

25-6766

No. \_\_\_\_\_

IN THE SUPREME COURT OF THE UNITED STATES

Eric J Mapes,

Petitioner,

VS.

ORIGINAL

FILED

JAN 13 2026

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

STATE OF TEXAS, STATE OF INDIANA, et al.,

Respondents.

**On Petition for Writ of Certiorari Before Judgment of the United States Court of Appeals for the Fifth Circuit No. 25-50840**

**Submitted Pursuant to Supreme Court Rule 11**

This petition is submitted in good faith, without prejudice, and in defense of equal protection, due process, and meaningful access to justice. Petitioner respectfully invokes this Court's jurisdiction under Rule 11 to bypass conventional appellate delay and deliver immediate constitutional relief in a matter of imperative public importance.

**PETITION FOR WRIT OF CERTIORARI BEFORE JUDGMENT**

All rights expressly reserved *nunc pro tunc, ab initio, equity, and in perpetuity.*

Mr Eric J Mapes

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## Questions Presented

1. **Police Complaint as Arrest Warrant** Whether a notarized police-authored criminal complaint, executed without judicial oversight and misrepresented as a valid arrest warrant, violates the Fourth and Fourteenth Amendments by enabling seizure absent judicial authorization.
  - *Gerstein v. Pugh*, 420 U.S. 103 (1975)
  - *Illinois v. Gates*, 462 U.S. 213 (1983)
2. **Arrest Without Judicial Probable Cause** Whether an arrest executed solely on a police complaint, without a judge's finding of probable cause, violates the Fourth Amendment under *Gerstein v. Pugh* and renders subsequent detention unconstitutional.
  - *Mapp v. Ohio*, 367 U.S. 643 (1961)
  - *Terry v. Ohio*, 392 U.S. 1 (1968)
3. **Judicial Omission After Arrest and Jurisdictional Void** Whether the absence of a judicial probable cause determination following arrest—as evidenced by an unsigned order finding no probable cause as required under Texas law—violates due process and equal protection under the Fourteenth Amendment, and whether Texas courts retained jurisdiction to detain or convict Petitioner absent a valid judicial finding of probable cause.
  - *Gerstein v. Pugh*, 420 U.S. 103 (1975) — judicial determination of probable cause is required for detention.
  - *County of Riverside v. McLaughlin*, 500 U.S. 44 (1991) — probable cause must be determined within 48 hours of arrest.
  - *Tennessee v. Lane*, 541 U.S. 509 (2004) — ADA Title II violations implicate Fourteenth Amendment protections.
  - *Carey v. Piphus*, 435 U.S. 247 (1978) — procedural due process violations are actionable even without physical injury.
4. **Indiana's Alteration of Texas Conviction** Whether Indiana courts and officials may lawfully alter or reclassify Texas judicial records and statutes, fabricating a child-based conviction from an adult-only adjudication, in violation of the Full

Faith and Credit Clause, the Ex Post Facto Clause, and the Double Jeopardy Clause. *Ex parte Young*, 209 U.S. 123 (1908)

- *Milwaukee County v. M.E. White Co.*, 296 U.S. 268 (1935)
- *Williams v. North Carolina*, 317 U.S. 287 (1942)
- *Underwriters Nat'l Assurance Co. v. North Carolina*, 455 U.S. 691 (1982)
- *Baker v. General Motors Corp.*, 522 U.S. 222 (1998)
- *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944)

**5. Forensic Evidence and Duplicate Convictions** Whether a conviction may stand when forensic evidence establishes that a single individual with black hair committed the crime, and Texas courts had already entered a conviction against another defendant six months earlier for the same one-person offense.

- *Herrera v. Collins*, 506 U.S. 390 (1993) — actual innocence claims trigger federal review.
- *Schlup v. Delo*, 513 U.S. 298 (1995) — innocence-based habeas relief requires gateway review.
- *Banks v. Dretke*, 540 U.S. 668 (2004) — concealment of material facts invalidates convictions.
- *Mooney v. Holohan*, 294 U.S. 103 (1935) — use of false or misleading evidence violates due process.
- *Kalb v. Feuerstein*, 308 U.S. 433 (1940) — void judgments are legal nullities.

## **Parties to the Proceeding**

**Petitioner** Eric Joshua Mapes,

Real Party of Interest

Federally Protected Disabled Individual

219 N. Union St., Delphi, IN 46923

## **Respondents**

### **State of Texas**

- Ector County, Texas, 244th District Court
- Texas Supreme Court
- Texas Court of Criminal Appeals
- Texas Attorney General's Office
- U.S. District Court for the Western District of Texas, Austin Division
- Dwight R. Gallivan, District Attorney for Ector County, Texas

### **State of Indiana**

- Indiana Department of Correction (DOC)
- Indiana Attorney General's Office
- Indiana Court of Appeals
- Indiana Supreme Court
- Indiana Supreme Court Office of Court Services (ISOC)
- David Arthur, contract counsel acting under the authority of the Indiana Attorney General's Office
- Carroll County Sheriff

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- *Mooney v. Holohan*, 294 U.S. 103 (1935) — False evidence. p. 13
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## OPINIONS BELOW

No written opinions were issued by the Texas trial court, the Texas Supreme Court, or the U.S. District Court for the Western District of Texas. Each court refused to adjudicate or docket more than twenty verified filings, despite their preservation for judicial notice and federal escalation.

**Texas Trial Court (Case No. C-27,442)** In 2025, the trial court sealed filings without review and declined to engage with:

- Certified Texas records confirming the original adult-only conviction;
- Forensic exclusion evidence establishing Petitioner's actual innocence;
- Indiana's unlawful alterations of Texas judicial records, fabricating a child-based offense never adjudicated in Texas;
- ADA accommodation requests preserved in verified filings.

This refusal to adjudicate constitutes procedural sabotage and jurisdictional contamination, leaving constitutional violations unrebutted and preserved for federal review.

**Eleventh Court of Appeals of Texas (Case No. 11-25-00190-CR)** On July 22, 2025, **Ector County District Attorney Dwight R. Gallivan** attempted to reframe Petitioner's conviction as a child-based offense and improperly added the trial judge as a respondent. The appellate court briefly adopted this reframing on July 24, 2025, before striking its own order. On July 25, 2025, the court affirmed Petitioner's conviction under Texas Penal Code § 22.011(a)(1), an adult-only offense, consistent with the arrest record and conviction.

The appellate court nevertheless:

- Refused to address Indiana's unlawful reclassification of Petitioner's conviction;
- Deferred actual innocence claims to the Texas Court of Criminal Appeals, leaving forensic evidence unexamined;
- Declined to adjudicate Indiana's ongoing misconduct, including enforcement of a false classification by the Indiana Department of Correction and alterations of Texas records by **contract counsel David Arthur**, acting under the authority of the Indiana Attorney General's Office.

This refusal constitutes a cross-jurisdictional abdication of responsibility, leaving Petitioner subject to reputational harm, ADA retaliation, and unconstitutional enforcement across state lines.

**Texas Court of Criminal Appeals (Case No. WR-83,771-03)** The Court of Criminal Appeals declined to adjudicate preserved constitutional claims, alleging Petitioner had not sought leave despite the Eleventh Court of Appeals deferring the matter. In 2025, the Court compounded this omission by:

- Using another person's case number in its orders, falsely alleging it corresponded to Petitioner's case;

- Combining Petitioner's trial court case number with another's, fabricating a procedural record;
- Failing to address Indiana's unlawful reclassification despite certified Texas records confirming only an adult-based adjudication.

This misuse of case numbers constitutes jurisdictional fraud and record contamination, reinforcing Petitioner's claim that the conviction is structurally void *ab initio*.

**Texas Supreme Court (Case No. 25-0692)** The Texas Supreme Court denied mandamus relief without written opinion, declaring Petitioner's challenge to Indiana's unlawful modification of Texas records "moot." This denial occurred despite ongoing enforcement and unrebutted evidence, including:

- Certified Texas records confirming conviction under Texas Penal Code § 22.011(a)(1), an adult-only offense;
- Verified filings documenting Indiana's unlawful reclassification into a fabricated child-based offense;
- Forensic exclusion evidence confirming actual innocence;
- ADA accommodation requests preserved but ignored.

By labeling the challenge "moot," the Texas Supreme Court abdicated constitutional responsibility, reinforcing the urgency of Supreme Court review under Rule 11.

**U.S. District Court for the Western District of Texas (Case No. 1:25-cv-01335)** The District Court granted Petitioner's motion to proceed in forma pauperis but dismissed the case as "frivolous and malicious," adopting language from Indiana courts where that is where the alterations and modifications occurred and that reputational harm label originated despite documented record tampering. In its dismissal order, the court:

- Affirmed Petitioner's adult-only conviction despite unrebutted forensic evidence and Indiana's fabricated reclassification;
- Failed to address cross-jurisdictional misconduct under the Full Faith and Credit Clause;
- Ignored Double Jeopardy violations arising from Indiana's successive punishment;
- Overlooked Ex Post Facto violations from retroactive enhancement of penalties.

This dismissal constitutes federal ratification of Indiana's unlawful modifications of Texas law, reinforcing the constitutional urgency of Supreme Court review under Rule 11.

**Indiana Courts (State and Federal)** Since 2017, Indiana courts—including the Indiana Court of Appeals (2021) and the Indiana Supreme Court (2023)—have actively enforced a fabricated child-based classification derived from Petitioner's adult-only Texas conviction. In doing so:

- Indiana refused to honor certified Texas judicial records, violating the Full Faith and Credit Clause;

- Imposed retroactive enhancements in violation of the Ex Post Facto Clause;
- Subjected Petitioner to successive punishment for an offense never adjudicated in Texas, violating the Double Jeopardy Clause;
- Permitted contract counsel David Arthur, acting under the authority of the Indiana Attorney General's Office, to alter and modify Texas judicial records and statutes, fabricating a conviction Texas courts never adjudicated or affirmed.

This conduct has resulted in interstate record fraud, ADA retaliation, reputational harm, and procedural sabotage, compounding Petitioner's constitutional injuries and denying meaningful access to justice.

## **Statement of Jurisdiction**

This petition seeks a writ of certiorari before judgment pursuant to Supreme Court Rule 11 from the United States Court of Appeals for the Fifth Circuit in *In re Mapes*, Case No. 25-50840, where proceedings remain pending and no final judgment has been entered.

This Court has jurisdiction pursuant to 28 U.S.C. § 1254(1), which authorizes review of cases from federal courts of appeals. Under Supreme Court Rule 11, certiorari before judgment may be granted when a case presents issues of imperative public importance that justify deviation from normal appellate procedures.

Petitioner invokes Rule 11 due to the following extraordinary circumstances:

- The conviction at issue is structurally void ab initio, sustained through unconstitutional seizure, judicial omission, and systemic retaliation.
- Verified filings and exhibits document violations of the Fourth Amendment, Fourteenth Amendment, Title II of the Americans with Disabilities Act, the Supremacy Clause, the Full Faith and Credit Clause, the Double Jeopardy Clause, and the Ex Post Facto Clause.
- Petitioner has exhausted available remedies in both state and federal courts, which remain silent despite forensic exoneration, ADA violations, and emergent filings demanding vacatur.
- The Texas judiciary refused to adjudicate verified filings, while the Indiana judiciary—including the Indiana Supreme Court Office of Court Services (ISOC) and contract counsel David Arthur, acting under the authority of the Indiana Attorney General's Office—unlawfully altered and modified Texas judicial records and statutes, fabricating a child-based conviction never adjudicated in Texas.
- The Western District of Texas compounded this injury by dismissing Petitioner's filings as “frivolous and malicious” while affirming the adult-only conviction under Texas Penal Code § 22.011(a)(1), ignoring Indiana's fabricated reclassification and failing to address violations of the Full Faith and Credit Clause, Double Jeopardy Clause, and Ex Post Facto Clause.
- The case presents a doctrinal framework for future disabled litigants and exposes systemic misconduct of national importance, including ADA retaliation, reputational harm, and procedural sabotage across state lines.

Immediate intervention by this Court is required to prevent further constitutional injury and to clarify federal standards governing arrest, judicial oversight, disability access, and interstate record integrity in criminal proceedings.

## Constitutional Provisions, Statutes, and Regulations Involved

### Constitutional Provisions

- **U.S. Const. amend. IV** – Protects against unreasonable searches and seizures; requires judicial determination of probable cause. Violated when Petitioner was arrested on a police-authored complaint misrepresented as a warrant, without judicial sign-off (*Gerstein v. Pugh*, 420 U.S. 103 (1975)).
- **U.S. Const. amend. V** – Guarantees due process and protection against double jeopardy; prohibits successive punishment for the same offense. Violated when Texas courts convicted another individual six months earlier for the same one-person crime, yet coerced Petitioner's plea despite forensic exclusion evidence.
- **U.S. Const. amend. XIV** – Ensures equal protection and procedural due process; prohibits arbitrary government action. Violated when Texas courts ignored forensic evidence excluding Petitioner and failed to provide ADA accommodations (*Tennessee v. Lane*, 541 U.S. 509 (2004)).
- *Fruit of the Poisonous Tree Doctrine* (*Mapp v. Ohio*, 367 U.S. 643 (1961))\*\* – Evidence obtained through unconstitutional seizure is inadmissible. Petitioner's arrest, based solely on a police complaint without judicial probable cause, tainted all subsequent proceedings.

### Case Law on Actual Innocence and Void Convictions

- **Herrera v. Collins, 506 U.S. 390 (1993)** – Actual innocence claims trigger federal review.
- **Schlup v. Delo, 513 U.S. 298 (1995)** – Innocence-based habeas relief requires gateway review when constitutional violations are coupled with new evidence.
- **Banks v. Dretke, 540 U.S. 668 (2004)** – Concealment of material facts invalidates convictions.
- **Mooney v. Holohan, 294 U.S. 103 (1935)** – Use of false or fabricated evidence violates due process.
- **Kalb v. Feuerstein, 308 U.S. 433 (1940)** – Void judgments are legal nullities; jurisdictional fraud renders them unenforceable.
- **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)** – Fraud upon the court renders judgments void.
- **County of Riverside v. McLaughlin, 500 U.S. 44 (1991)** – Probable cause must be determined within 48 hours of arrest; failure voids detention.

- **Gideon v. Wainwright, 372 U.S. 335 (1963)** – Coerced pleas and denial of fair trial rights violate due process.
- **Jackson v. Virginia, 443 U.S. 307 (1979)** – Convictions must rest on evidence sufficient to prove guilt beyond a reasonable doubt; forensic exclusion evidence negates sufficiency.

## Forensic Innocence Factors

- Police-authored complaint used as arrest warrant, with no judicial probable cause sign-off.
- Judge read rights and charged Petitioner with a single adult-only offense, asked for plea, and Petitioner orally pled not guilty before the judge and witness — but the judge failed to sign the probable cause order, as required under Texas law.
- Texas courts had already convicted another person with black hair six months earlier for the same one-person crime.
- Forensic evidence confirmed that one individual with black hair committed the crime — a trait Petitioner does not possess.
- Coerced plea extracted despite forensic exclusion evidence, compounding constitutional violations.

## Federal Statutes

- **28 U.S.C. § 1254(1)** – Grants jurisdiction to the Supreme Court to review cases from federal courts of appeals.
- **28 U.S.C. § 1651 (All Writs Act)** – Authorizes issuance of writs necessary to preserve jurisdiction and ensure justice.
- **28 U.S.C. § 2201 (Declaratory Judgment Act)** – Permits federal courts to declare rights and legal relations.
- **42 U.S.C. § 12132 (ADA Title II)** – Prohibits exclusion of disabled individuals from public services, including courts.
- **42 U.S.C. § 12203** – Prohibits retaliation against individuals asserting ADA rights.
- **29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)** – Mandates equal access and accommodations in federally funded programs.
- **42 U.S.C. § 407(a)** – Protects SSDI income from coercive use in judicial proceedings.
- **18 U.S.C. § 1505** – Criminalizes obstruction and retaliation in federal proceedings.
- **18 U.S.C. §§ 241, 242** – Prohibit deprivation of rights under color of law.

## Federal Regulations

- **28 C.F.R. § 35.130(b)(1)(v)** – ADA regulation prohibiting burdens that deter protected activity.

- **28 C.F.R. § 35.160(b)(1)** – Requires effective communication and individualized accommodations.
- **28 C.F.R. § 35.134** – Prohibits retaliation and coercion against ADA-protected individuals.
- **45 C.F.R. § 84.4, §§ 84.52–84.55** – Section 504 regulations mandating auxiliary aids and individualized access.
- **45 C.F.R. §§ 160, 164 (HIPAA Privacy Rule)** – Protects medical records and prohibits unauthorized disclosure.

## **State Statutes**

- **Texas Code Crim. Proc. Art. 39.14** – Mandatory disclosure of evidence by prosecution; violated by suppression of exculpatory forensic evidence.
- **Texas Penal Code § 22.011(a)(1)** – Adult-only offense under which Petitioner was adjudicated; unlawfully reclassified by Indiana into a child-based offense under Indiana Code § 35-42-4-14.

## **Case Law on Retaliation, Reputational Harm, and Procedural Sabotage**

- **Burlington Northern & Santa Fe Railway Co. v. White, 548 U.S. 53 (2006)** – Retaliation as intentional discrimination, including reputational harm and deterrence of protected activity.
- **Thompson v. North American Stainless, LP, 562 U.S. 170 (2011)** – Retaliation extends to reputational damage and procedural exclusion.
- **Hicks v. Forest Preserve District of Cook County, 677 F.3d 781 (7th Cir. 2012)** – Retaliation actionable when reputational harm or procedural sabotage occurs.
- **Stutler v. Illinois Department of Corrections, 263 F.3d 698 (2001)** – Retaliation as intentional discrimination undermining access to rights.

## **Case Law on Alteration of Another State’s Final Judgment**

- **Milwaukee County v. M.E. White Co., 296 U.S. 268 (1935)** – Full Faith and Credit requires states to respect judicial proceedings of sister states.
- **Williams v. North Carolina, 317 U.S. 287 (1942)** – States may not re-adjudicate or modify the substance of another state’s judgment.
- **Underwriters Nat'l Assurance Co. v. North Carolina Life & Accident & Health Ins. Guaranty Ass'n, 455 U.S. 691 (1982)** – Final judgments of one state must be given full faith and credit in another.
- **Baker v. General Motors Corp., 522 U.S. 222 (1998)** – States cannot disregard or alter the effect of another state’s judgment.
- **Kalb v. Feuerstein, 308 U.S. 433 (1940)** – Void judgments are legal nullities; jurisdictional fraud renders them unenforceable.

- **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)** – Fraud upon the court renders judgments void.
- **Mooney v. Holohan, 294 U.S. 103 (1935)** – Use of false or fabricated evidence violates due process.
- **Seventh Circuit precedent – In re Marriage of Malek, 603 F.3d 100 (7th Cir. 2010)** – Federal courts must enforce the Full Faith and Credit Clause and cannot permit one state to alter another's final judgment.

### **Case Law on Actual Innocence, Suppression of Evidence, and Void Convictions**

- **Brady v. Maryland, 373 U.S. 83 (1963)** – Suppression of exculpatory evidence violates due process. Texas prosecutors suppressed forensic exclusion evidence confirming Petitioner's innocence.
- **Schlup v. Delo, 513 U.S. 298 (1995)** – Innocence-based habeas relief requires gateway review when constitutional violations are coupled with new evidence. Petitioner's forensic exclusion evidence meets this gateway standard.
- **Herrera v. Collins, 506 U.S. 390 (1993)** – Actual innocence claims trigger federal review, even after conviction.
- **Brady v. Maryland, 373 U.S. 83 (1963)** – Suppression of exculpatory evidence violates due process; Texas prosecutors withheld forensic exclusion evidence confirming Petitioner's innocence.
- **Schlup v. Delo, 513 U.S. 298 (1995)** – Innocence-based habeas relief requires gateway review when constitutional violations are coupled with new evidence; Petitioner's forensic exclusion evidence meets this gateway standard.
- **Banks v. Dretke, 540 U.S. 668 (2004)** – Concealment of material facts invalidates convictions; prosecutors cannot withhold evidence central to innocence.
- **Napue v. Illinois, 360 U.S. 264 (1959)** – Use of false testimony violates due process; Indiana's fabricated reclassification of Petitioner's Texas conviction mirrors this principle.
- **Mooney v. Holohan, 294 U.S. 103 (1935)** – Use of false or fabricated evidence violates due process.
- **Kalb v. Feuerstein, 308 U.S. 433 (1940)** – Void judgments are legal nullities; jurisdictional fraud renders them unenforceable.
- **Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)** – Fraud upon the court renders judgments void.
- **County of Riverside v. McLaughlin, 500 U.S. 44 (1991)** – Probable cause must be determined within 48 hours of arrest; failure voids detention.

- **Gideon v. Wainwright, 372 U.S. 335 (1963)** – Coerced pleas and denial of fair trial rights violate due process.
- **Jackson v. Virginia, 443 U.S. 307 (1979)** – Convictions must rest on evidence sufficient to prove guilt beyond a reasonable doubt; forensic exclusion evidence negates sufficiency.
- **District Attorney's Office v. Osborne, 557 U.S. 52 (2009)** – Forensic evidence is central to post-conviction relief; denial of access violates due process.
- **Hope v. Pelzer, 536 U.S. 730 (2002)** – Deliberate indifference to constitutional rights constitutes a violation; ignoring forensic innocence evidence reflects deliberate indifference.

## Forensic Innocence Factors

- Police-authored complaint used as arrest warrant, with no judicial probable cause sign-off (*Gerstein v. Pugh, County of Riverside*).
- Judge read rights and charged Petitioner with a single adult-only offense, asked for plea, and Petitioner orally pled not guilty — but the judge failed to sign the probable cause order, as required under Texas law.
- Texas courts had already convicted another person with black hair six months earlier for the same one-person crime.
- Forensic evidence confirmed that one individual with black hair committed the crime — a trait Petitioner does not possess.
- Prosecutors suppressed this forensic exclusion evidence, violating **Brady v. Maryland**.
- Coerced plea extracted despite forensic exclusion evidence, compounding constitutional violations and triggering **Schlup v. Delo** gateway review.

## Statement of the Case

Petitioner Eric-Joshua Mapes is a federally protected disabled litigant whose conviction was sustained through jurisdictional contamination, procedural sabotage, and retaliatory exclusion across multiple state and federal courts. The conviction is structurally void ab initio, and the record reflects unrebutted constitutional violations documented in Exhibits 1–3 and D–F.

## Texas Proceedings

- On December 21, 1998, a police officer filed a notarized criminal complaint (Exhibit 1) without judicial oversight, misrepresenting it as a valid arrest warrant.
- Petitioner was arrested the same day (Exhibit 2), without a judge's finding of probable cause.
- On December 22, 1998, Petitioner appeared before a judge and entered a plea of not guilty in person (Exhibit 3). The judicial order lacked any probable cause signature, violating the Fourth Amendment and the mandates of *Gerstein v. Pugh* and *County of Riverside v. McLaughlin*.

Despite forensic exclusion evidence confirming Petitioner's actual innocence, the Texas trial court (Case No. C-27,442) sealed filings without review and declined to engage with certified Texas records, forensic evidence, ADA accommodation requests, and Indiana's unlawful alterations of Texas law.

The Eleventh Court of Appeals of Texas (Case No. 11-25-00190-CR) affirmed Petitioner's conviction under Texas Penal Code § 22.011(a)(1), an adult-only offense, but refused to adjudicate Indiana's unlawful reclassification or address actual innocence claims.

The Texas Court of Criminal Appeals (Case No. WR-83,771-03) declined to adjudicate preserved constitutional claims and compounded the injury by using another person's case number in its orders, fabricating a procedural record that misrepresented Petitioner's filings.

The Texas Supreme Court (Case No. 25-0692) denied mandamus relief without written opinion, declaring Petitioner's challenge to Indiana's unlawful modification of Texas records "moot," despite ongoing enforcement and unrebutted evidence.

## **Federal Proceedings in Texas**

The U.S. District Court for the Western District of Texas (Case No. 1:25-cv-01335) approved Petitioner's motion to proceed in forma pauperis but dismissed the case as "frivolous and malicious," adopting language from Indiana courts despite documented record tampering and jurisdictional sabotage. In its order, the District Court affirmed Petitioner's conviction under Texas Penal Code § 22.011(a)(1), an adult-only offense, while failing to address Indiana's fabricated child-based reclassification. The dismissal ignored violations of the Full Faith and Credit Clause, Double Jeopardy Clause, and Ex Post Facto Clause.

## **Indiana History Since 2017 – ADA Retaliation and Procedural Sabotage**

Since 2017, the State of Indiana has engaged in a sustained campaign of retaliation, reputational harm, and procedural sabotage against Petitioner, anchored in unlawful modification of Texas judicial records and statutes.

### **Unlawful Alteration of Texas Records**

- Indiana courts—including the Indiana Supreme Court and Indiana Court of Appeals—have actively enforced a fabricated child-based classification derived from Petitioner's adult-only Texas conviction under Texas Penal Code § 22.011(a)(1).
- Contract counsel **David Arthur**, acting under the Indiana Attorney General's Office, has been permitted to alter and modify Texas judicial records and statutes, fabricating a conviction never adjudicated in Texas.
- This conduct constitutes interstate record fraud, violating the Full Faith and Credit Clause, the Ex Post Facto Clause, and the Double Jeopardy Clause.

## **ADA Retaliation and Intentional Discrimination**

- Indiana's misconduct has been accompanied by ADA retaliation, treating Petitioner as though he were "alleging" disability rather than federally recognized, and excluding him from accommodations guaranteed under 42 U.S.C. § 12132 and 29 U.S.C. § 794.
- Retaliation has manifested as:
  - Reputational harm, branding Petitioner with a fabricated child-based offense;
  - Procedural sabotage, labeling filings "frivolous" or "abusive" to suppress constitutional claims;
  - Intentional discrimination, denying Petitioner equal access to judicial forums and accommodations.
- Supreme Court precedent (*Burlington Northern v. White*, 548 U.S. 53 (2006); *Thompson v. North American Stainless*, 562 U.S. 170 (2011)) recognizes retaliation as intentional discrimination, including reputational harm and procedural exclusion.
- Seventh Circuit precedent (*Hicks v. Forest Preserve District*, 677 F.3d 781 (7th Cir. 2012); *Stutler v. Illinois DOC*, 263 F.3d 698 (7th Cir. 2001)) confirms retaliation is actionable when it results in reputational damage, procedural sabotage, or exclusion from protected forums.

## **Procedural Sabotage and Federal Abdication**

- Indiana courts have repeatedly labeled Petitioner's filings "frivolous" or "malicious," despite verified exhibits and unrebutted constitutional claims.
- Federal courts in Texas adopted Indiana's language, compounding the injury by dismissing filings without addressing cross-jurisdictional misconduct.
- This pattern demonstrates systemic abdication of constitutional responsibility, leaving Petitioner subject to reputational harm, ADA retaliation, and unlawful enforcement across state lines.

## **Ongoing Harm and Carroll County Sheriff's Enforcement**

- Petitioner remains subject to lifetime registry enforcement under Indiana Code § 35-42-4-14, despite certified Texas records confirming only an adult-based adjudication and his duty expired under Indiana law, Texas law, and federal SORNA standards (15-year maximum).
- The **Carroll County Sheriff**, named as a respondent, continues to enforce this fabricated classification with full knowledge of its illegality. Despite possessing the authority and legal duty to remove Petitioner from registry obligations, the Sheriff has been advised to continue enforcement, thereby perpetuating violations of the Full Faith and Credit Clause, Ex Post Facto Clause, Double Jeopardy Clause, and ADA protections.
- This fabricated classification has caused:
  - Public stigma and reputational harm;

- Housing discrimination;
- Denial of ADA accommodations and procedural access;

This record is not speculative—it is verified, preserved, and unrebutted. The absence of adjudication below is not a gap; it is a constitutional injury preserved for this Court’s intervention under Rule 11.

## Reasons for Granting the Petition

### I. The Conviction is Structurally Void Ab Initio

- The arrest was executed without judicial probable cause, violating the Fourth Amendment and *Gerstein v. Pugh*, 420 U.S. 103 (1975).
- The trial court sealed filings without review, declined to engage with certified Texas records, and ignored forensic exclusion evidence.
- The Texas Court of Criminal Appeals misused another person’s case number in its orders, fabricating a procedural record.
- Prosecutors suppressed exculpatory forensic evidence confirming Petitioner’s innocence, violating *Brady v. Maryland*, 373 U.S. 83 (1963).
- Petitioner’s coerced plea, despite forensic exclusion evidence, triggers *Schlup v. Delo*, 513 U.S. 298 (1995), gateway review.
- These defects render the conviction void ab initio under *Kalb v. Feuerstein*, 308 U.S. 433 (1940), and fraud upon the court doctrine (*Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944)).

### II. Indiana’s Unlawful Alteration of Texas Law Requires Federal Intervention

- Indiana courts, IDOC, and contract counsel **David Arthur** have unlawfully altered and modified Texas judicial records and statutes, fabricating a child-based conviction never adjudicated in Texas.
- The **Carroll County Sheriff**, with full knowledge of the illegality, continues to enforce this fabricated classification despite possessing the authority and duty to remove Petitioner from registry obligations under Indiana law, Texas law, and federal SORNA standards.
- This conduct violates the Full Faith and Credit Clause (*Milwaukee County v. M.E. White Co.*, 296 U.S. 268 (1935); *Underwriters Nat'l Assurance Co. v. North Carolina*, 455 U.S. 691 (1982)), the Ex Post Facto Clause, and the Double Jeopardy Clause.
- Fraud upon the court, as recognized in *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, renders judgments void and mandates federal correction

### **III. ADA Retaliation Constitutes Intentional Discrimination**

- Indiana's misconduct has been accompanied by ADA retaliation, treating Petitioner as though he were "alleging" disability rather than federally recognized.
- Retaliation has manifested as reputational harm, procedural sabotage, and intentional discrimination.
- Supreme Court precedent (*Burlington Northern v. White*, 548 U.S. 53 (2006); *Thompson v. North American Stainless*, 562 U.S. 170 (2011)) and Seventh Circuit precedent (*Hicks v. Forest Preserve District*, 677 F.3d 781 (2012); *Stutler v. Illinois DOC*, 263 F.3d 698 (2001)) confirm retaliation is actionable when it results in reputational damage, procedural sabotage, or exclusion from protected forums.

### **IV. Federal Courts Have Abdicated Responsibility**

- The Western District of Texas dismissed Petitioner's filings as "frivolous and malicious," adopting Indiana's language despite documented record tampering and jurisdictional sabotage.
- The dismissal affirmed Petitioner's adult-only conviction under Texas Penal Code § 22.011(a) (1) but failed to address Indiana's fabricated child-based reclassification.
- This abdication ignored violations of the Full Faith and Credit Clause, Double Jeopardy Clause, and Ex Post Facto Clause, compounding constitutional injury.
- By ignoring forensic exclusion evidence and Brady violations, federal courts failed to uphold due process obligations under *Banks v. Dretke*, 540 U.S. 668 (2004), and *Jackson v. Virginia*, 443 U.S. 307 (1979).

### **V. The Case Presents Issues of Imperative Public Importance**

- The petition exposes systemic misconduct of national importance, including ADA retaliation, reputational harm, and procedural sabotage across state lines.
- The case presents a doctrinal framework for future disabled litigants, clarifying federal standards governing arrest, judicial oversight, disability access, and interstate record integrity.
- Immediate intervention is required to prevent further constitutional injury and to preserve the integrity of judicial records nationwide.
- This Court's review is necessary to resolve conflicts between state enforcement actors (including the Carroll County Sheriff) and federal supremacy, ensuring that unlawful interstate record alterations cannot override certified judicial records.

## CONCLUSION AND PRAYER FOR RELIEF

Petitioner's conviction is **structurally void ab initio**, sustained through unlawful seizure, judicial omission, interstate record fraud, ADA retaliation, reputational harm, and procedural sabotage. Texas courts refused to adjudicate verified filings, Indiana courts unlawfully altered and reclassified Texas judicial records, and federal courts abdicated responsibility by adopting Indiana's language while ignoring constitutional violations. The record demonstrates unrebutted violations of the **Fourth Amendment, Fifth Amendment (Double Jeopardy Clause), Fourteenth Amendment, Full Faith and Credit Clause, Ex Post Facto** -

**Clause, and Supremacy Clause**, alongside statutory protections under the **ADA, Section 504 of the Rehabilitation Act**, and federal anti-retaliation provisions.

Immediate intervention by this Court is required to preserve the integrity of judicial records, protect federally recognized disabled litigants, and prevent further constitutional injury.

**Petitioner respectfully prays that this Court:**

1. **Grant certiorari before judgment** under Supreme Court Rule 11, recognizing the case as one of imperative public importance.
2. **Vacate Petitioner's conviction** under Texas Penal Code § 22.011(a)(1) as void ab initio, due to unlawful seizure, judicial omission, and fraud upon the court.
3. **Enjoin the State of Indiana**—including its courts, ISOC, and contract counsel David Arthur—from enforcing fabricated child-based classifications or altering Texas judicial records and statutes.
4. **Order restoration of Petitioner's rights and dignity**, including removal from unlawful registries, correction of reputational harm, and recognition of ADA protections.
5. **Clarify federal standards** governing arrest, judicial oversight, disability access, and interstate record integrity, ensuring future protection for disabled litigants and systemic accountability.
6. **Grant any further relief** this Court deems just and proper to preserve constitutional guarantees and federal supremacy.

Executed in good faith and under penalty of perjury.

Executed on: January 13, 2026

All rights expressly reserved nunc pro tunc, ab initio, and in perpetuity.

Very Respectfully in good faith,

  
/s/ Mr. Eric-Joshua Mapes  
Real Party of Interest Federal  
Federally Protected Disabled Individual  
SSDI and SSI Beneficiary  
Federal Plaintiff

Confirmation of Delivery / Certified Mail Tracking Number :

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Preserved under: 36 C.F.R. § 1256.10 / 5 C.F.R. § 1320.5(d)(2)