

25-6781

In the Supreme Court of the United States

No. _____

STACY HALL

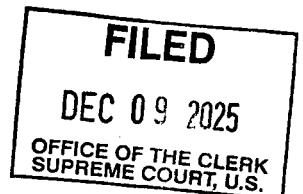
Petitioner

v.

BUDDY MYOTTE, ALVIN FODE, and MYRON BEESON

Respondents

ORIGINAL



PETITION FOR A WRIT OF CERTIORARI

to the United States Court of Appeals for the Ninth Circuit

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December 9, 2025

QUESTIONS PRESENTED

1. Procedural Due Process / Rule 60(b) Jurisdiction

Whether the Due Process Clause permits a lower court to refuse to consider a Rule 60(b) motion because a prior notice of appeal divests jurisdiction, when the motion alleges evidence suppression vital to a § 1983 claim and the appellate court declines remand.

2. Evidence Withholding / Due Process

Whether the State may withhold essential witness-identifying information in a § 1983 action without individualized judicial balancing or access to counsel.

3. Delay and Fundamental Fairness

Whether a decade-long delay in adjudicating a prisoner's § 1983 claim, during which the State withheld essential evidence, violates the Fourteenth Amendment's guarantee of fundamental fairness.

4. Meaningful Access to Courts

Whether denying access to essential witnesses, while withholding their identities and contact information, constitutes denial of meaningful access to courts.

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Fed. R. App. P. 12.1	2, 4, 6

OPINIONS BELOW

The Ninth Circuit's Order of denial of a panel rehearing, dated **September 11, 2025**, appears in Appendix A.

The Ninth Circuit's judgment denying the appeal, dated **July 30, 2025**, appears in Appendix B.

The relevant Constitutional and Statutory Provisions appears in Appendix C.

JURISDICTION

The Ninth Circuit entered judgment in Case No. 23-35372 on **July 30, 2025**.

The Ninth Circuit denied Petitioner's petition for rehearing in Case No. 23-35372 on **September 11, 2025**.

This petition is timely under 28 U.S.C. §2101(c) and Supreme Court Rule 13 as the petition for rehearing was denied on **September 11, 2025**.

Jurisdiction is invoked under **28 U.S.C. § 1254(1)**.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The following are reproduced in Appendix D:

U.S. Const. amend. XIV

42 U.S.C. § 1983

Fed. R. Civ. P. 60(b)

28 U.S.C. § 1291

Fed. R. App. P. 12.1

STATEMENT OF THE CASE

A. Nature of the Case

This case arises from the State's repeated obstruction of a civil-rights action filed under 42 U.S.C. § 1983, and fundamental fairness at trial. Petitioner seeks redress for constitutional violations, including suppression of key evidence, obstruction of discovery, and denial of access to courts. Despite years of litigation, the lower courts, including the Ninth Circuit, have refused to allow review of Petitioner's post-trial motions, leaving serious allegations of constitutional violations unaddressed. This procedural posture demonstrates a systemic denial of due process and meaningful access to the courts.

B. Factual and Procedural Background

1. Underlying § 1983 Claim

Petitioner filed a § 1983 action against state actors alleging violations of his constitutional rights, particularly with regard to unsafe working conditions where Petitioner was compelled, under threat of disciplinary action, to clean the fecal matter of other inmates in a mental health maximum security ward, without the benefit of protective garments to protect his future health. Central to his claim are witnesses whose identities and any means of contact were withheld by the State, depriving Petitioner of essential evidence to substantiate his claims.

2. In-Camera Review and Lack of Counsel

The District Court conducted an in-camera review of the State's witness-identifying information. Petitioner, proceeding pro se, was without counsel during this review due to his indigency, and was told that counsel could later receive the information at trial. However, to access the withheld information, which had been delayed by the State's suppression of evidence, Petitioner had to secure pro bono counsel for trial in order to obtain the witness information, directly hindering his ability to present his constitutional claims.

3. Post-Judgment Rule 60(b) Motion

Following the entry of judgment, Petitioner filed a Rule 60(b) motion seeking to set aside the judgment, citing newly discovered evidence from trial that had been suppressed by the State, among other serious issues affecting the fairness of the trial. However, because Petitioner had already filed a notice of appeal, the District Court lacked jurisdiction under 28 U.S.C. § 1291 and Fed. R. App. P. 12.1 to entertain the motion unless an indicative ruling or remand was requested, procedures of which Petitioner was unaware due to his pro se status and lack of formal legal education.

4. District Court's November 2, 2023 Order

The District Court denied Petitioner's Rule 60(b) motion and motion to reopen discovery for lack of jurisdiction, noting that even if an indicative ruling had been requested, it would have declined to entertain the motions. This procedural denial prevented review of the State's suppression of evidence, despite its significant impact on Petitioner's constitutional claims.

5. Ninth Circuit Appeal

Petitioner appealed the District Court's denial. The Ninth Circuit dismissed the appeal, holding that:

- Denial of a Rule 60(b) motion while an appeal is pending is non-appealable;
- The District Court's procedural denial was interlocutory and not a final determination on the merits;
- No mechanisms for immediate appeal under 28 U.S.C. § 1292 or the collateral order doctrine applied.

6. Ongoing Constitutional Implications

As a result of these procedural rulings, Petitioner remains unable to obtain discovery essential to his claims. The Ninth Circuit's dismissal leaves Petitioner's constitutional violations unreviewed, raising substantial questions regarding his due process rights, access to courts, and fundamental fairness at trial.

C. Importance of the Case

The case raises fundamental questions about evidence suppression, pro se litigant rights, access to courts, fundamental fairness at trial, and the jurisdictional effects of premature notices of appeal, and presents an opportunity for the Supreme Court to clarify:

- The limits of jurisdictional divestment during pending appeals, particularly in the context of Rule 60(b) motions seeking relief from suppressed evidence.
- The extent to which procedural technicalities can bar meaningful access to courts, preventing redress of constitutional violations.
- The obligations of courts to ensure fairness when the State's actions obstruct litigation and hinder access to essential evidence.

Without review, similar constitutional violations may evade all judicial scrutiny.

REASONS FOR GRANTING THE PETITION

I. The Ninth Circuit's Dismissal Denied Petitioner Access to Courts in Violation of the Constitution

The Ninth Circuit's dismissal of Petitioner's appeal effectively denied him access to the courts, violating the Due Process Clause of the Fourteenth Amendment. A state cannot shield itself from judicial review through procedural maneuvers, particularly when it has suppressed evidence essential to a civil-rights claim.

- Access to courts is a fundamental right. The Supreme Court has long recognized that denial of meaningful access to the courts is a constitutional violation.

Bounds v. Smith, 430 U.S. 817, 821 (1977).

- Procedural technicalities should not override fundamental fairness. In this case, the Ninth Circuit applied strict procedural rules regarding Rule 60(b) motions while ignoring the constitutional

implications of the State's suppression of evidence. *United States v. Armstrong*, 517 U.S. 456, 464 (1996).

By dismissing the appeal on jurisdictional grounds, the Ninth Circuit effectively insulated the State's misconduct from judicial review, preventing Petitioner from challenging the suppression of crucial evidence.

II. The Ninth Circuit Misapplied Rule 60(b) and FRAP 12.1

The Ninth Circuit misapplied Rule 60(b) and the principles governing indicative rulings:

1. Rule 60(b) and Fed. R. App. P.12.1 allow an appellate court to remand a case to the district court to consider a motion when jurisdiction is divested. *Gould v. Mutual Life Ins. Co.*, 790 F.2d 769, 772 (9th Cir. 1986); *Davis v. Yageo Corp.*, 481 F.3d 661, 685 (9th Cir. 2007).
2. The District Court's statement that it "would decline to entertain the motions" is a procedural ruling, not a substantive one. *Defenders of Wildlife v. Bernal*, 204 F.3d 920, 930 (9th Cir. 2000).
3. Ninth Circuit dismissed the appeal without considering the possibility of an indicative ruling, thus depriving Petitioner of any opportunity to have the constitutional violations reviewed.

III. The Decision Conflicts with Supreme Court Precedent on Fair Process

The Ninth Circuit's decision conflicts with the Supreme Court's precedent, which safeguards due process and fair treatment for litigants:

- *Brady v. Maryland*, 373 U.S. 83, 87 (1963), holds that the State must disclose exculpatory evidence, and its suppression violates due process.
- *Hall v. Hall*, 584 U.S. 59, 64 (2018), reaffirmed that procedural barriers should not prevent claims involving constitutional violations from being considered.
- *Digital Equip. Corp. v. Desktop Direct, Inc.*, 511 U.S. 863, 867-68 (1994), mandates that procedural rules must not frustrate the review of important constitutional rights.

IV. This Case Presents an Important Question for the Supreme Court

The petition presents a recurring and unresolved issue: whether procedural rules can bar appellate review of Rule 60(b) motions when the motions seek relief for constitutional violations, particularly in cases involving evidence suppression by the State. Without Supreme Court intervention, lower courts may continue to use procedural dismissals to shield constitutional violations from review, especially in civil-rights actions.

CONCLUSION

For the foregoing reasons, Petitioner respectfully urges the Court to grant certiorari to resolve this critical issue of constitutional and procedural law. The Ninth Circuit's dismissal raises fundamental questions about access to courts, due process, and the proper application of Rule 60(b) and appellate procedure. Supreme Court review is necessary to ensure that procedural rules do not obstruct the vindication of constitutional rights.

Respectfully submitted,



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December 9, 2025