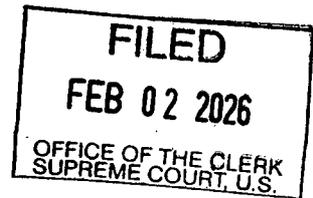


25 - 6859



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

**IN THE  
SUPREME COURT OF THE UNITED STATES**

**DANIEL R. WOOD - PETITIONER**

**VS.**

**BRIAN GOOTKIN - RESPONDENT**



**ORIGINAL**

**ON PETITION FOR A WRIT OF CERTIORARI TO**

**THE SUPREME COURT OF MONTANA**

**PETITION FOR WRIT OF CERTIORARI**

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## QUESTIONS PRESENTED

1. Whether the Due Process Clause permits a state court to terminate all judicial review of federal constitutional claims through the application of federal justiciability doctrines and procedural finality rules.

## **LIST OF PARTIES**

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

## **RELATED CASES**

Petitioner is not aware of any related cases pending before this Court.

## **INDEX OF APPENDICES**

Appendix A – Order of Nov. 4, 2025, *Wood v. Gootkin* (Mont 2025) (No. OP 25-0698).

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**

The Order of the Montana Supreme Court is unpublished and appears at Appendix A.

**JURISDICTION**

The Order of the Montana Supreme Court was entered on November 4, 2025, and appears at Appendix A. The court's Order rests entirely on Article III jurisprudence and does not invoke any independent or adequate state-law ground.

A procedural rule then rendered the Order final, foreclosing eligibility for rehearing or forum for review.

Accordingly, this Court has jurisdiction under 28 U.S.C. § 1257(a).

**CONSTITUTIONAL PROVISIONS INVOLVED**

U.S. Const. amend. XIV, § 1: "...nor shall any State deprive any person of life, liberty, or property, without due process of law..."

**STATEMENT OF THE CASE**

Petitioner brought an original action seeking declaratory and prohibitory relief, challenging statewide executive practices alleged to violate the United States Constitution.

The Montana Supreme Court acknowledged related, ongoing litigation and engaged with the scope and duration of the challenged practices before dismissing the action by applying federal justiciability doctrines, without reaching the merits of the federal constitutional claims presented.

In dismissing the action, the court did not stay proceedings, remand the claims, condition dismissal on adjudication elsewhere, or identify any alternative state or federal forum capable of resolving the questions presented. Instead, the court applied justiciability doctrines without addressing recognized exceptions under which federal constitutional claims may proceed notwithstanding ordinary limitations, including where dismissal would preclude review.

By ordering “this matter is CLOSED as of this Order’s date,” see App. 1 at A-3, it forbids acceptance of a rehearing petition by the Clerk. The effect of that determination was to make dismissal final and unreviewable, either on the merits of the federal questions raised, or the grounds for dismissal within the state judicial system.

## REASONS FOR GRANTING PETITION

### Reason I

The Due Process Clause forbids the application of justiciability doctrines that foreclose all judicial review of federal constitutional claims.

This Court has long recognized that justiciability doctrines operate as prudential limits on judicial review, subject to exceptions designed to preserve access to adjudication where

constitutional rights are at stake. Those doctrines do not exist to extinguish claims entirely, particularly where dismissal forecloses the legal determination necessary to pursue any remedy.

When application of justiciability doctrines results in the complete denial of a judicial forum for the adjudication of federal constitutional claims, those claims are rendered effectively immune from judicial scrutiny.

## **Reason II**

The decision below combined federal justiciability doctrines and procedural finality to foreclose the only judicial forum capable of resolving the claims presented.

The Montana Supreme Court dismissed the proceeding on federal justiciability grounds after engaging with the systemic nature of the challenged practices. The court did not channel the claims to another forum, stay proceedings pending alternative resolution, or identify any court capable of providing final adjudication.

A state high court entertaining an Original Proceeding is often without appellate review beyond their own by rehearing. The court below specifically invoked a procedural rule prohibiting the Clerk from accepting petitions for rehearing, rendering its dismissal immediately final and ineligible for rehearing. The combined effect of these determinations was to terminate the sole judicial proceeding capable of resolving the federal constitutional questions presented.

### **Reason III**

This case is an ideal vehicle for resolving the question presented

The decision below rests exclusively on the application of federal justiciability doctrines and a procedural rule governing finality; the court did not reach the merits of the federal constitutional claims and did not invoke any independent or adequate state-law ground. No factual disputes bear on the constitutional question, and the dismissal was rendered immediately final and unreviewable within the state judicial system.

### **Reason IV**

Guidance from this Court is necessary to ensure that federal constitutional claims remain judicially cognizable in state courts.

State courts routinely apply federal justiciability doctrines when adjudicating federal constitutional claims. Those doctrines, however, carry limiting principles designed to preserve access to judicial review, particularly where constitutional rights are at stake.

Absent clarification from this Court, state courts may apply justiciability doctrines in a manner that effectively insulates executive conduct from judicial scrutiny by terminating proceedings without reaching the merits and without leaving any forum for review. Such outcomes undermine the Due Process Clause's guarantee of a meaningful opportunity to be heard and threaten the uniform adjudication of federal constitutional rights.

This case presents an appropriate opportunity for this Court to reaffirm that federal justiciability doctrines may not be applied by state courts in a manner that forecloses all

judicial review of federal constitutional claims.

## CONCLUSION

This case asks whether jurisdictional doctrines may be applied in a way that prevents any court from ever determining whether federal constitutional claims may be heard at all. When a court applies justiciability doctrines in a manner that terminates all judicial avenues for adjudication or review, due process is implicated. Because the question is cleanly presented and of enduring constitutional importance, the petition for a writ of certiorari should be granted.

DATED this 2nd day of February, 2026.

BY:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

DANIEL R. WOOD, PRO-SE