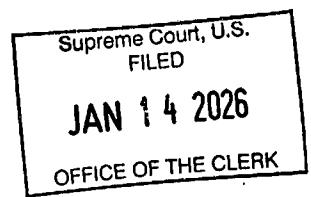


25-6779

ORIGINAL

No.

IN THE SUPREME COURT OF THE UNITED STATES



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Sasho Stantchev,  
*Petitioner*

vs.

Bunker Hill Community College,  
*Respondent.*

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ON PETITION FOR A WRIT OF CERTIORARI TO  
THE MASSACHUSETTS SUPREME JUDICIAL COURT

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PETITION FOR WRIT OF CERTIORARI

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## **QUESTIONS PRESENTED**

Whether the Due Process Clause of the 14<sup>th</sup> Amendment is violated when the enforcement of procedural deadlines takes priority over the merit of cases of personal injury which occurred at a state institution.

Whether the Due Process and Equal Protection Clause permits a state court to apply procedural rules asymmetrically by excusing untimely conduct by government defendants while imposing the harshest possible sanction on an unrepresented litigant for non-culpable delay.

## LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page.  
A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

## RELATED CASES

### Massachusetts Supreme Judicial Court:

Sasho Stantchev v. Bunker Hill Community  
College No.FAR-30313  
Judgement entered July 25, 2025.  
Denial of rehearing entered on October 16, 2025.

### Massachusetts Appeals Court:

Sasho Stantchev v. Bunker Hill Community  
College No. 2024-P-0381  
Judgement entered on April 9, 2025.

### Middlesex Superior Court:

Stantchev v. Bunker Hill 2281CV02677  
Judgement entered on November 13, 2023.

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## TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
Martin v. Commonwealth, 760 N.E.2d at 316.	5
Logan v. Zimmerman Brush Co., 455 U.S. 422, 433–34 (1982).	5
Boddie v. Connecticut, 401 U.S. 371, 379 (1971).	5

## STATUTES AND RULES

## OTHER

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_ ; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_ to the petition and is

[ ] reported at \_\_\_\_\_ ; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[✓] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

[ ] reported at \_\_\_\_\_ ; or,  
[ ] has been designated for publication but is not yet reported; or,  
[✓] is unpublished.

The opinion of the Massachusetts Appeals Court appears at Appendix C to the petition and is

[ ] reported at \_\_\_\_\_ ; or,  
[ ] has been designated for publication but is not yet reported; or,  
[✓] is unpublished.

## JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_ A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was July 25, 2025. A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: October 16, 2025, and a copy of the order denying rehearing appears at Appendix B.

An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_ A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### United State Constitution, Amendment XIV § 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

## STATEMENT OF THE CASE

This case arises from a civil tort action brought by a self-represented litigant, Sasho Stantchev, against a public institution, Bunker Hill Community College (BHCC). At the time of the incident, Petitioner was self-employed as an independent contractor with Ceva Logistics. On July 30, 2019, Petitioner sustained a head injury on the loading dock of BHCC by faulty equipment while making a delivery. By opening the dock plate, Petitioner was unexpectedly struck on the left side of his head by a spring-loaded metal pole, causing loss of consciousness, hematoma, nausea, dizziness, slurred speech, and neck pain. Since the incident, Petitioner has ongoing health issues and loss of livelihood.

Petitioner proceeded *pro se* and acted in good faith throughout the proceedings. Relying on official guidance and publicly available information, he believed his filing complied with applicable limitations periods. He was not informed of a presentment requirement applicable to claims against public entities, nor warned that failure to comply would result in permanent dismissal.

During the appellate process, Petitioner experienced filing delays caused by unreliable mail delivery, a circumstance beyond his control and supported by available evidence. The Massachusetts Appeals Court initially accepted this explanation but later dismissed the appeal on the same procedural grounds, without addressing its prior acceptance of the explanation and without identifying any intervening change in circumstances. The dismissal also did not address comparable procedural noncompliance by the respondent, a public institution represented by the Attorney General's Office.

Petitioner sought further appellate review in the Supreme Judicial Court of Massachusetts (see Appendix E). The application was denied without explanation. A motion for reconsideration was likewise denied without explanation.

At no point did any Massachusetts court consider the merits of Petitioner's claims.

Meanwhile, procedural delays by the Defendant, represented by the Attorney General's Office, were excused without sanction.

The result was a dismissal with prejudice, permanently barring Petitioner from any judicial review of his claims based solely on non-culpable procedural delay.

## REASONS FOR GRANTING THE PETITION

### I. The Decision Below Conflicts with This Court’s Due Process Jurisprudence by Permitting Dismissal With Prejudice Without Any Merits Review:

This Court has repeatedly held that while States may impose reasonable procedural requirements, such rules may not be applied in a manner that arbitrarily deprives a litigant of a meaningful opportunity to be heard. *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 433–34 (1982); *Boddie v. Connecticut*, 401 U.S. 371, 379 (1971).

Here, Petitioner’s civil action was dismissed with prejudice, permanently extinguishing his claims, without a court addressing their merits. The dismissal rested solely on procedural timing issues that were not the product of willful neglect but instead arose from good-faith reliance on official guidance and external mail-delivery failures beyond Petitioner’s control. This raises due process concerns with respect to the existence of State laws which inhibit the privileges of United States citizens to meaningful consideration of their cases as regards the merits of such cases. See *Martin v. Commonwealth*, 760 N.E.2d at 316 (“[T]he presentment requirement is not intended to demand such rigid particularization as to reincarnate sovereign immunity and bar legitimate claims for failing to invoke perfectly the correct ‘Open Sesame’”).

This Court has recognized that dismissal with prejudice is the most severe sanction available and is constitutionally suspect where imposed without fault or proportionality. See *Evitts v. Lucey*, 469 U.S. 387, 401 (1985) (due process guarantees more than formal access; it requires meaningful review).

The rigid enforcement of procedural rules in this case functioned not as an administrative regulation, but as a complete and irreversible bar to judicial review, raising a serious due process question warranting this Court’s intervention.

## **II. The Asymmetrical Application of Procedural Rules Raises Serious Equal Protection and Due Process Concerns**

The proceedings below reflect an asymmetrical enforcement of procedural requirements. While procedural delays by the Defendant—a state entity represented by the Attorney General’s Office—were excused without consequence, Petitioner’s non-culpable delay resulted in dismissal with prejudice. This Court has made clear that procedural rules must be applied evenhandedly where access to courts is at stake. Arbitrary distinctions that burden one class of litigants—particularly unrepresented individuals—while favoring institutional actors undermine both equal protection and procedural fairness.

Petitioner does not seek preferential treatment as a pro se litigant. He seeks only the constitutional minimum: that procedural rules not be enforced in a manner that selectively deprives one party of access to adjudication altogether.

## **III. This Case Presents an Important and Recurring National Issue Affecting Pro Se Litigants and Access to Justice**

Across the country, courts increasingly rely on procedural dismissals to manage dockets, while a growing number of litigants appear pro se. This case presents a recurring and unresolved constitutional question: where is the line between permissible procedural regulation and unconstitutional denial of court access?

The issue is particularly acute where the defendant is a government entity, the plaintiff alleges serious personal injury, dismissal is with prejudice, and no court ever reviews the merits.

Absent guidance from this Court, lower courts will continue to enforce procedural rules in ways that may unintentionally but effectively foreclose access to justice for pro se litigants.

Accordingly, Petitioner respectfully requests that this Honorable Court issue a writ of certiorari.

## CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Honorable Court grant this writ of certiorari.

Respectfully submitted,  
Sasho Stantchev, *pro se*

Date: January 14, 2026