Substance**: To establish a "clear and indisputable right" to Mandamus relief, Petitioner must show that the filings were, in substance, bona fide Rule 59 (e) motions. Providing only the date stamps is insufficient; the full text is required to prove that the motions were procedurally complete and required a ruling as a matter of law.

3. **Correction of Record Deficiency**: The D.C. Circuit dismissed this case based on an incomplete record. Supplementing the Appendix with these documents allows this Court to see the complete record that the lower courts excluded.

## REASON MOTION WAS FILED AT THIS TIME

This motion is filed at this time because Petitioner became aware that the record of this case was not complete as filed and that the above documents were needed for a complete record.

## NOTIFICATION OF RESPONDENTS

On March 10, 2026 date, Petitioner contacted Caroline Zile, Counsel for Respondent District of Columbia et al. at caroline.vanzile@dc.gov and Clifton Cislak, Clerk for Respondent District of Columbia Circuit Court of Appeals at ecfhelp@cadc.uscourts.gov to get Respondents' positions on this motion. As of filing, no response was provided so Petitioner does not know if Respondents oppose or consent to the motion.

## CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court take judicial notice of the District Court docket (at App. R) and grant leave to supplement the Appendix with the document at Appendix R, and with the full text of the Rule 59 (e) motions attached hereto as Appendix S, T and U.

Respectfully Submitted,

**DEON D. COLVIN** **DATE**

Deon D. Colvin 3-10-26

Petitioner (*Pro Se*)
743 Fairmont Street, N.W. #211
Washington, D.C. 20001
T: 216-396-8512
E-mail: DeonColvin@aol.com

# APPENDIX R

CLOSED,IFP,JURY,PROSE-NP,TYPE-F

# U.S. District Court
# District of Columbia (Washington, DC)
# CIVIL DOCKET FOR CASE #: 1:23-cv-03485-UNA

COLVIN v. DISTRICT OF COLUMBIA COURT OF APPEALS et al
Assigned to: Unassigned
Case in other court: USCA, 24-07016
Cause: 42:1983 Civil Rights Act

Date Filed: 11/20/2023
Date Terminated: 01/08/2024
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DEON D. COLVIN** represented by **DEON D. COLVIN**
743 Fairmont St. NW
Apt. 211
Washington, DC 20001
PRO SE

V.

**Defendant**

**DISTRICT OF COLUMBIA COURT OF APPEALS**

**Defendant**

**JOSHUA A. DEAHL**
*Assoc. Judge*

**Defendant**

**ROY W. MCLEESE**
*Assoc. Judge*

**Defendant**

**CATHARINE F. EASTERLY**
*Assoc. Judge*

| Date Filed | # | Docket Text |
|---|---|---|
| 11/20/2023 | | **Initiating Pleading & IFP Application Received on 11/20/2023.** A copy of the docket sheet has been mailed to the address of record for the pro se party. (zrtw) (Entered: 12/05/2023) |
| 11/20/2023 | 1 | COMPLAINT against JOSHUA A. DEAHL, DISTRICT OF COLUMBIA COURT OF APPEALS, CATHARINE F. EASTERLY, ROY W. MCLEESE with Jury Demand filed by DEON D. COLVIN. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(zrtw) (Attachment 1 replaced on 1/25/2024) (zrtw). (Entered: 12/05/2023) ① |

| | | |
|---|---|---|
| | | 1/8/24, and moreover, it is now pending on appeal, therefore, this Court is want of jurisdiction." Signed by Judge Randolph D. Moss on 03/13/2024. (zcb) (Entered: 03/19/2024) |
| 03/20/2024 | 16 | ORDER of USCA as to 7 Notice of Appeal to DC Circuit Court filed by DEON D. COLVIN ; holding case in abeyance pending decision in district court. USCA Case Number 24-7016. (znmw) (Entered: 03/20/2024) |
| 04/25/2024 | 17 | ORDER denying 8 Motion for Leave to Proceed in forma pauperis; denying 10 Motion to Alter Judgment; denying 10 Motion to Amend/Correct; granting 12 Motion for Leave to Proceed in forma pauperis; denying 13 Motion to Alter Judgment; denying 13 Motion to Amend/Correct. Signed by Judge Tanya S. Chutkan on 4/25/2024. (znmw) (Entered: 05/06/2024) |
| 05/06/2024 | 18 | Supplemental Record on Appeal transmitted to US Court of Appeals re 17 Order on Motion for Leave to Proceed in forma pauperis, Order on Motion to Alter Judgment, Order on Motion to Amend/Correct; USCA Case Number 24-7016. (znmw) (Entered: 05/06/2024) |
| 05/07/2024 | 19 | LEAVE TO FILE DENIED- Plaintiff's Motion for Clarification. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice on1/8/2024, and moreover, it is now pending onappeal, therefore, this Court is want ofjurisdiction." Signed by Judge Amit P. Mehta on 5/7/2024. (znmw) (Entered: 05/09/2024) |
| 05/07/2024 | 20 | LEAVE TO FILE DENIED- Plaintiff's Motion to Separate Filings. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice on1/8/2024, and moreover, it is now pending onappeal, therefore, this Court is want ofjurisdiction." Signed by Judge Amit P. Mehta on 5/7/2024. (znmw) (Entered: 05/09/2024) |
| 05/07/2024 | 21 | LEAVE TO FILE DENIED- Plaintiff's Motion to File Corrected Proposed Order. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice on1/8/2024, and moreover, it is now pending onappeal, therefore, this Court is want ofjurisdiction." Signed by Judge Amit P. Mehta on 5/7/2024. (znmw) (Entered: 05/09/2024) |
| 05/07/2024 | 22 | LEAVE TO FILE DENIED- Plaintiff's Motion for Relief from Orders. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice on1/8/2024, and moreover, it is now pending onappeal, therefore, this Court is want ofjurisdiction." Signed by Judge Amit P. Mehta on 5/7/2024. (znmw) (Entered: 05/09/2024) |
| 06/05/2024 | 23 | Amended NOTICE OF APPEAL re appeal 7 by DEON D. COLVIN. (znmw) (Entered: 07/26/2024) |
| 07/15/2024 | 25 | LEAVE TO FILE DENIED- Plaintiff's Supplement to Motion to Amend Judgment. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice and closed on 1/8/2024, and it is on appeal to the D.C. Circuit." Signed by Judge Trevor N. McFadden on 7/15/2024. (znmw) (Entered: 07/29/2024) |
| 07/16/2024 | 26 | LEAVE TO FILE DENIED- Plaintiff's Motion to Amend Judgment and For Leave of Court to Amend Complaint. This document is unavailable as the Court denied its filing. Pro Se party has been notified by first class mail. "Leave to file DENIED. This matter was dismissed with prejudice on 1/8/2024, and his three previous motions for reconsideration and/or to amend complaint, see Motions, ECF Nos. 10, 12, 13, were alldenied on 4/25/24, |

| | | |
|---|---|---|
| | | see Order, ECF No. 17." Signed by Judge Trevor N. McFadden on 07/16/2024. (zmtm) (Entered: 07/29/2024) |
| 07/26/2024 | 24 | Supplemental Record on Appeal transmitted to US Court of Appeals re 23 Amended Notice of Appeal ;USCA Case Number 24-07016. (znmw) (Entered: 07/26/2024) |
| 02/19/2026 | 27 | MANDATE of USCA as to 7 Notice of Appeal to DC Circuit Court filed by DEON D. COLVIN ; USCA Case Number 24-7016. (Attachments: # 1 USCA Order 11/26/2025) (znmw) (Entered: 02/19/2026) |

| PACER Service Center | | | |
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| Transaction Receipt | | | |
| 03/02/2026 11:53:55 | | | |
| **PACER Login:** | dcolvin1 | **Client Code:** | |
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| **Billable Pages:** | 3 | **Cost:** | 0.30 |

# APPENDIX S

**United States District Court of the District of Columbia**
**CIVIL DIVISION**

| | | |
|---|---|---|
| **DEON D. COLVIN** | * | |
| **Plaintiff,** | * | |
| **vs.** | * | **Civil Action No: 23-03485 (UNA)** |
| **DISTRICT OF COLUMBIA COURT OF APPEALS, et. al.** | * | |
| **Defendant.** | * | |

**PLAINTIFF'S SECOND *AMENDED*[1] MOTION TO ALTER OR AMEND JUDGMENT & FOR LEAVE OF COURT TO AMEND COMPLAINT**

Deon D. Colvin ("Plaintiff" or "I"), *in propria persona*, pursuant to Fed R. Civ. P. 5(a)(1)(D), 7(b), and Rule 59 (e) respectfully moves this court under Rule 59 (e) of the Federal Rules of Civil Procedure to alter or amend its judgment entered on January 8, 2024, and for leave to amend complaint, pursuant to Rule 15(a). In support of these motions, Plaintiff states the following:

I. Motion to Alter of Amend Judgment

## FIRST PRELIMINARY STATEMENT

*First*. Plaintiff assumes that the Court has identified all the problems that it sees with his complaint in its Memorandum Opinion, and that if it were not for these issues Plaintiff's complaint would go forward. Thus Plaintiff will address the issues the Court identified in the present motion and explain why the Court is in error, or why the Court's reason for dismissal does not apply to Plaintiff's First Amended Complaint.

[1] Plaintiff amends to: (1) correct grammatical, quotation, and formatting errors; (2) to attach Plaintiff's First Amended Complaint.

## INTRODUCTION TO ARGUMENT

Plaintiff will now address specifically why the Court's decision to dismiss with prejudice was erroneous by examining specific arguments advanced the Court.

## ARGUMENT

### A. Plaintiff's Request for Injunctive Relief is Valid and Justiciable By This Court

The Court observes that "Plaintiff seeks a Permanent Injunction of Defendant's Judgment,"[2] and holds that this is not relief it has the power to grant, as it is a federal court of limited jurisdiction, "possessing only that power authorized by Constitution and statute" and as such, it "lacks jurisdiction to review another Court's decision." *See* Memorandum of Opinion at 1. Plaintiff respectfully asserts that the Court errors here, and *has* the power of injunction against Defendant's Judgment for the same reason it thinks it does not: *it has been given that power by Congress via statute*. Specifically, 42 U.S.C. § 1983- Civil action for deprivation of right reads:

> "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper

[2] A permanent injunction is appropriate when (1) plaintiff has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for the injury; (3) that the remedy in equity is warranted upon consideration of the balance of hardships between the plaintiff and defendant; and (4) that the permanent injunction being sought would not hurt the public interest. Weinberger v. Romero-Barcelo, 456 U.S. 305, 312-313 (1982). Plaintiff's request is quite appropriate considering the *Weinberger* standard *vis a vis* the facts of the case as Plaintiff has incurred irreparable injury to his property rights due to Defendant's refusal of procedural due process; (2) monetary damages may be inadequate to compensate for the injury, which is deprivation of Ph.D. candidacy status; (3) a balance of the hardships between Plaintiff and Defendant demonstrates the hardship is clearly greater for Plaintiff than any hardship the Defendant would incur from an injunction, which would be non-existent or nominal; and (4) the permanent injunction being sought would not hurt the public interest. If anything, the injunction would help the public interest in recognition and protection of Constitutional and statutory rights.

proceeding for redress, except that any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

42 U.S.C. § 1983 clearly provides the court with the power of injunctive relief "in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity," but said relief "shall not be granted unless a declaratory decree was violated or declaratory relief is unavailable." In this matter, a declaratory decree was not violated, while declaratory *relief* is unavailable because a declaratory judgment will not relieve the damages Plaintiff complains of in his complaint. This leaves injunctive relief as a form of equitable relief in this matter, per statute. *See* S. Rep. No. 104-366, at 35-37 (1996)(explaining that injunctive relief is permitted when declaratory relief is inadequate or unavailable). Plaintiff has brought Counts I, II, III, IV, V, VI, VII, VIII, and IX pursuant to this statute, thus making a valid and justiciable request for permanent injunction for Defendant's illegal deprivation of his Constitutional 5th Amendment right to procedural due process (Counts I, III); Defendant's violation of Plaintiff's statutory right to fair proceedings in the security of his property and liberty to make and enforce contracts, pursuant to 42 U.S.C. 1981 (Count II, IV, V, VI); for co-Defendant Judges' "act or omission" of failing to disqualify themselves from proceedings when disqualification was *required* by statute 28 U.S.C. 455(a) (Count VII, Count VIII); and for "injury to his...person or property as a result of intentional acts by co-Defendant Judges that demonstrate their prejudice on the actual or perceived race" of Plaintiff (Count IX), pursuant to District of Columbia Code <u>§ 22-3704. Civil Action</u>, which designates "An injunction" as appropriate relief that can be sought in the civil cause of action the Plaintiff "shall have," and

thus is entitled to bring, "in a court of competent jurisdiction." This U.S. District Court is a "court of competent jurisdiction" for Plaintiff's Count IX, having been granted supplemental jurisdiction "over all other claims that are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution" by Congress under 28 U.S.C. § 1367. Thus if the jury finds Defendant and co-Defendant's liable, this court may impose permanent injunctive relief as a remedy and form of equitable relief in this matter. So actually the Court has been provided the power of injunction *twice* for the claims in this matter, *i.e.,* from 42 U.S.C. §1983 and from D.C. Code § 22-3704.

**The Rooker-Feldman Doctrine**

The Court maintains that *Rooker-Feldman* doctrine prevents it from having jurisdiction in this case, as the doctrine "prevents lower federal courts from hearing cases that amount to the functional equivalent of an appeal from a state court." *See* Memorandum of Opinion at 1. The Court errs here because the *Rooker-Feldman* doctrine does not apply to all cases decided by state high courts. As the Seventh Circuit explained, to see if *Rooker-Feldman* doctrine applies, it first must be determined if the claims made are "inextricably intertwined" with the state court judgment. If they are, then:

> "the court must then determine whether the Plaintiff had a reasonable opportunity to raise the issue in the state court proceedings." Taylor, 374 F. 3d at 533. To establish that there was no reasonable opportunity to raise an issue in state court, a plaintiff must point to "some factor independent of the action of the opposing party that precluded the litigants from raising their federal claims during the state court proceedings." Long, 182 F. 3d at 558. A Plaintiff may then proceed if she can make this showing. Taylor, 375 F. 3d at 533.

An independent factor is,

"Typically, either some action taken by the state court or state court procedures in place have formed the barriers that the litigants are incapable of overcoming in order to present certain claims to the state court." *See* Taylor v. Federal Nat. Mortg. Ass'n, 374 F. 3d 529, 533 (7th Cir. 2004).

*Rooker-Feldman* does not apply for such claims where there was no reasonable opportunity for a hearing at the state court. Hale v. State Farm Mut. Auto. Ins. Co., No. 12-0660-DRH (S.D. Ill. Mar. 28, 2013). Taylor v. Federal Nat. Morg. Ass'n , 374 F. 3d 529, 534 (7th Cir. 2004). If for some reason I was prevented from bringing the claims because of some action taken by the court permitted me from doing so—which is very much the case—such claims are not barred from being heard by this court. Taylor at 533; Hale at 15 ("A Plaintiff may then proceed in federal court if she can make that showing"). So it is here. The issues in the complaint all arose *with the issuance of Defendant's final order.* After reading my petitions, and then deciding to decline to correct, and then issuing the final order, Defendant and co-Defendant's committal of their discriminatory acts was complete and it could be discerned that the acts were intentional, and there was no reasonable opportunity to raise the issues with the Defendant because *there are no procedures that could have involved lawfully sitting judges* after its denial of my petitions for rehearing and rehearing en banc, as they had disqualified themselves from further proceedings by statute (28 USC 455(a)).[3] *See* Plaintiff's First Amended Complaint, Counts VII, VIII, and X (attached).[4] Thus the claims presented here are claims that did not and could not

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[3] Not to mention also by D.C. case law and the D.C. judicial code of conduct. *See* In re M.C. Appellant, 8 A. 3d 1215, 1222 (D.C. 2010) n. 22; and *see* the Court's Code of Judicial Conduct, District of Columbia Court 2018 Edition, Canon 2, Rule 2.11, cmt. [2]("A judge's obligation not to hear or decide matters in which disqualification is required applies regardless of whether a motion to disqualify is filed.").

[4] Furthermore, even if there was the opportunity to be heard it would not past the muster of "reasonable" because with the Court being accused of racial discrimination they could not be

have a "reasonable opportunity" to be heard. Because *Rooker-Feldman* does not apply, this court has original jurisdiction of the case, pursuant to 28 USC § 1331. The court has subject-matter jurisdiction over Plaintiff's injunctive relief claims pursuant to 42 U.S.C. §1983 which allows lawsuits against "every person" who acting "under color of any statute" "subjects, or causes to be subjected, any citizen of the United States...to the deprivation of any rights...secured by the Constitution and laws...shall be liable to the party injured in a court of law, suit in equity, or other proper proceeding for redress...except that any action brought against a judicial officer...injunctive relief shall not be granted unless a declaratory degree was violated or declaratory relief is unavailable." Thus the court erred in invoking Fed. R. Civ. P. 12(h)(3) and dismissing with prejudice. The Court clearly has subject matter jurisdiction in this case and should allow the next step in proceedings, which is Plaintiff's service of his complaint to the Defendant.

**B. Plaintiff's Amended Complaint Does Not Request Monetary Damages**

The Court holds "Plaintiff seeks money damages from the named associate judges" and that dismissal is required "at any time the Court determines that the action seeks monetary relief from an immune defendant. 28 U.S.C. § 1915 (e)." *See* Memorandum of Opinion at 2. This court's dismissal pursuant to 28 U.S.C. § 1915 on the ground that my action seeks monetary relief from an immune Defendant no longer applies because my First Amended Complaint (attached at Exhibit 1) does not seek monetary relief from an immune Defendant.

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impartial judges in such a hearing, which is a requisite for any meaningful opportunity to be heard. "A fundamental requirement of due process is the opportunity to be heard...at a meaningful time and in a meaningful manner." Atherton, 567 F. 3d at 690, quoting Armstrong v. Manzo, 380 U.S. 545, 552 (1965).

## II. Motion for Leave to Amend Complaint

Rule 15(a) allows a party to "amend the party's pleadings once as a matter of course any time before a responsive pleading is filed." Fed. R. Civ. P. 15(a). A party whose complaint has been dismissed with prejudice, if he wishes to amend it, should attach a motion for leave to amend to a Rule 59(e) motion to alter or amend judgment; that is the procedure. Firestone v. Firestone, 76 F. 3d 1205, 1208 (D.C. Cir. 1996).

The Court shall find the Plaintiff's First Amended Complaint attached. *See* Exhibit 1. Plaintiff duly requests leave to amend to file the attached amended complaint.

Dated: February 12th, 2024

**ORAL HEARING REQUESTED**

Respectfully Submitted,

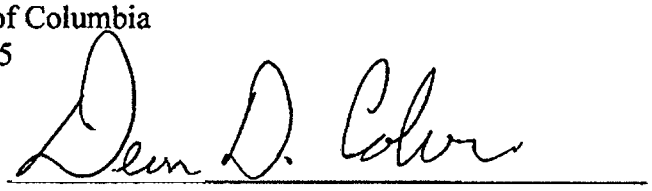
**DEON D. COLVIN**

Plaintiff (*Pro Se*)
743 Fairmont Street, N.W. #211
Washington, D.C. 20001
T: 216-396-8512
E-mail: DeonColvin@aol.com

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, pursuant to Fed. R. Civ. P. 5(a)(1)(D) and Rule 7(b), on this 12th day of February 2024 that Plaintiff presented the foregoing PLAINTIFF'S SECOND *AMENDED* MOTION TO ALTER OR AMEND JUDGMENT & FOR LEAVE OF COURT TO AMEND COMPLAINT in person and filed it with the Court's Clerk at:

United States District Court of the District of Columbia
333 Constitution Avenue, N.W. Room 1225
Washington, DC 20001



Deon D. Colvin –Plaintiff (*Pro Se*)

# APPENDIX T

**United States District Court of the District of Columbia**
**CIVIL DIVISION**

| | | |
|---|---|---|
| **DEON D. COLVIN** | * | |
| | * | |
| **Plaintiff,** | * | |
| | * | |
| **vs.** | * | **Civil Action No: 23-03485 (UNA)** |
| | * | |
| **DISTRICT OF COLUMBIA COURT OF APPEALS, et. al.** | * | |
| | * | |
| | * | |
| **Defendant.** | * | |



**PLAINTIFF'S FOURTH *AMENDED*[1] MOTION TO ALTER OR AMEND JUDGMENT & FOR LEAVE OF COURT TO AMEND COMPLAINT**

Deon D. Colvin ("Plaintiff" or "I"), *in propria persona*, pursuant to Fed R. Civ. P. 5(a)(1)(D), 7(b), and Rule 59 (e) respectfully moves this court under Rule 59 (e) of the Federal Rules of Civil Procedure to alter or amend its judgment entered on January 8, 2024, and for leave to amend complaint, pursuant to Rule 15(a). In support of these motions, Plaintiff states the following:

I. Motion to Alter of Amend Judgment

## FIRST PRELIMINARY STATEMENT

*First.* Plaintiff assumes that the Court has identified all the problems that it sees with his complaint in its Memorandum Opinion, and that if it were not for these issues Plaintiff's complaint would go forward. Thus Plaintiff will address the issues the Court identified in the present motion and explain why the Court is in error, or why the Court's reason for dismissal does not apply to Plaintiff's First Amended Complaint.

[1] Plaintiff amends to address unforeseen (1) grammatical errors, word omissions, and other errors; (2) to attach Plaintiff's First Amended Complaint; (3) to make slight modifications that align with my First Amended Complaint; (4) to make additional requests to the Court.

## INTRODUCTION TO ARGUMENT

Plaintiff will now address specifically why the Court's decision to dismiss with prejudice was erroneous by examining specific arguments advanced by the Court.

## ARGUMENT

### A. Injunctive Relief is Valid and Justiciable By This Court

The Court observes that "Plaintiff seeks a Permanent Injunction of Defendant's Judgment,"[2] and holds that this is not relief it has the power to grant, as it is a federal court of limited jurisdiction, "possessing only that power authorized by Constitution and statute" and as such, it "lacks jurisdiction to review another Court's decision." *See* Memorandum Opinion at 1. Plaintiff respectfully asserts that the Court errors here, and *has* the power of injunction against Defendant's Judgment for the same reason it thinks it does not: *it has been given that power by Congress via statute*. Specifically, 42 U.S.C. § 1983- Civil action for deprivation of right reads:

> "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the

[2] A permanent injunction is appropriate when (1) plaintiff has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for the injury; (3) that the remedy in equity is warranted upon consideration of the balance of hardships between the plaintiff and defendant; and (4) that the permanent injunction being sought would not hurt the public interest. Weinberger v. Romero-Barcelo, 456 U.S. 305, 312-313 (1982). The Court's reason for dismissal no longer applies as Plaintiff's First Amended Complaint (Exhibit 1) does not seek injunction. However, such relief is quite appropriate considering the *Weinberger* standard *vis a vis* the facts of the case as Plaintiff has incurred (1) irreparable injury to his property rights due to Defendant's refusal of procedural due process; (2) monetary damages may be inadequate to compensate for the injury, which is deprivation of Ph.D. candidacy status; (3) a balance of the hardships between Plaintiff and Defendant demonstrates the hardship is clearly greater for Plaintiff than any hardship the Defendant would incur from an injunction, which would be non-existent or nominal; and (4) the permanent injunction being sought would not hurt the public interest. If anything, the injunction would help the public interest in recognition and protection of Constitutional and statutory rights.

deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

42 U.S.C. § 1983 clearly provides the court with the power of injunctive relief "in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity," but said relief "shall not be granted unless a declaratory decree was violated or declaratory relief is unavailable." In this matter, a declaratory decree was not violated, while declaratory *relief* was unavailable because a declaratory judgment would not have relieved the damages Plaintiff complains of in his complaint. This leaves injunctive relief as a form of equitable relief in this matter, per statute. *See* S. Rep. No. 104-366, at 35-37 (1996)(explaining that injunctive relief is permitted when declaratory relief is inadequate or unavailable). Plaintiff has brought Counts I, II, III, IV, V, VI, VII, VIII, IX, and X pursuant to this statute, thus making valid and justiciable a permanent injunction. Counts VII, VIII, and IX, which pertain to violations of 28 USC § 455(a)—while I do not explicitly request such in my First Amended Complaint—allow injunctive relief at the discretion of the judge. *See* Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847, 862 (1988)(Congress allows the judiciary to fashion a remedy for violations of 28 USC 455(a)). Thus if the jury finds Defendant and co-Defendant's liable, this court may impose permanent injunctive relief as a remedy and form of equitable relief in this matter. So actually the Court has been provided the power of injunction for claims in this matter, *i.e.*, from 42 U.S.C. §1983.

**The Rooker-Feldman Doctrine**

The Court maintains that *Rooker-Feldman* doctrine prevents it from having jurisdiction in this case, as the doctrine "prevents lower federal courts from hearing cases that amount to the functional equivalent of an appeal from a state court." *See* Memorandum Opinion at 1. The Court errs here because the *Rooker-Feldman* doctrine does not apply to all cases decided by state high courts. As the Seventh Circuit explained, to see if *Rooker-Feldman* doctrine applies, it first must be determined if the claims made are "inextricably intertwined" with the state court judgment. If they are, then:

"the court must then determine whether the Plaintiff had a reasonable opportunity to raise the issue in the state court proceedings." Taylor, 374 F. 3d at 533. To establish that there was no reasonable opportunity to raise an issue in state court, a plaintiff must point to "some factor independent of the action of the opposing party that precluded the litigants from raising their federal claims during the state court proceedings." Long, 182 F. 3d at 558. A Plaintiff may then proceed if she can make this showing. Taylor, 375 F. 3d at 533.

An independent factor is,

"Typically, either some action taken by the state court or state court procedures in place have formed the barriers that the litigants are incapable of overcoming in order to present certain claims to the state court." *See* Taylor v. Federal Nat. Mortg. Ass'n, 374 F. 3d 529, 533 (7th Cir. 2004).

*Rooker-Feldman* does not apply for such claims where there was no reasonable opportunity for a hearing at the state court. Hale v. State Farm Mut. Auto. Ins. Co., No. 12-0660-DRH (S.D. Ill. Mar. 28, 2013). Taylor v. Federal Nat. Morg. Ass'n , 374 F. 3d 529, 534 (7th Cir. 2004). If for some reason I was prevented from bringing my claims because some action taken by the court permitted me from doing so—which is very much the case—such claims are not barred from being heard by this court. Taylor at 533; Hale at 15 ("A Plaintiff may then proceed in federal court if she can make that showing"). So it is here. The issues in the complaint all arose *with the issuance of Defendant's final order.* After reading my petitions, and then deciding to decline

to correct, and then issuing the final order, Defendant and co-Defendant's committal of their discriminatory acts was complete and it could be discerned that the acts were intentional, and there was no reasonable opportunity to raise the issues with the Defendant because *there are no procedures that could have involved lawfully sitting judges* after its denial of my petitions for rehearing and rehearing en banc, as they had disqualified themselves from further proceedings by statute (28 USC 455(a)).[3] *See* Plaintiff's First Amended Complaint, Counts VII, VIII, and IX (attached).[4] Thus the claims presented here are claims that did not and could not have a "reasonable opportunity" to be heard. Because *Rooker-Feldman* does not apply, this court has original jurisdiction of the case, pursuant to 28 USC § 1331. Thus the court erred in invoking Fed. R. Civ. P. 12(h)(3) and dismissing with prejudice. The Court clearly has subject matter jurisdiction in this case and should allow the next step in proceedings, which is Plaintiff's service of his complaint to the Defendant.

### B. Plaintiff's Amended Complaint Does Not Request Monetary Damages From An Immune Defendant

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[3] Not to mention also by D.C. case law and the D.C. judicial code of conduct. *See* In re M.C. Appellant, 8 A. 3d 1215, 1222 (D.C. 2010) n. 22; and *see* the Court's Code of Judicial Conduct, District of Columbia Court 2018 Edition, Canon 2, Rule 2.11, cmt. [2]("A judge's obligation not to hear or decide matters in which disqualification is required applies regardless of whether a motion to disqualify is filed.").

[4] Furthermore, even if there was the opportunity to be heard it would not past the muster of "reasonable" because with the Court being accused of racial discrimination they could not be impartial judges in such a hearing, which is a requisite for any meaningful opportunity to be heard. "A fundamental requirement of due process is the opportunity to be heard...at a meaningful time and in a meaningful manner." Atherton, 567 F. 3d at 690, quoting Armstrong v. Manzo, 380 U.S. 545, 552 (1965); In re Murchison, 349 U.S. 133, 136-137 (1955)("No man can be judge in his own case.").

The Court holds "Plaintiff seeks money damages from the named associate judges" and that dismissal is required "at any time the Court determines that the action seeks monetary relief from an immune defendant. 28 U.S.C. § 1915 (e)." *See* Memorandum Opinion at 2. This court's dismissal pursuant to 28 U.S.C. § 1915 on the ground that my action seeks monetary relief from an immune Defendant no longer applies because my First Amended Complaint (attached at Exhibit 1) does not seek monetary relief from an immune Defendant.

II. Motion for Leave to Amend Complaint

A party whose complaint has been dismissed with prejudice, if he wishes to amend it, should attach a motion for leave to amend to a Rule 59(e) motion to alter or amend judgment; that is the procedure. Firestone v. Firestone, 76 F. 3d 1205, 1208 (D.C. Cir. 1996).

The Court shall find the Plaintiff's First Amended Complaint attached. *See* Exhibit 1. Plaintiff duly requests leave to file the attached amended complaint.

**C. ADDITIONAL REQUESTS**

For the reasons noted above, Plaintiff prays the Court grants the aforementioned motions and orders the following:

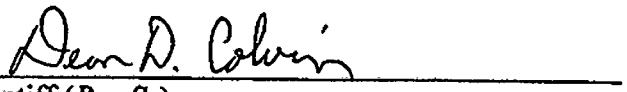
1. The Court shall vacate its January 8, 2024 judgment;
2. The Court GRANTS Plaintiff leave to file the attached First Amended Complaint.
3. A time period for Plaintiff to file and serve the attached First Amended Complaint and Request for Relief to Defendant, pursuant to Fed. R. Civ. P. 4(m).

Dated: March 28th, 2024

**ORAL HEARING REQUESTED**

Respectfully Submitted,

**DEON D. COLVIN**

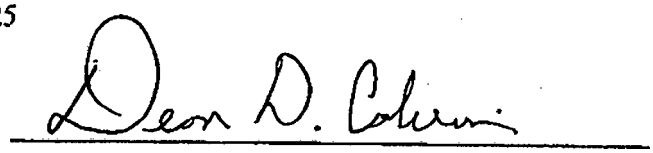


Plaintiff (*Pro Se*)
743 Fairmont Street, N.W. #211
Washington, D.C. 20001
T: 216-396-8512
E-mail: DeonColvin@aol.com

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, pursuant to Fed. R. Civ. P. 5(a)(1)(D) and Rule 7(b), on this 28th day of March 2024 that Plaintiff presented the foregoing PLAINTIFF'S FOURTH *AMENDED* MOTION TO ALTER OR AMEND JUDGMENT & FOR LEAVE OF COURT TO AMEND COMPLAINT (7 page document) in person and filed it with the Court's Clerk at:

United States District Court of the District of Columbia
333 Constitution Avenue, N.W. Room 1225
Washington, DC 20001



Deon D. Colvin –Plaintiff (*Pro Se*)

# APPENDIX U

**United States District Court of the District of Columbia**
**CIVIL DIVISION**



| | | |
|---|---|---|
| **DEON D. COLVIN** | * | |
| | * | |
| **Plaintiff,** | * | |
| | * | |
| **vs.** | * | **Civil Action No: 23-03485 (UNA)** |
| | * | |
| **DISTRICT OF COLUMBIA** | * | |
| **COURT OF APPEALS, et. al.** | * | |
| | * | |
| **Defendant.** | * | |



**PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGMENTS & FOR LEAVE OF COURT TO AMEND COMPLAINT[1]**

Deon D. Colvin ("Plaintiff" or "I"), *in propria persona*, pursuant to Fed R. Civ. P. 5(a)(1)(D), 7(b), respectfully moves this court under Rule 59 (e) of the Federal Rules of Civil Procedure to alter or amend its orders of January 8, 2024 ("Order I") and April 25th, 2024 ("Order II")(collectively "the Judgment") and for leave to amend complaint, pursuant to Rule 15(a). Specifically, Plaintiff moves the Court to vacate the orders and allow Plaintiff to file the attached Amended Complaint. In support of these motions, Plaintiff states the following:

I. Plaintiff Can identify A Basis to Vacate The Court's Dismissal

The Court states that in my motions, Plaintiff has failed to identify a basis to vacate the dismissal of this matter. Plaintiff disagrees and argues that the Court's January 8th order

[1] Plaintiff is *pro se*. Pleadings of *pro se* litigants are provided liberal construction by the Court. Erickson v. Pardus, 55 F. Supp. 2d 7, 11 (2007)(The pleadings of *pro se* parties "[are] to be taken liberally, however inartfully pleaded, and must be held to less stringent standards than formal pleadings drafted by lawyers"); Lemon v. Kramer, 279 F. Supp. 3d 125, 141 (D.D.C. 2017)("Further, a *pro se* Plaintiff's pleadings must be "considered *in toto*" to determine whether they set out allegations sufficient to survive dismissal").

contains legal and factual errors that Plaintiff identified in his motions that are a basis to vacate dismissal. Plaintiff further argues the Court's April 25th order also contains legal and factual errors that that I will identify that are additional bases to vacate the dismissal of this matter. Taken together, it is clear that under the applicable legal standards, namely Rules 59 (e) and 60 (b), Plaintiff succeeds in identifying a basis to vacate the dismissal of this matter.

## II. Case History

On November 20th, 2023 Plaintiff filed his complaint, ECF No. 1. On January 8th, 2024 the Court dismissed the complaint with prejudice, issuing an order, ECF No. 5, accompanied by a Memorandum Opinion, ECF No. 4. On January 25th, 2024 Plaintiff filed a Motion for Missing Complaint Documents To Be Placed on the Docket, ECF No. 6. On February 5th, 2024, Plaintiff filed a motion to alter or amend judgment and to amend complaint, ECF No. 13, a notice of appeal, ECF No. 7, and motion to proceed *in forma pauperis* ("IFP"), ECF No. 8. On February 8th, 2024 Plaintiff filed an amended motion to alter or amend judgment and amend complaint, see ECF No. 12, and an amended motion to proceed *in forma pauperis*, ECF No. 12, which the Court combined the two documents. On February 12th, 2024 Plaintiff submitted a second amended motion to alter or amend judgment and to amend complaint via the Court's depository box (*see* Exhibit 1), that is not docketed and has not been ruled on. On February 13th, 2024 Plaintiff filed a Motion to Strike Pleading (*see* Exhibit 2), that was denied, that is not docketed, ECF No. 15. On February 16th, 2024 Plaintiff filed a third amended motion to alter or amend judgment and amend complaint, ECF No. 10, and a Notice Re: Third Amended Motion to Alter or Amend Judgment & For Leave to Amend Complaint (*see* Exhibit 3), that is not docketed. On February 20th, 2024 Plaintiff filed a Second Motion to Strike Pleading (*see* Exhibit 4), that was denied, that

is not docketed. On February 26th, 2024 Plaintiff filed a Motion for Clarification (*see* Exhibit 5), that was denied, that is not docketed, ECF No. 11. On March 27th, 2024 Plaintiff filed a fourth amended motion to alter or amend judgment and to amend complaint (*see* Exhibit 6), that is not docketed and has not been ruled on. On April 16th, 2024 Plaintiff filed a motion to separate filings, a motion to file a corrected proposed order, and a motion for relief from orders; all were denied, and are not docketed, ECF No. 19, 20, 21, 22. On April 25th, 2024 the court issued an order denying my motion to alter judgment, amended motion to alter judgment, and third amended motion to alter judgment, and granting my amended motion to proceed *in forma pauperis*, ECF No. 17. On May 6th, 2024 the Court filed a Supplemental Record on Appeal that was transmitted to the U.S. Court of Appeals, ECF No. 18. Overall the court did not rule on all my amended motions to alter judgment or docket all my filings, thus it did not take into account all my filings before rendering judgment on subject matter jurisdiction, which is a clear error in its memorandum and orders, ECF Nos. 4, 5 & 17. *See* U.S. v. Richardson, 193 F. 3d 545, 548 (D.C. Cir. 1999)(the District Court should read all *pro se* filings together before dismissing for lack of subject matter jurisdiction). The Court should vacate its judgment because Plaintiff has filed a Rule 59 (e) motion and there is a need to correct this clear error. *See* Firestone v. Firestone, 76 F. 3d. 1205, 1208 (D.C. Cir. 1996) ("A Rule 59 (e) motion...need not be granted unless the court finds that there is....the need to correct a clear error").

Next, in looking at my motions the court avers that I "largely reiterate the same allegations and arguments contained in [my] deficient complaint, ECF No. 1, and the complaint's amendment ECF No.6," but "a motion for reconsideration must address new evidence or errors of law or fact and cannot merely reargue previous factual and legal

assertions" (citations omitted). Order II at 2. This averment is a clear error. First, ECF No. 6 is not a complaint amendment but a motion for the court to insert pages that are missing from the docketed ECF version of my complaint. Second, I did not "reiterate the same allegations and arguments contained in my complaint" in my motions. Rather, I pointed out errors of law in the Court's judgment and presented additional legal arguments and evidence to support my assertion. For example, in my complaint, ECF No. 1, I brought claims I-IX and requested for relief permanent injunction. Compl. at 17. The Court dismissed my claim for injunctive relief on the grounds it is a court of limited jurisdiction having only the power authorized by Constitution and statute and does not have the power to issue an injunction. *See* Memorandum Opinion at 1-2. In my motions, I argue that the Court has the power to issue a permanent injunction because it was given that power by Congress by statute in 42 U.S.C. § 1983. While these motions are "largely the same," there are slight differences and I did not just recite 42 U.S.C. § 1983 in reiteration of my complaint, I also cited the Supreme Court's criteria for permanent injunction and explained, employing said criteria, why a permanent injunction was appropriate in my case. *See* Motion I at n. 2; Motion II at n. 3; Motion III at n. 2. I also cited the Senate Report on 42 U.S.C. 1983--Act No. 104-366 (1996) at 35-37—where the Senate explained *federal judges* may grant injunctive relief against *state judges* under 42 U.S.C. 1983 when declaratory relief was unavailable and if the state judge had not violated a declaratory decree, *see* Motion III at 3. Then I explained injunctive relief applied to my case because a declaratory decree was not violated and declaratory relief was not available. *See* Motion I at 4; Motion II at 4; Motion III at 3. In so doing, I pointed out a clear error of law in the Court's averment that it did not have the power of permanent injunction by marshaling additional evidence. None of

these arguments were made in my complaint. So the Court errs in its assessment of my motions as pure reiterations of allegations and arguments in my complaint, when they were not.

The Court errs with respect to judicial immunity. The Court correctly notes the associate judges are immune from money damages. *See* Memorandum Opinion at 2. However, the Court errs when, while quoting *Caldwell v. Kagan*, it notes that court found district court and court of appeals judges are "absolutely immune from lawsuits...for their official acts." *Id.* First, the *Caldwell* court was referring to *federal judges* when it spoke of absolute immunity from from lawsuits under 42 U.S.C. 1983. The full quote is "Plaintiff's claims against the district and court of appeals judges are patently frivolous because *federal* judges are absolutely immune from lawsuits predicated, as here, for their official acts." *See* Caldwell v. Kagan, 777 F. Supp. 2d. 177, 179 (D.D.C. 2011)(italic added). The associate judges, who are not federal judges but District of Columbia judges who act under color of District of Columbia law, do not have absolute immunity from lawsuit under 42 U.S.C. 1983. They may be sued in their individual (personal) capacity for equitable relief, *i.e.* injunctive relief, for acts done in their official capacities. See 42 U.S.C. 1983; S. Rep. No. 104-366 at 35-37.

The Court also erred when it dismissed with prejudice because Plaintiff requested relief from an immune Defendant. *See* Memorandum Opinion at 3, citing *Jenkins v. Kerry*, and declaring dismissed with prejudice claims subject to the doctrine of judicial immunity. First, the court misapplies *Jenkins* as that court dismissed with prejudice a request for retroactive declaratory relief, which does not apply as my complaint did not seek any such relief. Compl. 17-18; Jenkins v. Kerry, 928, F. Supp. 2d 122, 135 (D.D.C. 2013). Second, dismissal of my *case*

requesting monetary relief from the immune associate judges was warranted pursuant to 28 U.S.C. § 1915, as the court correctly noted, *see* Memorandum Opinion at 2 ("Dismissal is required "at any time" the court determines that the action seeks monetary relief from an immune defendant. 28 U.S.C. § 1915 (e)(2)(B)(iii)"), but the Court's *dismissal of my case with prejudice* was not warranted because the statute does not mandate such and I could reasonably amend my complaint to remove the requested monetary relief. The court's dismissal with prejudice was clear legal error and the legal basis of its dismissal, *Jenkins v. Kerry*, was grounded in a misapplication of the cited case law.

Next, the Court errs when it claims the DCCA is *non sui juris*. This is a factual error because the DCCA has been sued under its own name, and has defended itself, unsuccessfully,- in civil action. *See* Bonnette v. D.C. Court of Appeals, 796 F. Supp. 2d 164, 188 (D.D.C. 2011). The DCCA can be sued under District of Columbia § 22-3704 since it qualifies as a "person," *i.e.*, "any other organization" or "any other group of individuals, however organized" under the statute, similar to how it was sued under the ADA in *Bonette*. *See* D.C. § 22-3701(5); Bonnette, 796 at 179. Furthermore, when a Plaintiff names a Defendant that is *non sui juris*—or put another way fails to name the appropriate *sui juris* Defendant—that is not a cause for dismissal with prejudice. Rather, this is considered a technical pleading error and Plaintiff is allowed to amend to name the appropriate Defendant. *See* Jarrell v. United States Postal Service, 753 F. 2d 1088, 1091 (D.C. Cir. 1985)("the failure of [the] *pro se* litigant to name...the proper defendant does not warrant dismissal of the action with prejudice"). Thus the Court's maintenance of dismissal with prejudice for failure to name the proper Defendant is a legal error.

The Court deems the remainder of my motions consists of "profound misinterpretations of various legal principles, conveniently misapplied in an attempt to circumvent the insurmountable tenets of judicial immunity and the *Rooker Feldman* doctrine." *See* Order II at 3. This averment is a legal error. First, it is erroneous with respect to judicial immunity being an "insurmountable tenet." As noted above, the associate judges do not have absolute immunity to 42 U.S.C. 1983 actions—which applies to Counts VII and VIII in my complaint—and can be sued under the statute for injunctive relief, and under 28 U.S.C. §455 (a) for relief, including vacatur of judgment. *See* Scott v. U.S., 559 A. 2d 745, 754 (D.C. 1989). Second, it is erroneous with respect to *Rooker-Feldman* being an "insurmountable tenet." It is well established that *Rooker Feldman* does not apply to all federal cases involving prior judgments by a state high court. As noted in my motions, *Rooker Feldman* does not apply to the action because there were no procedures available for a reasonable opportunity for Plaintiff's claims to be heard at the state court level, and I applied legal authority. *See* Motion I at 5-6; Motion II at n. 5; Motion III at n. 5. The Court fails to explain *what* legal principles are misapplied, *how* they are misapplied, or provide legal authority to support its assertions.

Furthermore, one final point needs to be made on the issue of *Rooker Feldman*. Once it is established the doctrine does not apply to a matter (or specific claims of a matter) and 28 U.S.C. § 1331 does, the federal district court has jurisdiction over the complaint and the applicable federal law applies to the claims, *i.e.* the claimant has access to the gamut of relief options under applicable law, in this case 42 U.S.C. 1983's injunctive relief provision for his federal claims against the Defendant and Defendant Judges for their deprivations under color of law.

Penultimate, the Court contends it will not allow amendment because of futility. *See* Order II at 3. Plaintiff posits for the reasons noted above, amendment would not be futile. Plaintiff's complaint *can* be amended to present justiciable claims. Plaintiff's complaint either contains justiciable claims or Plaintiff can amend to state justiciable claims applicable to the associate judges or the DCCA under 42 U.S.C. § 1983 and D.C. Code § 22-2704, and thus refusal to allow leave to amend on the ground of futility constitutes legal error, is unwarranted, and is contrary the generous treatment this Court affords *pro se, in forma pauperis* complaints with respect to amendment. *See* Crisalf v. Holland, 655 F. 2d 1305, 1308 (D.C. Cir. 1981)("..a unanimous Supreme Court has admonished that *pro se, in forma pauperis* complaints must be read with tolerance. ***Dismissal is impermissible*** unless the court can say, "with assurance that under the allegations of the pro se complaint, which we hold to less stringent standards than formal pleadings drafted by lawyers, it appears 'beyond doubt that the Plaintiff can prove no set of facts in support of his claim which would entitle him to relief."(citations omitted)(italics, bold and underline added). See Moore v. Agency for Int'l Development, 994 F. 2d. 874, 876-877 (D.C. Cir. 1993)("Pro se litigants are allowed more latitude than litigants represented by counsel to correct defects in pleadings.")("We have long recognized that leave to amend a complaint "shall be freely given when justice so requires."...As we noted in *Wyant*, this principle "would appear to be particularly appropriate when the party seeking to amend is permitted to proceed *in forma pauperis* and, because of his circumstances, does so without benefit of counsel.")("Other circuits agree that leave to amend is particularly appropriate when a plaintiff proceeds *pro se*."); Richardson v. U.S.., 193 f. 3d 545, 559 (D.C. Cir. 1999)("To survive a motion to dismiss for lack of subject matter jurisdiction, a plaintiff is not required to plead facts

sufficient to prove his allegations; rather, a court should only dismiss a complaint for lack of subject matter jurisdiction if "it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." (citation omitted); Conley v. Gibson, 355 U.S. 41, 48 (1957)("The Federal Rules reject the approach that pleading is a game of skill in which one misstep by counsel may be decisive to the outcome and accept the principle that the purpose of pleading is to facilitate a proper decision on the merits.").

So the Court should not dismiss with prejudice, but dismiss without prejudice and point out the area of defect and allow the *pro se, in forma pauperis* litigant an opportunity to amend where amendment could cure the defect, and allow viable claims to proceed. *Cf.* Uzoukwu v. Metropolitan Washington Council of Governments, et. al., 983, F. Supp. 2d. 67, 88-97 (D.C. Cir. 2013).

Finally, this Court claims "under any legal standard, plaintiff has failed to identify a basis to vacate the dismissal of this matter." *See* Order II at 2. Plaintiff posits this is patently incorrect and legal error. Plaintiff, in his motions, as noted above, met the "clear error" standard of Rule 59 (e) and the "errors of law or fact" standard of Rule 60 (b) for motions for reconsideration. Plaintiff respectfully submits the additional legal errors in the court's most recent order identified *supra* as additional reasons its dismissal of the present action with prejudice should be vacated.

## I. Motion for Leave to Amend Complaint

A party whose complaint has been dismissed with prejudice, if he wishes to amend it, should attach a motion for leave to amend to a Rule 59(e) motion to alter or amend judgment; that is the procedure. Rule 15 (a)'s liberal standard for granting leave to amend governs once

the court has vacated judgment. See Firestone v. Firestone, 76 F. 3d 1205, 1208 (D.C. Cir. 1996). Moreover, courts freely grant *pro se* litigants leave to amend. *See* Moore v. Agency for Int'l Dev., 994 F. 2d 874, 877 (D.C. Cir. 1993).

Accordingly, the Court shall find the Plaintiff's Amended Complaint attached. *See* Exhibit 1. Plaintiff duly requests leave to file the attached amended complaint. Plaintiff will now explain specific changes made to the Amended Complaint *vis a vis* the original complaint.

Changes to Amended Complaint

In the Amended Complaint, Plaintiff adds four new Defendants, the District of Columbia and three associate judges of the DCCA—Stephen A. Glickman, Phyllis D. Thompson, and Corrine A. Beckwith—and switches the listing of Defendants to reflect the prominence of the judges in the lawsuit and the fact that the District of Columbia may be the proper Defendant for DCCA's violations. *Kundrat v. District of Columbia*, 106 F. Supp. 2d. 1, 6 (D.D.C. 2000) ("In a...suit against the District of Columbia, only the District of Columbia, and not its departments or agencies, may be the proper Defendant"). Plaintiff avers that, along with the three previously named associate judges, these new Defendant judges—as members of the Court's Quorum who issued the final judgment—also violated Plaintiff's 5th amendment right to due process of law, Plaintiff's statutory right to non-impairment in enforcement of contracts (42 U.S.C. § 1981) and self-representation before the Court (28 U.S.C. § 1654), and Plaintiff's right to impartial jurors in his appeal proceedings (28 U.S.C. § 455 (a)).

Plaintiff increases the counts in the Amended Complaint from nine to eleven. The Amended Complaint has two sections of counts: Section VI which contains federal law counts (Counts I-IX) and Section VII which has District of Columbia law counts (Counts X-XI). The

Statement of Facts has been decreased from thirty-seven (37) down to twenty-five (25), with subtraction of some of the original facts and addition of a few others. The first three Counts are against Defendant DCCA, the next six federal counts are against Defendant Judges and Panel Judges, a subset of Defendant Judges (Counts IV-IX), and the last two District of Columbia Counts are against Defendant DCCA (Count X) and the Panel Judges (Count XI). All counts against Defendant Judges and Panel Judges—Counts V-XI—are prosecuted in their individual (personal) capacities.

The Exhibits section has decreased in number from six to four—former Exhibits 2 and 3 have been removed. Exhibit 1 only contains the cover sheet for Defendant's Opinion; the Opinion itself. New federal claims pertaining to 28 U28 U.S.C. § 1654 have been added. The focus of the complaint is Defendant and Defendant Judges' discriminatory classification of me as counsel.

Finally, Plaintiff has amended his claim for relief, removing requests for permanent injunction, monetary damages against the associate judges, treble damages, costs, interest and attorney's fees. Remaining are requests for monetary damages from the District of Columbia and DCCA . There is an increased emphasis on lawful relief at the discretion of the Court. These changes reflect the fact that District of Columbia is liable for monetary damages under 42 U.S.C. §1983, DCCA is liable for monetary damages under D.C. Code § 22-3704, and the fact that Congress has given the judiciary the power to fashion relief for violations of 28 U.S.C. § 455 (a). *See* Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847, 862 (1988).

**A. CONCLUSION**

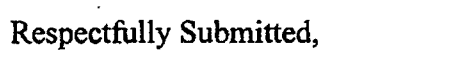
For the reasons noted above, Plaintiff prays the Court grants the aforementioned motions and orders the following:

1. The Court shall vacate its January 8, 2024 and April 25th, 2024 orders;
2. The Court GRANTS Plaintiff leave to file the attached Amended Complaint;
3. A time period for Plaintiff to file and serve the attached Amended Complaint to Defendants, pursuant to Fed. R. Civ. P. 4(m).

Dated: June 3rd, 2024

Respectfully Submitted,

**DEON D. COLVIN**

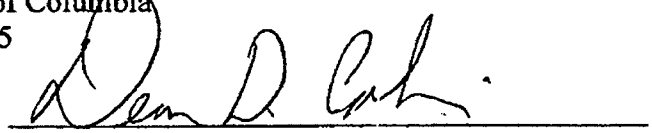


Plaintiff (*Pro Se*)
743 Fairmont Street, N.W. #211
Washington, D.C. 20001
T: 216-396-8512
E-mail: DeonColvin@aol.com

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that, pursuant to Fed. R. Civ. P. 5(a)(1)(D) and Rule 7(b), on this 3rd day of June 2024 that Plaintiff presented the foregoing **PLAINTIFF'S MOTION TO ALTER OR AMEND JUDGMENTS & FOR LEAVE OF COURT TO AMEND COMPLAINT** (12 page document) in person and filed it with the Court's Clerk at:

United States District Court of the District of Columbia
333 Constitution Avenue, N.W. Room 1225
Washington, DC 20001



Deon D. Colvin –Plaintiff (*Pro Se*)

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 10th, 2026, as required by Supreme Court Rule 29 I have served the enclosed **MOTION FOR JUDICIAL NOTICE AND LEAVE TO SUPPLEMENT THE APPENDIX** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRET PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 10th, 2026 Deon D. Colvin (Signature)

# APPENDIX G

"Appendix G"

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE: DEON D. COLVIN —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 16th, 2026, as required by Supreme Court Rule 29 I have served the enclosed **MOTION TO POSTPONE CONFERENCE** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 16th, 2026 Deon D. Colvin (Signature)

No. 25-6639

IN THE SUPREME COURT OF THE UNITED STATES

IN RE: DEON D. COLVIN –PETITIONER

**********

**MOTION TO POSTPONE CONFERENCE**

**********

To the Honorable Justices of the Supreme Court:

Pursuant to Supreme Court Rule 21, Petitioner, appearing *pro se*, respectfully moves this Court to postpone the conference currently scheduled for **Friday, March 20, 2026** until such time as the Petitioner's previously filed motions are properly docketed and distributed to the Justices for consideration.

**STATEMENT OF FACTS**

1. Petitioner filed **MOTION FOR JUDICIAL NOTICE AND LEAVE TO SUPPLEMENT THE APPENDIX** and **MOTION FOR LEAVE TO FILE A SECOND SUPPLEMENTAL BRIEF** on March 10, 2026
2. As of the date of this filing, the motions do not appear on the Court's docket.
3. Petitioner has made diligent efforts to ensure these filings were received and processed, including numerous calls to the Clerks office on **Thursday March 12, Friday March 13**, and **Monday March 16**, inquiring about the status of the motions and requesting the assistance of management officials.
4. Without the docketing and consideration of these motions, Petitioner will suffer irreparable harm, as the Justices will not have: (1) a complete record of the case, which includes the full text of the Rule 59 (e) motions that were filed in the District Court, (2) Petitioner's

request for judicial notice of adjudicative facts, (3) knowledge of additional proceedings that have occurred since the filing of Petitioner's first supplemental brief on February 17, 2026, (3) Petitioner's arguments regarding the impact of the additional proceedings on the Petition, and (4) a full listing the relief requested

**ARGUMENT**

Petitioner seeks this delay to ensure the integrity of the judicial process. A conference held on an incomplete record violates the principles of fairness and prevents the Court from fully evaluating the merits of the case. "Good cause" exists here because the administrative delay in docketing is beyond Petitioner's control.

**CONCLUSION**

For the reasons stated above, Petitioner prays the Court grants this motion.

**ATTEMPT TO CONTACT RESPONDENTS**

On March 16, 2026 date, Petitioner contacted Caroline Zile, Counsel for Respondent District of Columbia et al. at caroline.vanzile@dc.gov and Clifton Cislak, Clerk for Respondent District of Columbia Circuit Court of Appeals at ecfhelp@cadc.uscourts.gov to get Respondents' positions on this motion. As of filing, no response was provided so Petitioner does not know if Respondents oppose or consent to the motion.

This motion is being made on the 16th day of March 2026.

Respectfully Submitted,

**DEON D. COLVIN**

Deon D. Colvin

Petitioner (*Pro Se*)
743 Fairmont Street, N.W. #211
Washington, D.C. 20001
T: 216-396-8512
E-mail: DeonColvin@aol.com

# APPENDIX H

"Appendix H"

DEON COLVIN
743 FAIRMONT ST NW APT 211
WASHINGTON DC 20001-3864

USPS TRACKING # USPS Ship

9205 5902 2008 6408 8116 02

UNITED STATES POSTAL SERVICE

PRIORITY MAIL

MEDIUM FLAT RATE BOX

TRACKED • INSURED

# APPENDIX I

"Appendix I"

ALERT: AN UNEXPECTED INCIDENT AT THE LA GUARDIA AIRPORT IN EAST ELMHURST, NY A...

# USPS Tracking®

FAQs >

Remove X

Tracking Number:

**9205590220086408811602**

Copy  Add to Informed Delivery (https://informeddelivery.usps.com/)

## Latest Update

Your item was delivered in or at the mailbox at 1:15 pm on March 21, 2026 in WASHINGTON, DC 20001.

---

**Get More Out of USPS Tracking:**

**USPS Tracking Plus®**

Feedback

### Delivered

**Delivered, In/At Mailbox**

WASHINGTON, DC 20001
March 21, 2026, 1:15 pm

**Out for Delivery**

WASHINGTON, DC 20001
March 21, 2026, 7:45 am

**Arrived at Post Office**

WASHINGTON, DC 20018
March 21, 2026, 7:34 am

**Arrived at USPS Regional Facility**

WASHINGTON DC DISTRIBUTION CENTER
March 20, 2026, 10:04 pm

**Accepted at USPS Origin Facility**

WASHINGTON, DC 20543

March 20, 2026, 8:49 pm

**Shipping Label Created, USPS Awaiting Item**
WASHINGTON, DC 20543
March 20, 2026, 10:43 am

**Hide Tracking History**

**What Do USPS Tracking Statuses Mean? (https://faq.usps.com/s/article/Where-is-my-package)**

**Text & Email Updates**

**USPS Tracking Plus®**

**Product Information**

**See Less**

Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**

# APPENDIX J

"Appendix J"

8:29 C • 5GUC

+1 202-863-1004

Incoming call
Mar 18, 4:19 PM 3min 58sec

Outgoing call HD
Mar 18, 4:23 PM

Call Video call Message

8:20

1 202-479-3011

Outgoing call
Mar 20, 12:33 PM
3sec

Outgoing call
Mar 20, 12:35 PM
2min 53sec

Call
Video call
Message

8:21 C • 5GUC

1 202-479-3011

Outgoing call HD
Mar 20, 11:04 AM

5sec

Call

Video call

Message

8:22 C • 5GUC

1 202-479-3011

Outgoing call HD
Mar 19, 1:55 PM

6min 35sec

Call

Video call

Message

8:27 C 5GUC

1 202-479-3011

Outgoing call HD
Mar 19, 10:21 AM

1min 49sec

Call

Video call

Message

8:27 5GUC

1 202-479-3011

Outgoing call HD
Mar 19, 9:12 AM

1min 39sec

Call

Video call

Message

8:23 C 5GUC

1 202-479-3029

Outgoing call HD
Mar 20, 10:09 AM

55sec

Call

Video call

Message

8:27 5GUC

1 202-479-3029

Outgoing call HD
Mar 19, 1:32 PM

1min 4sec

Call

Video call

Message

# APPENDIX K

"Appendix K"

9589 0710 5270 3753 3959 87

**U.S. Postal Service™**
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No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 21, 2026, as required by Supreme Court Rule 29 I have served the enclosed **LETTER TO SCOTT S. HARRIS, CLERK OF THE SUPREME COURT RE: ADMINSTRATIVE COMPLAINT REGARDING CLERK'S OFFICE CONDUCT, FOR CASE NOS. 25-6639 AND 25A918** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2026 Deon D. Colvin (Signature)

**Deon Colvin**
**743 Fairmont Street, NW #211**
**Washington, D.C. 20001**
**deoncolvin@aol.com**

March 21, 2026

Hon. Scott S. Harris, Clerk of the Supreme Court
1 First Street, NE
Washington D. C. 20543

**Re: Administrative Complaint Regarding Clerk's Office Conduct**
**Case Name: In Re: Deon D. Colvin**
**Docket Numbers: 25-6639, 25A918**

Dear Clerk of the Court:

I am writing to formally report a series of significant procedural and administrative failures by the Clerk's Office that have severely hindered my ability to proceed with my case and access the Court.

The purpose of this letter is to bring these specific issues to your attention for immediate corrective action:

- **Failure to File Documents**: Despite timely submission, my motions have not been filed or docketed. These are as follows: Motion to Postpone Conference (25-6639), filed March 16th, 2026; Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay (25A918), filed March 13, 2025; Motion for Judicial Notice And Leave to Supplement the Appendix (25-6639), filed March 10, 2026; Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate (25A918), filed February 12, 2026. Furthermore, the office has failed to file the Proof of Service I provided for Motion for Leave to File A Second Supplemental Brief, filed on March 10, 2026, and docketed on March 18, 2026.

- **Lack of Communication**: My repeated phone calls and emails have gone unreturned. These are as follows: phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 12:33pm on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 9:38 am on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 1:55 p.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 10:21 a.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 9:12 a.m. on 3/19/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 10:09 a.m. on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 1:32 p.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 10:07 a.m. on 3/20/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:03 a.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:45 a.m. on 3/9/26; phone call and voice mail message, that included a request to speak with a supervisor to 202-479-3027 (Robert Meek) at 1:55pm on 3/18/26.

- **Incorrect Information: On 3/18/26, I was told by Jackie, a staff member in Clerk's office that my** Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay **was received by the Clerk's Office and would be docketed; On 3/18/26, I was told by Kennedy, a staff member in the Clerk's Office, that my Proof of Service for** Motion for Leave to File A Second Supplemental Brief **is docketed; neither is the case.**

- **Refusal to Name Supervisor and to Provide the Reason Why, And Abrupt Ending of Phone Call**: On 3/18/26, I spoke with Kennedy, a staff member in the Clerk's Office, I asked Kennedy for the name of her supervisor, she refused to provide the information; I then asked her why she would not provide the information, and she refused to answer and abruptly ended the phone call.

- **Holding of Motion for A Long Time Before Notification: On 3/12/26, I was told by Jackie, a staff member in the Clerk's Office, that my** Motion for Judicial Notice And Leave to Supplement the Appendix and Motion for

Leave to File A Second Supplemental Brief, that I filed on March 10, had been received by the Clerk's Office and was on the appropriate person's desk. On March 13, I was told by Kennedy that the filings were under review. On March 16, I was told by Sara Simmons that Kyle Ratliff had the filings and that he knew my petition for writ of mandamus was scheduled for March 20 conference. Nonetheless, I was not informed until March 18 at 4:20pm that my motion for judicial notice was rejected. The Clerk's office had my filings for 6 days before notification of rejection, and the notification came so late that I could not respond before the Court's conference. Subsequent phone calls and voice mail messages to Mr. Ratliff on 3/19 and 3/20 about the rejection and a request to have the rejection examined by a management official were not returned.

- **Refusal to Respond to Requests for Assistance from Management and Supervisors**: emails and phone calls to the Clerk's Office, Robert Meek and Kyle Ratliff wherein I requested to speak with Susan Frimpong or other management officials about my submissions were not returned. On March 13, my requests in two phone calls to speak with Susan Frimpong about my Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate were met with Ms. Frimpong relaying a message to Kennedy that was supposed to answer my question. My subsequent inquiry into whether Ms. Frimpong was still going to call me was denied, saying my question had been answered.

- **Denial of Information on How to File A Complaint**: On March 6, 2026, when I inquired to Susan Frimpong about the proper procedure for filing an administrative complaint regarding service issues I had been having with Sara Simmons and the Clerk's Office not returning calls, and service that I got from Sara Simmons where she did not initially see to it that my filing issue was resolved, Susan Frimpong did not provide any guidance or information on the process, or even tell me about the process that all complaints must be filed with the Clerk; rather, she told me there was no process for filing a complaint.

All of these actions took place while I had a pending petition for writ of mandamus that the Court had scheduled for conference on March 20, 2026. These actions created a barrier to my legal proceedings and suggest a lack of

adherence to standard court protocols. I am including a detailed record of these interactions in my upcoming Motion for Rehearing to ensure the Justices are aware of these obstacles that prejudiced my case.

I respectfully request a thorough review of my file to ensure all submitted documents are properly docketed and that the missing Proof of Service is filed immediately. I also ask for a written explanation regarding the refusal of staff to provide management contact information, docket my filings, answer my phone calls and emails, and relay my phone calls to management.

Thank you for your prompt attention to this serious matter.

I have also attached a log of phone interactions for your review.

Sincerely,

Deon D. Colvin

Deon D. Colvin, Petitioner

**Log of Phone Interactions**

| Date | Time | Interaction |
|---|---|---|
| 3/18/26 | 4:19PM | Kennedy tells me my **Proof of Service** For Motion for Leave to File a Second Supplemental Brief is docketed; Kennedy tells me my Motion for Judicial Notice and for Leave to File Supplemental Appendix was rejected, asked me if I wanted to Have the motion returned or put with Justices' folder; I requested to see the rejection notice, this was refused; I told her I could not decide without seeing the reason in writing; she was going to transfer me to Mr. Ratliff. I asked who is her supervisor, she refused to tell me I asked her why she would not tell me, she refused to answer why and abruptly ended the call. |
| 3/18/26 | 2:08PM | Jackie tells me my Motion for Leave to File Supplemental Material in Support Of Renewed Application for Stay was received and will be docketed; she says she does not see the Motion to Postpone Conference. |
| 3/16/26 | 11:50AM | Sara Simmons tells me my Motion for Leave to file A Second Supplemental Brief and Motion for Judicial Notice and for Leave to file a Supplemental Appendix are with Kyle Ratliff who Is aware the conference for my case is on March 20th and all filings that conform with the SCOTUS Rules will be docketed. |

| | | |
|---|---|---|
| 3/13/26 | 4:16PM | Kennedy tells me Ms. Frimpong said My motion is with the Chief Justice that is why it is not docketed; I asked if Ms. Frimpong is going to speak to me, she said no, that my answer had been provided; I asked how can I I make sure that it will be a part of my Renewal Application to Justice Sotomayer; she told me Robert Meek would call me on Monday. |
| 3/13/26 | 12:08PM | Kennedy tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix are under review. |
| 3/12/26 | 4:48PM | Jackie tells me my Letter to Renew Application for Stay was received in the Clerk's Office. |
| 3/12/26 | 3:21PM | Jackie tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix was received in the Clerk's office and is on the appropriate person's desk. |
| 3/6/26 | 11:12AM | I tell Ms. Frimpong that I make calls to the Clerk's office and they are not returned; Ms. Frimpong tells me there is no complaint process; that I could not have my case analyst changed; that she would inform Sara Simmons to return my phone calls as I have a pending petition; that my Feb 12 motion is with |

with the Chief Justice.

# APPENDIX L

"Appendix L"

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No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

IN RE: DEON D. COLVIN —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 30th, 2026, as required by Supreme Court Rule 29 I have served the enclosed **AMENDED LETTER TO SCOTT S. HARRIS, CLERK OF THE SUPREME COURT RE: ADMINSTRATIVE COMPLAINT REGARDING CLERK'S OFFICE CONDUCT, FOR CASE NOS. 25-6639 AND 25A918** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 30th, 2026 Deon D. Colvin (Signature)

**Deon Colvin**
**743 Fairmont Street, NW #211**
**Washington, D.C. 20001**
**deoncolvin@aol.com**

March 30, 2026

Hon. Scott S. Harris, Clerk of the Supreme Court
1 First Street, NE
Washington D. C. 20543

**Re: Amended[1] Administrative Complaint Regarding Clerk's Office Conduct**
**Case Name: In Re: Deon D. Colvin**
**Docket Numbers: 25-6639, 25A918**

Dear Clerk of the Court:

I am writing to formally report a series of significant procedural and administrative failures by the Clerk's Office that have severely hindered my ability to proceed with my case and access the Court.

The purpose of this letter is to bring these specific issues to your attention for immediate corrective action.

- **Failure to Docket Filings**: Despite timely submission, my motions have not been docketed. These are as follows: Motion to Postpone Conference (25-6639), filed March 16th, 2026; Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay (25A918), filed March 13, 2025; Motion for Judicial Notice and Leave to Supplement the Appendix (25-6639), filed March 10, 2026; Emergency Application for Leave to Supplement Pending Emergency Application for Stay of Mandate (25-6639),

[1] This letter is amended from the original letter sent by Certified Mail on March 21, 2026 to include events that have occurred since the original letter that have bearing on the captioned cases, and to include the history of unresponsiveness that I have experienced from the Clerk's Office since the filing of my Petition for Writ of Mandamus (case no. 25-6639).

filed February 12, 2026. Furthermore, the office has failed to docket the Proof of Service I provided for my Motion for Leave to File A Second Supplemental Brief, filed on March 10, 2026, and docketed on March 18, 2026.

- **Lack of Communication**: My repeated phone calls and emails have gone unreturned. These are as follows: phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 12:33pm on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 9:38 am on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 1:55 p.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 10:21 a.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 9:12 a.m. on 3/19/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 10:09 a.m. on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 1:32 p.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 10:07 a.m. on 3/20/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:03 a.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:45 a.m. on 3/9/26; phone call and voice mail message, that included a request to speak with a supervisor to 202-479-3027 (Robert Meek) at 1:55pm on 3/18/26.

- **Incorrect Information: On 3/18/26, I was told by Jackie, a staff member in the Clerk's office that my** Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay **was received the Clerk's office and would be docketed; On 3/18/26, I was told by Kenney, a staff member in the Clerk's Office, that my Proof of Service for** Motion for Leave to File A Second Supplemental Brief *is* **docketed; neither is the case.**

- **Refusal to Name Supervisor and to Provide the Reason Why, And Abrupt Ending of Phone Call**: On 3/18/26, I spoke with Kennedy, a staff member in the Clerk's Office. I asked Kenney for the name of her supervisor, she refused to provide the information; I then asked her why she would not

provide the information, and she refused to answer and abruptly ended the phone call.

- **Holding of Motion for A Long Time Before Notification**: On 3/12/26, I was told by Jackie, a staff member in the Clerk's Office, that my Motion for Judicial Notice and Leave to Supplement the Appendix and Motion for Leave to File A Second Supplemental Brief, that I filed on March 10, had been received by the Clerk's Office and was on the appropriate person's desk. On March 13, I was told by Kennedy that the filings were under review. On March 16, I was told by Sara Simmons that Kyle Ratliff had the filings and that he knew my petition for writ of mandamus was scheduled for March 20 conference. Nonetheless, I was not informed until March 18 at 4:20pm that my motion for judicial notice was rejected. The Clerk's office had my filings for 6 days before notification of rejection, and the notification came so late that I could not respond before the Court's conference. Subsequent phone calls and voice mail messages to Mr. Ratliff on 3/19 and 3/20 about the rejection and a request to have the rejection examined by a management official were not returned.

- **Refusal to Respond to Requests for Assistance from Management and Supervisors:** emails and phone calls to the Clerk's Office, and to deputy clerks Robert Meek and Kyle Ratliff, wherein I requested to speak to Susan Frimpong or other management officials about my submissions were not returned. On March 13, my requests in two phone calls to speak with Susan Frimpong about my Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate were met with Ms. Frimpong relaying a message to Kennedy that was supposed to answer my question. My subsequent inquiry into whether Ms. Frimpong was still going to call me was denied, saying my question had been answered. This denial effectively stopped my attempt at assistance from a management official. Subsequent messages left at 202-479-3011 requesting to speak to Ms. Frimpong were not returned.

- **Denial of Information on How to File a Complaint**: On March 6, 2026, when I inquired to Susan Frimpong about the proper procedure for filing an administrative complaint regarding service issues I had been having with Sara Simmons and the Clerk's office not returning phone calls, and service

that I got from Sara Simmons where she did not initially see to it that my Petition was properly docketed , Susan Frimpong did not provide any guidance or information on the process, or even tell me about the process that all complaints must be filed with the Clerk; rather, she told me there was no process for filing a complaint.

All of these actions took place while I had a pending petition for writ of mandamus that the Court had scheduled for conference on March 20, 2026. These actions created a barrier to my legal proceedings and suggest a lack of adherence to standard protocols. I am including a detailed record of these interactions in my upcoming Motion for Rehearing to ensure the justices are aware of the obstacles that prejudiced my case.

Since March 20, 2026, and after the mailing of my original letter to you on March 21, 2026, I have continued to experience significant procedural and administrative failures and unresponsiveness from the Clerk's Office and staff members Kyle Ratliff and Robert Meek; also, I received the rejection letter for my Motion for Judicial Notice and Leave to Supplement the Appendix and I have become aware of conduct by Kyle Ratliff that severely hindered my ability to proceed with my case and access the Court. These are as follows.

- **Misapplication of Rule 15.8 & Failure to Return Copies of the Motion**: Deputy Clerk Kyle Ratliff misapplied Rule 15.8 in rejecting my Motion for Judicial Notice And Leave to Supplement the Appendix. The motion was correctly filed under Rule 21 and should have been docketed accordingly. Moreover, Mr. Ratliff, or whomever is responsible for sending the rejection letter, sent the rejection letter in a USPS box with the original motion. **Thus, I did not receive the 10 copies of the motion I submitted along with the original motion and Proof of Service.** My phone calls to the Clerk's office on 3/23, 3/24, 3/25, 3/26/ and 3/27 and to Kyle Ratliff on 3/24 and 3/27 requesting to know why the 10 copies of the motion were not returned and requesting to speak to a management official about the handling of the motion were not returned. The entire story of what occurred with this motion is as follows. I hand delivered the motion to the security booth on March 10. I was informed on March 12 by Jackie that it was received in the Clerk's Office. On March 13, Kennedy told me it was under review. On March 16, Sara Simmons told me it was on the desk of Kyle Ratliff and that he was aware the conference for my petition was on March 20. I was informed the motion was rejected on March 18 at

4:21p.m by Kennedy, who said she was going to transfer me to Mr. Ratliff. I requested the reason for the rejection be sent to me in writing. She did not say that would occur. I asked her why not, and she did not give a reason. She asked me what I wanted to do with the motion, have it returned or put it in my file. I told her that I did not want to make a decision until I had in writing why the motion was rejected. I asked who is her supervisor and she refused to tell me. I asked her why should could not tell me and she said she answered all my questions and abruptly ended the phone call. On March 19, 2026 I made three calls to the Clerk's Office and one call to Mr. Ratliff that was not returned. On March 20, 2026, I made two calls to the Clerk's Office and one call to Mr. Ratliff that was not returned. On March 21, 2026 I received the rejection letter along with my original motion. From March 23-March 27,2026 my phone calls to the Clerk's office and Mr. Ratliff inquiring about the 10 copies of my motion were not returned.

- **Lack of Communication Continues**: As noted above, I made phone calls to the Clerk's Office (202-479-3011) on March 23, 24, 25, 26, and 27, 2026 that went unreturned. In those phone calls I requested to know the status of my undocketed Proof of Service for my Motion for Leave to File A Second Supplemental Brief, my undocketed Motion to Postpone Conference (25-6639), filed March 16th, 2026; my undocketed Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay (25A918), filed March 13, 2025; the whereabouts of the 10 copies submitted for my Motion for Judicial Notice And Leave to Supplement the Appendix (25-6639), filed March 10, 2026; and requested docketing or written notification regarding the status of my Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate (25A918), filed February 12, 2026. I also made phone calls and left voice mail messages with Kyle Ratliff (202-479-3029) on 3/27/26 at 10:56 a.m. and 3/24/26 at 3:31 p.m. about the 10 copies of the Motion for Judicial Notice And Leave to Supplement the Appendix that were not returned and requested to speak to his supervisor about the handling of the motion. I also made phone calls and left voice messages with Robert Meek (202-479-3027) on 3/27/26 at 11:01 am and 3/24/26 at 3:34p.m., and emails at rmeek@supremecourt.gov on 3/27/26 at 1:59 p.m. and 3/24/27 at 3:50 p.m. requesting information on my undocketed Motion for Leave to File Supplemental Material in Support of Renewed Application for

Stay and Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate. I also requested to know why I was not given credit for the original date that I submitted my renewal application for stay (case no. 25A918), which was February 27, 2026, as he said I would get. I requested to speak to his supervisor about the handling of these motions. My phone calls and emails to Mr. Meek were not returned.

- **There Has Been A History of Unresponsiveness By Clerk's Office**: Finally, I want you to know that my problems with unresponsiveness from the Clerk's Office began with the docketing of my Petition for Writ of Mandamus. The Petition was docketed on January 21, 2026 with the "Appendix A" page filed under the Petition. I called the Clerk's Office (202-479-3011) to have this corrected on January 26, 27, and 28 and specifically mentioned this error and my calls were not returned. On February 17, 2026 I filed a Motion for Leave to File An Amended Index to Appendices & A Supplemental Brief that included a proposed amended index of appendices and a proposed supplemental brief. On February 20, 2026, when I called to see if the motion was received, I received a call back from a staffer saying it had not been received; I requested to the staffer who returned my call to have my case analyst (Sara Simmons) call me, and my call was not returned. On or about February 23, 2026, the proposed supplemental brief was filed, but the proposed amended appendix was not. On February 23, February 27, 2026, and March 3, 2026, I called, requesting information on why my the motion and the proposed amended index to appendix was not docketed. My phone calls were not returned. On March 6, 2026, I spoke to Sara Simmons. She said she would have the misfiling of the "Appendix A" page fixed. It was not fixed and I had to call back. This call back led to me talking with Susan Frimpong for over 30 minutes about my phone calls not being returned. Ms. Frimpong said she would tell Ms. Simmons to be sure to return my phone calls as I had a Petition pending. On March 9, 2026 I called and left a voice mail message; my call was not returned by Ms. Simmons or anyone else. On March 19 and March 20, 2026, I called Clerks Office (202-479-3011) a total of five times in those two days, and my calls were not returned by Ms. Simmons or anyone else.

This history of unresponsiveness and administrative failure has impeded my access to the Court and harmed my presentation of my case. I have been

unable to check on the status of filings, and shepherd my case for presentation to the justices. As things stand today, I cannot file anything in the Supreme Court. If I do, it will not be docketed or reach the justices for their consideration. I write this letter in complaint with the hope that you will investigate and put an end to these failures and inform the justices of these failures as well.

These failures are unacceptable. I have made a lot of filings with the Supreme Court, and anticipate making many more filings in the future. **As part of my complaint, I am requesting a new case analyst (replacing Sara Simmons), a new case analyst manager (other than Susan Frimpong), and that Robert Meek and Kyle Ratliff do not handle any future submissions that I make to this Court. The conduct of these individuals has not only been unacceptable, but subversive.**

I also ask for a written explanation regarding the refusal of the staff to provide management contact information, docket my filings, answer my phone calls and emails, and relay my phone calls to management. Finally, I request all filings be docketed or a formal rejection letter and return of all filings (including copies) that are not in compliance with court rules.

Thank you for your prompt attention to this serious matter.

In addition to the log of phone interactions that accompanied my original, I attach Exhibit 1, which contains my unreturned phone calls and emails to the Clerk's Office from Feb 20, 2026 to March 27, 2026, which is as far back as I can presently retrieve from my phone.

Proof of Service is attached.

Sincerely,

Deon D. Colvin

Deon D. Colvin, Petitioner

**Log of Phone Interactions**

| Date | Time | Interaction |
|---|---|---|
| 3/18/26 | 4:19PM | Kennedy tells me my **Proof of Service** For Motion for Leave to File a Second Supplemental Brief is docketed; Kennedy tells me my Motion for Judicial Notice and for Leave to File Supplemental Appendix was rejected, asked me if I wanted to Have the motion returned or put with Justices' folder; I requested to see the rejection notice, this was refused; I told her I could not decide without seeing the reason in writing; she was going to transfer me to Mr. Ratliff. I asked who is her supervisor, she refused to tell me I asked her why she would not tell me, she refused to answer why and abruptly ended the call. |
| 3/18/26 | 2:08PM | Jackie tells me my Motion for Leave to File Supplemental Material in Support Of Renewed Application for Stay was received and will be docketed; she says she does not see the Motion to Postpone Conference. |
| 3/16/26 | 11:50AM | Sara Simmons tells me my Motion for Leave to file A Second Supplemental Brief and Motion for Judicial Notice and for Leave to file a Supplemental Appendix are with Kyle Ratliff who Is aware the conference for my case is on March 20th and all filings that conform with the SCOTUS Rules will be docketed. |

| | | |
|---|---|---|
| 3/13/26 | 4:16PM | Kennedy tells me Ms. Frimpong said My motion is with the Chief Justice that is why it is not docketed; I asked if Ms. Frimpong is going to speak to me, she said no, that my answer had been provided; I asked how can I I make sure that it will be a part of my Renewal Application to Justice Sotomayer; she told me Robert Meek would call me on Monday. |
| 3/13/26 | 12:08PM | Kennedy tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix are under review. |
| 3/12/26 | 4:48PM | Jackie tells me my Letter to Renew Application for Stay was received in the Clerk's Office. |
| 3/12/26 | 3:21PM | Jackie tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix was received in the Clerk's office and is on the appropriate person's desk. |
| 3/6/26 | 11:12AM | I tell Ms. Frimpong that I make calls to the Clerk's office and they are not returned; Ms. Frimpong tells me there is no complaint process; that I could not have my case analyst changed; that she would inform Sara Simmons to return my phone calls as I have a pending petition; that my Feb 12 motion is with |

with the Chief Justice.

# EXHIBIT 1

## Undocketed Motions for Case 25A918/Renewal Application

From: deoncolvin@aol.com (deoncolvin@aol.com)

To: rmeek@supremecourt.gov

Date: Friday, March 27, 2026 at 01:59 PM EDT

Greetings Mr. Meek,

This is Deon Colvin. This email is a follow up to the voice mail message I left on your phone today for case no. 95A918. In that message, I requested that you provide information on my Motion for Leave to File Supplemental Material In Support of Renewed Application for Stay, filed on March 13, 2026 and my Emergency Application for Leave to Supplement My Emergency Application for A Stay of the Mandate, filed on February 12, 2026. This matter is pending and I would like both of these motions docketed. If they cannot be docketed, I would like written notice explaining why, so that I can have this for my records. Additionally, on March 10, 2026, I re-filed a Renewal Application that was docketed but I was not given credit for the date it was originally filed, which was February 27, 2026. You told me I would get credit for the date filed, and I would like that reflected on the docket.

Finally, please have your immediate supervisor contact me. I would like to discuss the above filings with them. Also, please provide their name and contact information.

I have made the above requests numerous times to you over the past few weeks, please provide the information as soon as possible.

Thank you for your assistance.

Regards,

Deon Colvin

# Fw: Inquiry for 25A918 (Third Follow Up Email)

From: deoncolvin@aol.com (deoncolvin@aol.com)

To: rmeek@supremecourt.gov

Date: Tuesday, March 24, 2026 at 03:50 PM EDT

Greetings Mr. Meek,

This email is a follow up to the voice mail message I just left on your phone. In that message, I requested that you provide information on my Motion for Leave to File Supplemental Material In Support of Renewed Application for Stay, filed on March 13, an my Emergency Application for Leave to Supplement My Emergency Application for A Stay of the Mandate, filed on February 12. This matter is pending and I would like both of these motions docketed. If they cannot be docketed, I would like written notice explaining why, so that I can have this for my records. Additionally, on March 10, 2026, I re-filed a Renewal Application that was docketed but I was not given credit for the date it was originally filed, which was February 27, 2026. You told me I would get credit for the date filed, and I would like that reflected on the docket.

Finally, please have your immediate supervisor contact me. I would like to discuss the above filings with him. Also, please provide their name and contact information.

The above requests i have made numerous times to you, please provide the information as soon as possible.

Thank you for your assistance.

Regards,

Deon Colvin

— Forwarded Message —
**From:** deoncolvin@aol.com <deoncolvin@aol.com>
**To:** rmeek@supremecourt.gov <rmeek@supremecourt.gov>
**Sent:** Friday, March 20, 2026 at 10:07:49 AM EDT
**Subject:** Fw: Inquiry for 25A918 (Second Follow Up Email)

Greetings Mr. Meek,

This is Deon Colvin regarding case 25A918. This email is a follow up regarding my Emergency Application for Leave to Supplement My Emergency Application for A Stay of the Mandate. I have contacted you numerous times about this filing I would like to have this motion docketed. If it cannot be docketed, then please inform me why, in writing so that I can have this for my records. 2 Additionally, on March 10, 2026, I re-filed a Renewal Application that was docketed but I was not given credit for the date it was originally filed, which was February 27, 2026. You told me I would get credit for the date filed, and I would like that reflected on the docket. Finally, on March 13, 2026, I filed a Motion for Leave to File Supplemental Material In Support of Renewed Application

for Stay. On March 17, 2026, I was told by Jackie in the Clerk's office that the motion was received and would be docketed, but it is not docketed.

Please contact me about these issues and please have your direct superior contact me as well. I would like to discuss these matters with that person. Also, please provide that person's name, title, and contact information.

Thank you for your assistance.

Regards,

Deon Colvin

— Forwarded Message —
**From:** deoncolvin@aol.com <deoncolvin@aol.com>
**To:** rmeek@supremecourt.gov <rmeek@supremecourt.gov>
**Sent:** Wednesday, March 18, 2026 at 11:03:40 AM EDT
**Subject:** Fw: Inquiry for 25A918 (Follow Up Email)

Mr. Meek,

My phone number is 216-396-8512.

— Forwarded Message —
**From:** deoncolvin@aol.com <deoncolvin@aol.com>
**To:** Robert Meek <rmeek@supremecourt.gov>
**Sent:** Wednesday, March 18, 2026 at 11:01:23 AM EDT
**Subject:** Re: Inquiry for 25A918 (Follow Up Email)

Mr. Meek,

This is Deon Colvin regarding 25A918. Please call me or have your superior call me about my Emergency Application for Leave to File a Supplement to Emergency Application to Stay the Mandate, filed on February 12th. I would like to have this motion docketed.

Thank you for your assistance.

Regards,

Deon Colvin

On Friday, March 6, 2026 at 03:58:37 PM EST, Robert Meek <rmeek@supremecourt.gov> wrote:

Mr. Colvin,

Just to recap, please send your letter to the Clerk and proof of service. The 10 copies of your original application is not necessary.

## Re: Inquiry for 25A918 (Follow Up Email)

From: deoncolvin@aol.com (deoncolvin@aol.com)

To: rmeek@supremecourt.gov

Date: Monday, March 9, 2026 at 11:45 AM EDT

Good morning Mr. Meek,

Thank you for assistance with my application.

To ensure clarity and to address additional issues, I would like to discuss my case (25A918) further with your manager or supervisor.

Please provide their contact information and have them call me at 216-396-8512.

Thank you.

Regards,

Deon Colvin

On Friday, March 6, 2026 at 03:58:37 PM EST, Robert Meek <rmeek@supremecourt.gov> wrote:

Mr. Colvin,

Just to recap, please send your letter to the Clerk and proof of service. The 10 copies of your original application is not necessary.

Best,

Rob

Robert Meek

Emergency Applications Attorney

Office of the Clerk of Court

Supreme Court of the United States

(202) 479-3027

3:54 5GUC

1 202-479-3011

TODAY

Outgoing call
Mar 27, 1:20 PM

2min 26sec

Call

Video call

Message

2:58 5GUC

1 202-479-3011

TODAY

Outgoing call
Mar 27, 9:22 AM

2min 46sec

Call

Video call

Message

6

2:58 5GUC

1 202-479-3027

TODAY

Outgoing call

Mar 27, 11:01 AM

1min 57sec

Call

Video call

Message

2:58 5GUC

1 202-479-3029

TODAY

Outgoing call
Mar 27, 10:56 AM

1min 8sec

Call Video call Message

8

3:31 5GUC

1 202-479-3011

Outgoing call

Mar 26, 2:38 PM

2min 53sec

Call

Video call

Message

3:30 5GUC

1 202-479-3011

Outgoing call

Mar 26, 11:35 AM

2min 45sec

Call

Video call

Message

10

3:30 5GUC

1 202-479-3011

Outgoing call HD
Mar 25, 2:09 PM

2min 46sec

Call

Video call

Message

3:57 5G UC

1 202-479-3011

Outgoing call
Mar 25, 11:19 AM
34sec

Outgoing call
Mar 25, 11:20 AM
2min 56sec

Call
Video call
Message

12

2:45 5GUC

1 202-479-3011

Outgoing call
Mar 24, 1:57 PM
2min 40sec

Outgoing call
Mar 24, 2:00 PM
1min 16sec

Call Video call Message

2:45 C • 5G UC

1 202-479-3011

Outgoing call
Mar 24, 10:18 AM

3min 36sec

Call Video call Message

14

2:44 C • 5GUC

1 202-479-3029

Outgoing call

Mar 24, 3:31 PM

1min 10sec

Call

Video call

Message

2:45 5GUC

1 202-479-3011

Outgoing call

Mar 23, 1:08 PM

2min 59sec

Call

Video call

Message

16

2:46 C • 5G UC

1 202-479-3011

**Outgoing call**
Mar 23, 9:46 AM

2min 48sec

Call Video call Message

2:45 5GUC

1 202-479-3029

Outgoing call
Mar 23, 3:11 PM
1min 5sec

Outgoing call
Mar 23, 3:13 PM
40sec

Call Video call Message

4:08 C • 5GUC

1 202-479-3011

Outgoing call HD
Mar 20, 12:33 PM 3sec

Outgoing call HD
Mar 20, 12:35 PM 2min 53sec

Call Video call Message

19

4:09 C • 5GUC

1 202-479-3029

Outgoing call HD
Mar 20, 10:09 AM

55sec

Call Video call Message

20

4:09 C • 5G UC

1 202-479-3011

Outgoing call HD
Mar 20, 9:38 AM

2min 53sec

Call

Video call

Message

21

4:10 C • 5GUC

1 202-479-3029

Outgoing call HD
Mar 19, 1:32 PM

1min 4sec

Call Video call Message

4:10 C • 5GUC

1 202-479-3011

Outgoing call HD
Mar 19, 1:55 PM

6min 35sec

Call

Video call

Message

23

4:10 5GUC

1 202-479-3011

Outgoing call HD
Mar 19, 10:21 AM

1min 49sec

Call Video call Message

24

4:11 5G UC

1 202-479-3011

Outgoing call HD
Mar 19, 9:12 AM

1min 39sec

Call Video call Message

25

9:58 C • 5G UC

1 202-479-3011

Outgoing call HD
Mar 3, 9:18 AM

1min 38sec

Call Video call Message

26

9:57 C • 5GUC

1 202-479-3011

Outgoing call HD
Feb 27, 4:30 PM

1min 45sec

Call

Video call

Message

27

9:56 5GUC

1 202-479-3011

Outgoing call
Feb 23, 4:30 PM 11sec

Outgoing call
Feb 23, 4:30 PM 20sec

Outgoing call
Feb 23, 4:31 PM 2min 6sec

Call Video call Message

9:56 C • 5G UC

1 202-479-3011

Outgoing call HD
Feb 23, 1:00 PM

1min 42sec

Call

Video call

Message

9:56 C • 5GUC

1 202-479-3011

Outgoing call HD
Feb 23, 9:05 AM 13sec

Outgoing call HD
Feb 23, 9:06 AM 1min 48sec

Call Video call Message

30

9:55 5GUC

1 202-479-3011

Outgoing call

Feb 20, 3:56 PM

2min 37sec

Call

Video call

Message

# APPENDIX M

"Appendix M"

**SUPREME COURT OF THE UNITED STATES**
**OFFICE OF THE CLERK**
**WASHINGTON, DC 20543-0001**

April 7, 2026

Deon D. Colvin
743 Fairmont St., NW
#211
Washington, DC 20001

RE: Administrative Complaint, Amended Administrative Complaint
No: 25-6639

Dear Mr. Colvin:

The papers pertaining to the above-entitled case that were postmarked March 21, 2026 and received April 1, 2026 are herewith returned.
The Rules of this Court make no provisions for filing an administrative complaint.

The motion for leave to proceed in forma pauperis is denied, and the petition for a writ of mandamus is dismissed. This case is considered closed in this Court, and no further consideration by this Court is possible. See Rule 44 of the Rules of this Court.

Sincerely,
Scott S. Harris, Clerk
By:
Sara Simmons
(202) 479-3023

Enclosures

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 21, 2026, as required by Supreme Court Rule 29 I have served the enclosed **LETTER TO SCOTT S. HARRIS, CLERK OF THE SUPREME COURT RE: ADMINSTRATIVE COMPLAINT REGARDING CLERK'S OFFICE CONDUCT, FOR CASE NOS. 25-6639 AND 25A918** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2026 Deon D. Colvin (Signature)

No. 25-6639

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

**PROOF OF SERVICE**

I, DEON D. COLVIN, do swear or declare that on this date, March 30th, 2026, as required by Supreme Court Rule 29 I have served the enclosed **AMENDED LETTER TO SCOTT S. HARRIS, CLERK OF THE SUPREME COURT RE: ADMINSTRATIVE COMPLAINT REGARDING CLERK'S OFFICE CONDUCT, FOR CASE NOS. 25-6639 AND 25A918** on each party to the above proceeding or that party's Counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

CAROLINE VAN ZILE (COUNSEL FOR D. C. COURT OF APPEALS ET. AL.)

400 6TH STREET NW

WASHINGTON, D.C. 20001

(202) 727-3400 caroline.vanzile@dc.gov

CLIFTON CISLAK (CLERK OF COURT FOR D.C. CIRCUIT COURT OF APPEALS)

E. BARRETT PRETTYMAN U.S. COURT HOUSE

333 CONSTITUTION AVENUE, NW ROOM 5205

WASHINGTON, D.C. 20001-2866

(202) 216-7300 ecfhelp@cadc.uscourts.gov

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 30th, 2026 Deon D. Colvin (Signature)

# APPENDIX N

"Appendix N"

9589 0710 5270 3753 4023 64

**U.S. Postal Service™**
**CERTIFIED MAIL® RECEIPT**
*Domestic Mail Only*

For delivery information, visit our website at *www.usps.com*.

Washington, DC 20543
OFFICIAL USE

0113
33

| | |
|---|---|
| Certified Mail Fee $5.30 | $4.40 |
| Extra Services & Fees (check box, add fee as appropriate) | |
| ☐ Return Receipt (hardcopy) | $ $0.00 |
| ☐ Return Receipt (electronic) | $ $0.00 |
| ☐ Certified Mail Restricted Delivery | $ $0.00 |
| ☐ Adult Signature Required | $ $0.00 |
| ☐ Adult Signature Restricted Delivery | $ |
| Postage $4.74 | |
| Total Postage and Fees $14.44 | |

Postmark Here

04/11/2026

Sent To: Scott S. Harris
Street and Apt. No., or PO Box No.: 1 First Street N.E.
City, State, ZIP+4®: Washington, D.C. 20543

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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**UNITED STATES POSTAL SERVICE.**

NATIONAL CAPITOL
2 MASSACHUSETTS AVE NE
WASHINGTON, DC 20002-9997
www.usps.com

04/11/2026 04:51 PM

TRACKING NUMBERS
9589 0710 5270 3753 4023 64

TRACK STATUS OF ITEMS WITH THIS CODE
(UP TO 25 ITEMS)

TRACK STATUS BY TEXT MESSAGE
Send tracking number to 28777 (2USPS)
Standard message and data rates may apply

TRACK STATUS ONLINE
Visit https://www.usps.com/tracking
Text and e-mail alerts available

PURCHASE DETAILS

| Product | Qty | Unit Price | Price |
|---|---|---|---|
| First-Class Mail® Large Envelope | 1 | | $4.74 |
| Washington, DC 20543 | | | |
| Weight: 0 lb 11.60 oz | | | |
| Estimated Delivery Date | | | |
| Wed 04/15/2026 | | | |
| Certified Mail® | | | $5.30 |
| Tracking #: 9589 0710 5270 3753 4023 64 | | | |
| Return Receipt | | | $4.40 |
| Tracking #: 9590 9402 9890 5335 9058 60 | | | |
| Total | | | $14.44 |

Grand Total: $14.44

Debit Card Remit $14.44
Card Name: VISA
Account #: XXXXXXXXXXXX8702
Approval #: 028273
Transaction #: 651
Receipt #: 045306
Debit Card Purchase: $14.44
AID: A0000000980840 Contactless
AL: US DEBIT

**Deon Colvin**
**743 Fairmont Street, NW #211**
**Washington, D.C. 20001**
**deoncolvin@aol.com**

April 11, 2026

Hon. Scott S. Harris, Clerk of the Supreme Court
1 First Street, NE
Washington D. C. 20543

**Re: Corrected[1] Amended[2] Administrative Complaint Regarding Clerk's Office Conduct**
**Case Name: In Re: Deon D. Colvin**
**Docket Numbers: 25-6639, 25A918**

Dear Clerk of the Court:

I am writing to formally report a series of significant procedural and administrative failures by the Clerk's Office that have severely hindered my ability to proceed with my case and access the Court.

The purpose of this letter is to bring these specific issues to your attention for immediate corrective action.

- **Failure to Docket Filings**: Despite timely submission, my motions have not been docketed. These are as follows: Motion to Postpone Conference (25-6639), filed March 16th, 2026; Motion for Leave to File Supplemental

[1] This letter is corrected from the original amended letter sent by Certified Mail on March 30, 2026 to remove phrase "and inform the justices of these failures as well" on page 7 and the sentence "Proof of Service is attached." that was at the bottom of page 7.

[2] This letter is amended from the original letter sent by Certified Mail on March 21, 2026 to include events that have occurred since the original letter that have bearing on the captioned cases, and to include the history of unresponsiveness that I have experienced from the Clerk's Office since the filing of my Petition for Writ of Mandamus (case no. 25-6639).

Material in Support of Renewed Application for Stay (25A918), filed March 13, 2025; Motion for Judicial Notice and Leave to Supplement the Appendix (25-6639), filed March 10, 2026; Emergency Application for Leave to Supplement Pending Emergency Application for Stay of Mandate (25-6639), filed February 12, 2026. Furthermore, the office has failed to docket the Proof of Service I provided for my Motion for Leave to File A Second Supplemental Brief, filed on March 10, 2026, and docketed on March 18, 2026.

- **Lack of Communication**: My repeated phone calls and emails have gone unreturned. These are as follows: phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 12:33pm on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 9:38 am on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3011 at 1:55 p.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 10:21 a.m. on 3/19/26; phone call and voice mail message to 202-479-3011 at 9:12 a.m. on 3/19/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 10:09 a.m. on 3/20/26; phone call and voice mail message that included a request to speak with a supervisor to 202-479-3029 (Kyle Ratliff) at 1:32 p.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 10:07 a.m. on 3/20/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:03 a.m. on 3/19/26; email message to Robert Meek at rmeek@supremecourt.gov at 11:45 a.m. on 3/9/26; phone call and voice mail message, that included a request to speak with a supervisor to 202-479-3027 (Robert Meek) at 1:55pm on 3/18/26.

- **Incorrect Information: On 3/18/26, I was told by Jackie, a staff member in the Clerk's office that my** Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay **was received the Clerk's office and would be docketed; On 3/18/26, I was told by Kenney, a staff member in the Clerk's Office, that my Proof of Service for** Motion for Leave to File A Second Supplemental Brief *is* docketed; **neither is the case.**

- **Refusal to Name Supervisor and to Provide the Reason Why, And Abrupt Ending of Phone Call**: On 3/18/26, I spoke with Kennedy, a staff member in the Clerk's Office. I asked Kenney for the name of her supervisor, she refused to provide the information; I then asked her why she would not provide the information, and she refused to answer and abruptly ended the phone call.

- **Holding of Motion for A Long Time Before Notification**: On 3/12/26, I was told by Jackie, a staff member in the Clerk's Office, that my Motion for Judicial Notice and Leave to Supplement the Appendix and Motion for Leave to File A Second Supplemental Brief, that I filed on March 10, had been received by the Clerk's Office and was on the appropriate person's desk. On March 13, I was told by Kennedy that the filings were under review. On March 16, I was told by Sara Simmons that Kyle Ratliff had the filings and that he knew my petition for writ of mandamus was scheduled for March 20 conference. Nonetheless, I was not informed until March 18 at 4:20pm that my motion for judicial notice was rejected. The Clerk's office had my filings for 6 days before notification of rejection, and the notification came so late that I could not respond before the Court's conference. Subsequent phone calls and voice mail messages to Mr. Ratliff on 3/19 and 3/20 about the rejection and a request to have the rejection examined by a management official were not returned.

- **Refusal to Respond to Requests for Assistance from Management and Supervisors**: emails and phone calls to the Clerk's Office, and to deputy clerks Robert Meek and Kyle Ratliff, wherein I requested to speak to Susan Frimpong or other management officials about my submissions were not returned. On March 13, my requests in two phone calls to speak with Susan Frimpong about my Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate were met with Ms. Frimpong relaying a message to Kennedy that was supposed to answer my question. My subsequent inquiry into whether Ms. Frimpong was still going to call me was denied, saying my question had been answered. This denial effectively stopped my attempt at assistance from a management official. Subsequent messages left at 202-479-3011 requesting to speak to Ms. Frimpong were not returned.

- **Denial of Information on How to File a Complaint**: On March 6, 2026, when I inquired to Susan Frimpong about the proper procedure for filing an administrative complaint regarding service issues I had been having with Sara Simmons and the Clerk's office not returning phone calls, and service that I got from Sara Simmons where she did not initially see to it that my Petition was properly docketed , Susan Frimpong did not provide any guidance or information on the process, or even tell me about the process that all complaints must be filed with the Clerk; rather, she told me there was no process for filing a complaint.

All of these actions took place while I had a pending petition for writ of mandamus that the Court had scheduled for conference on March 20, 2026. These actions created a barrier to my legal proceedings and suggest a lack of adherence to standard protocols. I am including a detailed record of these interactions in my upcoming Motion for Rehearing to ensure the justices are aware of the obstacles that prejudiced my case.

Since March 20, 2026, and after the mailing of my original letter to you on March 21, 2026, I have continued to experience significant procedural and administrative failures and unresponsiveness from the Clerk's Office and staff members Kyle Ratliff and Robert Meek; also, I received the rejection letter for my Motion for Judicial Notice and Leave to Supplement the Appendix and I have become aware of conduct by Kyle Ratliff that severely hindered my ability to proceed with my case and access the Court. These are as follows.

- **Misapplication of Rule 15.8 & Failure to Return Copies of the Motion**: Deputy Clerk Kyle Ratliff misapplied Rule 15.8 in rejecting my Motion for Judicial Notice And Leave to Supplement the Appendix. The motion was correctly filed under Rule 21 and should have been docketed accordingly. Moreover, Mr. Ratliff, or whomever is responsible for sending the rejection letter, sent the rejection letter in a USPS box with the original motion. **Thus, I did not receive the 10 copies of the motion I submitted along with the original motion and Proof of Service.** My phone calls to the Clerk's office on 3/23, 3/24, 3/25, 3/26/ and 3/27 and to Kyle Ratliff on 3/24 and 3/27 requesting to know why the 10 copies of the motion were not returned and requesting to speak to a management official about the handling of the motion were not returned. The entire story of what occurred with this motion is as follows. I hand delivered the motion to the security booth on March 10. I was informed on March 12 by Jackie that it

was received in the Clerk's Office. On March 13, Kennedy told me it was under review. On March 16, Sara Simmons told me it was on the desk of Kyle Ratliff and that he was aware the conference for my petition was on March 20. I was informed the motion was rejected on March 18 at 4:21p.m by Kennedy, who said she was going to transfer me to Mr. Ratliff. I requested the reason for the rejection be sent to me in writing. She did not say that would occur. I asked her why not, and she did not give a reason. She asked me what I wanted to do with the motion, have it returned or put it in my file. I told her that I did not want to make a decision until I had in writing why the motion was rejected. I asked who is her supervisor and she refused to tell me. I asked her why should could not tell me and she said she answered all my questions and abruptly ended the phone call. On March 19, 2026 I made three calls to the Clerk's Office and one call to Mr. Ratliff that was not returned. On March 20, 2026, I made two calls to the Clerk's Office and one call to Mr. Ratliff that was not returned. On March 21, 2026 I received the rejection letter along with my original motion. From March 23-March 27,2026 my phone calls to the Clerk's office and Mr. Ratliff inquiring about the 10 copies of my motion were not returned.

- **Lack of Communication Continues**: As noted above, I made phone calls to the Clerk's Office (202-479-3011) on March 23, 24, 25, 26, and 27, 2026 that went unreturned. In those phone calls I requested to know the status of my undocketed Proof of Service for my Motion for Leave to File A Second Supplemental Brief, my undocketed Motion to Postpone Conference (25-6639), filed March 16th, 2026; my undocketed Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay (25A918), filed March 13, 2025; the whereabouts of the 10 copies submitted for my Motion for Judicial Notice And Leave to Supplement the Appendix (25-6639), filed March 10, 2026; and requested docketing or written notification regarding the status of my Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate (25A918), filed February 12, 2026. I also made phone calls and left voice mail messages with Kyle Ratliff (202-479-3029) on 3/27/26 at 10:56 a.m. and 3/24/26 at 3:31 p.m. about the 10 copies of the Motion for Judicial Notice And Leave to Supplement the Appendix that were not returned and requested to speak to his supervisor about the handling of the motion. I also made phone calls and left voice messages with Robert

Meek (202-479-3027) on 3/27/26 at 11:01 am and 3/24/26 at 3:34p.m., and emails at rmeek@supremecourt.gov on 3/27/26 at 1:59 p.m. and 3/24/27 at 3:50 p.m. requesting information on my undocketed Motion for Leave to File Supplemental Material in Support of Renewed Application for Stay and Emergency Application for Leave to Supplement Pending Emergency Application for Stay of the Mandate. I also requested to know why I was not given credit for the original date that I submitted my renewal application for stay (case no. 25A918), which was February 27, 2026, as he said I would get. I requested to speak to his supervisor about the handling of these motions. My phone calls and emails to Mr. Meek were not returned.

- **There Has Been A History of Unresponsiveness By Clerk's Office**: Finally, I want you to know that my problems with unresponsiveness from the Clerk's Office began with the docketing of my Petition for Writ of Mandamus. The Petition was docketed on January 21, 2026 with the "Appendix A" page filed under the Petition. I called the Clerk's Office (202-479-3011) to have this corrected on January 26, 27, and 28 and specifically mentioned this error and my calls were not returned. On February 17, 2026 I filed a Motion for Leave to File An Amended Index to Appendices & A Supplemental Brief that included a proposed amended index of appendices and a proposed supplemental brief. On February 20, 2026, when I called to see if the motion was received, I received a call back from a staffer saying it had not been received; I requested to the staffer who returned my call to have my case analyst (Sara Simmons) call me, and my call was not returned. On or about February 23, 2026, the proposed supplemental brief was filed, but the proposed amended appendix was not. On February 23, February 27, 2026, and March 3, 2026, I called, requesting information on why my the motion and the proposed amended index to appendix was not docketed. My phone calls were not returned. On March 6, 2026, I spoke to Sara Simmons. She said she would have the misfiling of the "Appendix A" page fixed. It was not fixed and I had to call back. This call back led to me talking with Susan Frimpong for over 30 minutes about my phone calls not being returned. Ms. Frimpong said she would tell Ms. Simmons to be sure to return my phone calls as I had a Petition pending. On March 9, 2026 I called and left a voice mail message; my call was not returned by Ms. Simmons or anyone else. On March 19 and March 20,

2026, I called Clerks Office (202-479-3011) a total of five times in those two days, and my calls were not returned by Ms. Simmons or anyone else.

This history of unresponsiveness and administrative failure has impeded my access to the Court and harmed my presentation of my case. I have been unable to check on the status of filings, and shepherd my case for presentation to the justices. As things stand today, I cannot file anything in the Supreme Court. If I do, it will not be docketed or reach the justices for their consideration. I write this letter in complaint with the hope that you will investigate and put an end to these failures.

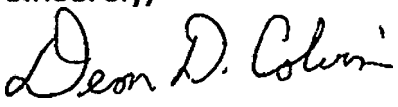
These failures are unacceptable. I have made a lot of filings with the Supreme Court, and anticipate making many more filings in the future. **As part of my complaint, I am requesting a new case analyst (replacing Sara Simmons), a new case analyst manager (other than Susan Frimpong), and that Robert Meek and Kyle Ratliff do not handle any future submissions that I make to this Court. The conduct of these individuals has not only been unacceptable, but subversive.**

I also ask for a written explanation regarding the refusal of the staff to provide management contact information, docket my filings, answer my phone calls and emails, and relay my phone calls to management. Finally, I request all filings be docketed or a formal rejection letter and return of all filings (including copies) that are not in compliance with court rules.

Thank you for your prompt attention to this serious matter.

In addition to the log of phone interactions that accompanied my original, I attach Exhibit 1, which contains my unreturned phone calls and emails to the Clerk's Office from Feb 20, 2026 to March 27, 2026, which is as far back as I can presently retrieve from my phone.

Sincerely,



Deon D. Colvin, Petitioner

**Log of Phone Interactions**

| Date | Time | Interaction |
|---|---|---|
| 3/18/26 | 4:19PM | Kennedy tells me my **Proof of Service** For Motion for Leave to File a Second Supplemental Brief is docketed; Kennedy tells me my Motion for Judicial Notice and for Leave to File Supplemental Appendix was rejected, asked me if I wanted to Have the motion returned or put with Justices' folder; I requested to see the rejection notice, this was refused; I told her I could not decide without seeing the reason in writing; she was going to transfer me to Mr. Ratliff. I asked who is her supervisor, she refused to tell me I asked her why she would not tell me, she refused to answer why and abruptly ended the call. |
| 3/18/26 | 2:08PM | Jackie tells me my Motion for Leave to File Supplemental Material in Support Of Renewed Application for Stay was received and will be docketed; she says she does not see the Motion to Postpone Conference. |
| 3/16/26 | 11:50AM | Sara Simmons tells me my Motion for Leave to file A Second Supplemental Brief and Motion for Judicial Notice and for Leave to file a Supplemental Appendix are with Kyle Ratliff who Is aware the conference for my case is on March 20th and all filings that conform with the SCOTUS Rules will be |

| | | |
|---|---|---|
| | | docketed. |
| 3/13/26 | 4:16PM | Kennedy tells me Ms. Frimpong said My motion is with the Chief Justice that is why it is not docketed; I asked if Ms. Frimpong is going to speak to me, she said no, that my answer had been provided; I asked how can I I make sure that it will be a part of my Renewal Application to Justice Sotomayer; she told me Robert Meek would call me on Monday. |
| 3/13/26 | 12:08PM | Kennedy tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix are under review. |
| 3/12/26 | 4:48PM | Jackie tells me my Letter to Renew Application for Stay was received in the Clerk's Office. |
| 3/12/26 | 3:21PM | Jackie tells me that that my Motion for Leave to File a Second Supplemental Brief and Motion for Judicial Notice and for Leave to Supplement Appendix was received in the Clerk's office and is on the appropriate person's desk. |
| 3/6/26 | 11:12AM | I tell Ms. Frimpong that I make calls to the Clerk's office and they are not returned; Ms. Frimpong tells me there is no complaint process; that I could not have my case analyst changed; that she would inform Sara Simmons to return my phone calls as I have a pending |

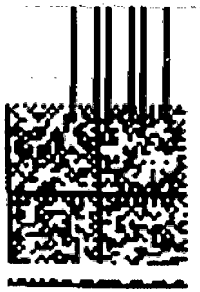
petition; that my Feb 12 motion is with with the Chief Justice.

# APPENDIX O

"Appendix O"

OFFICE OF THE CLERK
**SUPREME COURT OF THE UNITED STATES**
WASHINGTON, DC 20543-0001

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE $300



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**SUPREME COURT OF THE UNITED STATES**
**OFFICE OF THE CLERK**
**WASHINGTON, DC 20543-0001**

April 7, 2026

Deon D. Colvin
743 Fairmont St., NW
#211
Washington, DC 20001

RE: Administrative Complaint, Amended Administrative Complaint
No: 25-6639

Dear Mr. Colvin:

The papers pertaining to the above-entitled case that were postmarked March 21, 2026 and received April 1, 2026 are herewith returned.
The Rules of this Court make no provisions for filing an administrative complaint.

The motion for leave to proceed in forma pauperis is denied, and the petition for a writ of mandamus is dismissed. This case is considered closed in this Court, and no further consideration by this Court is possible. See Rule 44 of the Rules of this Court.

Sincerely,
Scott S. Harris, Clerk
By: COPY
Sara Simmons
(202) 479-3023

Enclosures

**Deon Colvin**
**743 Fairmont Street, NW #211**
**Washington, D.C. 20001**
**deoncolvin@aol.com**

ICN:17683046 United States Supreme
Recipient:
Clerks Office
Sender:
deon Danair Colvin
Processed:
4/12/2026 5:24:11 PM | 599

April 12, 2026

Hon. Scott S. Harris, Clerk of the Supreme Court
1 First Street, NE
Washington D. C. 20543

**Re: Administrative Complaint Regarding Clerk's Office Conduct—Letter #3 (CORRECTED PAGE 1)**
**Case Name: In Re: Deon D. Colvin**
**Docket Numbers: 25-6639, 25A918**

Dear Clerk of the Court:

Attached is a corrected page 1 for the above captioned complaint. The attached page corrects the error in the first paragraph of the complaint where I wrote "**March 21, 2023**" to "**March 21, 2026**." The complaint was mailed to you on April 11, 2026 via USPS Certified Mail.

If you have any further questions, please contact me at the above addresses or 216-396-8512.

Respectfully,

Deon D. Colvin

Deon D. Colvin, Petitioner

**Deon Colvin**
**743 Fairmont Street, NW #211**
**Washington, D.C. 20001**
**deoncolvin@aol.com**

April 12, 2026

Hon. Scott S. Harris, Clerk of the Supreme Court
1 First Street, NE
Washington D. C. 20543

**Re: Administrative Complaint Regarding Clerk's Office Conduct—Letter #3**
**Case Name: In Re: Deon D. Colvin**
**Docket Numbers: 25-6639, 25A918**

Dear Clerk of the Court:

This letter is a follow up complaint to the letter of complaint I sent you on March 21, 2026, and the amended letter I sent you on March 30, 2026.

On April 7, 2026, these letters were returned to me by the Clerk's office along with a letter signed by Sara Simmons explaining that "the rules of this court make no provisions for filing an administrative complaint."

In response, I removed the Proof of Service documents that I filed with the letters, and I corrected my amended letter to remove the sentence where I wrote a Proof of Service document was attached. Enclosed is the original letter I sent by USPS Certified Mail on March 21, 2026 and a corrected version of the amended letter I sent by USPS Certified Mail on March 30, 2026.

This third letter of complaint is to inform you that I continued to experience administrative failures by the Clerk's office that severely hindered my ability to proceed with my case (25A918) and access the Court after I mailed the above letters. These failures are as follows:

# APPENDIX P

"Appendix P"

**SUPREME COURT OF THE UNITED STATES**
**OFFICE OF THE CLERK**
**WASHINGTON, DC 20543-0001**

April 24, 2026

Deon Colvin
743 Fairmont St., NW
#211
Washington, DC 20001

RE: "Motion to Reconsider Denial of Renewed Applicaiton in Light of Clerical Error and Pending Petition for Rehearing Filed Pursuant to Rule 21.1."
No: 25A918

Dear Mr. Colvin:

Your "Motion to Reconsider Denial of Renewed Applicaiton in Light of Clerical Error and Pending Petition for Rehearing Filed Pursuant to Rule 21.1" received by this Court on April 24, 2026 is returned.

The Rules of Court make no provision for the filing of a petition for rehearing of a denial of a renewed application. Your application (25A918) is closed and no further filings are permitted.

Sincerely,
Scott S. Harris, Clerk
By:

Robert Meek
(202) 479-3027

Enclosures

# APPENDIX Q

"Appendix Q"

No. 25A918

IN THE

SUPREME COURT OF THE UNITED STATES

**IN RE: DEON D. COLVIN** —PETITIONER

# MOTION TO RECONSIDER DENIAL OF RENEWAL APPLICATION IN LIGHT OF CLERICAL ERROR AND PENDING PETITION FOR REHEARING, FILED PURSUANT TO RULE 21.1

DEON D. COLVIN
(Your Name)

743 FAIRMONT STREET NW #211
(Address)

WASHINGTON, DISTRICT OF COLUMBIA. 20001
(City, State, Zip Code)

216-396-8512
(Phone Number)

## INTRODUCTION

Pursuant to Supreme Court Rule 21, Petitioner Deon D. Colvin, appearing *pro se*[1], respectfully motions for this Court to reconsider its order dated April 6, 2026, denying the Renewed Application for Stay of the Mandate. *See* App. A. This application was filed as an essential adjunct to **Petitioner's Petition for Writ of Mandamus**. Reconsideration is warranted because of the claims in the pending petition for rehearing (filed April 17, 2026, 25-6639) and because the Clerk's failure to docket timely-filed supplemental material (and its subsequent unresponsiveness) resulted in a decision based on an incomplete record, violating Petitioner's Fifth Amendment right to procedural due process and petitioner's right to access to the Court.

## GROUNDS FOR RECONSIDERATION

### 1. Evidence of Timely Filing and Clerical Omission

Rule 21 permits motions to the Court with purpose, facts, and legal argument. As fact, Petitioner submitted three critical filings that were never docketed or not distributed to the Justice or Court.

- **Emergency Application for Leave to Supplement (February 12, 2026)**: Provided the specific end-date for the requested stay. See App. C.
- **Motion for Leave to Add Supplemental Material (Date March 13, 2026)**: Provided the specific-end date for the requested stay and offered essential facts regarding the Clerk's failure to docket the Emergency Application for Leave to Supplement the Application for Stay of the Mandate or provide Petitioner written notice regarding the document. *See* App. D.

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[1] Petitioner is *pro se*. The pleadings of *pro se* litigants are provided liberal construction by the Court. *Haines v. Kerner*, 404 U.S. 519, 520-521 (1972) ("allegations of the *pro se* complaint...we hold to less stringent standards than formal pleadings drafted by lawyers"); *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)("A document filed *pro se is* to be liberally construed, and a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers"); *Hall v. Bellmon*, 935 F. 2d 1106, 1110, n.3 (10th Cir. 1991)("The *Haines* Rule applies to all proceedings involving a *pro se* litigant").

- **Motion to Postpone Conference (March 30, 2026) with Corrected Proof of Service (April 1, 2026)**: Requested a delay to ensure all materials were before the Court. *See* App. E.

Because these documents were omitted from the record, the Court's April 6 denial was based on an incomplete and inaccurate representation of Petitioner's application.

**2. Petitioner Diligently Sought to Correct the Record via Correspondence Rejected by the Clerk**

Petitioner made exhaustive efforts to alert the Court to the missing docket entries prior to the April 6 denial. Specifically, Petitioner submitted formal correspondence on March 21, 2026, *see* App. F, and an amended version on March 30, 2026, *see* App. G, detailing the non-docketing of critical motions. Despite Petitioner providing proper proof of service to Respondents, the Clerk's Office returned these letters on the grounds that they constituted an unauthorized "administrative complaint" (see App. H). Petitioner re-sent this correspondence on April 11, 2026 (and filed a correction for page 1 on April 12, 2026), *see* App. I[2], to reiterate the ongoing procedural defects. The Clerk's refusal to docket these letters or the underlying motions created a catch-22: Petitioner was blocked from supplementing and correcting the record because the very documents intended to fix the record were themselves rejected. This procedural impasse prevented a decision on the merits and constitutes a substantial ground for reconsideration.

**3. Violation of Fifth Amendment Procedural Due Process**

The Due Process Clause requires that a litigant be given a meaningful opportunity to be heard. *Armstrong v. Manzo*, 380 US 545, 552 (1965). By failing to docket valid, timely-served filings—and by providing no notice of deficiency or opportunity to correct—the Clerk's Office

[2] Petitioner resent the original March 21, 2026 letter, and a corrected version of the March 30, 2026 Amended Letter, that included Exhibit 1, which Petitioner does not here include in Appendix I for the sake of brevity, since Exhibit 1 is already presented in the Amended letter to Clerk at Appendix G, and the original letter is presented at Appendix F.

effectively exercised unauthorized judicial power to exclude Petitioner's evidence for his petition and the actual request for stay. This procedural failure prevented the Court from considering the full merits of the stay application, violating Petitioner's constitutional right to access the courts.

**PRAYER FOR RELIEF**

Petitioner respectfully requests that this Court grant this motion to reconsider, direct the Clerk to docket all previously submitted materials, reconsider the Renewed Application for Stay on a complete record, recall and stay the mandate, and toll the time a maximum of 60 days, until **June 22, 2026**, for filing a petition for writ of certiorari pending the disposition of the reconsideration and the petition for rehearing on the writ of mandamus that has also been filed with the Court, which would be for good cause and the extraordinary circumstances of clerical error (the undocketed full text of the Rule 59 (e) motions in case no. 25-6639, unfiled submissions in this case).

The latter is requested because Petitioner must file a petition for writ of certiorari by **April 23, 2026**, and forcing Petitioner to file a petition for certiorari while the record is still incomplete—and while the Court's Rule 39.8 "frivolous or malicious" ruling on the petition for writ of mandamus stands—prejudices the petition and wastes judicial resources.

**CONCLUSION**

For the reasons stated above, this motion should be **GRANTED.**

Respectfully submitted, Date

Deon D. Colvin April 22, 2026

Deon D. Colvin (*Pro Se*)
743 Fairmont Street NW #211
Washington, D.C. 20001
Ph. 216-396-8512
deoncolvin@aol.com