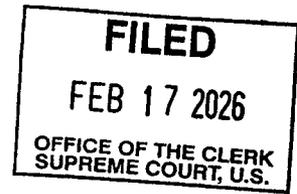


25-6951

No. _____



IN THE SUPREME COURT OF THE UNITED STATES

MANDEEP SINGH MUNDI

Petitioner,

ORIGINAL

v.

SANDEEP KAUR,

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO

THE COURT OF APPEAL OF THE STATE OF CALIFORNIA,

THIRD APPELLATE DISTRICT

PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

Whether the Due Process Clause permits a state court to preserve and continue to enforce substantive orders entered by a trial judge who has been formally adjudicated disqualified for bias, by treating the resulting impartial-tribunal defect as harmless and declining to vacate the disqualified judge's orders.

LIST OF PARTIES AND RELATED PROCEEDINGS

Petitioner:

Mandeep Singh Mundi.

Respondents:

Sandeep Kaur.

Superior Court of California, County of Sutter.

Related Proceedings:

Sandeep Kaur v. Mandeep Mundi, No. CVFL22-0001431 (Cal. Super. Ct., Sutter Cnty.).

Mandeep Mundi v. Superior Court of Sutter County, No. C104593 (Cal. Ct. App., Third Dist.).

Mandeep Mundi v. Superior Court of Sutter County, No. S293541 (Cal. Sup. Ct.).

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Appendix D. Order granting disqualification of Judge Dennis J. Buckley (filed May 2, 2025)

Appendix E. Substantive order(s) entered by Judge Buckley that remain in effect (e.g., marital-status/putative-spouse ruling and any other key substantive orders)

OPINIONS BELOW

The California Court of Appeal, Third Appellate District, summarily denied Petitioner's petition for a writ of mandate or prohibition on October 6, 2025. App., *infra*, 1a. The Supreme Court of California denied discretionary review on November 19, 2025. App., *infra*, 2a.

JURISDICTION

The Supreme Court of California denied review on November 19, 2025. App., *infra*, 2a. This Court's jurisdiction is invoked under 28 U.S.C. § 1257(a). The petition is timely under Sup. Ct. R. 13.1.

Although the underlying state-court proceedings continue, the state courts have finally resolved the federal due process question presented—whether adjudicated judicial bias may be treated as harmless by preserving the disqualified judge's substantive orders—and that question is separable from the remaining merits proceedings. See *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 477-83 (1975).

CONSTITUTIONAL PROVISION INVOLVED

U.S. Const. amend. XIV, § 1: "No State shall deprive any person of life, liberty, or property, without due process of law."

STATEMENT OF THE CASE

This petition arises from a state civil proceeding in which a trial judge made statements that prompted a formal disqualification for bias under an objective appearance-of-bias standard. An assigned judge granted Petitioner's disqualification request and entered an order disqualifying the trial judge. App., *infra*, 5a-14a.

After that adjudicated bias finding, Petitioner sought vacatur of substantive orders entered by the disqualified judge, including a ruling determining marital status with major consequences in the underlying case. App., *infra*, 15a-18a. At a June 9, 2025 hearing, the successor judge denied vacatur, explaining that she had reviewed the file and did not find anything “improper” about the disqualified judge’s rulings. App., *infra*, 3a-4a.

Petitioner sought extraordinary relief in the California Court of Appeal and then the Supreme Court of California. Both courts denied relief. App., *infra*, 2a. As a result, the challenged orders remain in effect despite an adjudicated finding of judicial bias. This case presents a federal question about the constitutional remedy required after judicial bias has been formally adjudicated.

REASONS FOR GRANTING THE PETITION

I. THIS CASE PRESENTS AN IMPORTANT STRUCTURAL DUE PROCESS QUESTION ABOUT THE REMEDY FOR ADJUDICATED JUDICIAL BIAS.

A fair hearing before an impartial decisionmaker is a basic requirement of due process. *In re Murchison*, 349 U.S. 133, 136 (1955); *Bracy v. Gramley*, 520 U.S. 899, 904-05 (1997). This Court has repeatedly held that when the probability of bias is “too high to be constitutionally tolerable,” recusal is required as an objective matter. *Withrow v. Larkin*, 421 U.S. 35, 47 (1975); *Rippo v. Baker*, 580 U.S. 285, 287 (2017) (*per curiam*). The Court’s cases recognize multiple settings where a judge’s interest or prior role creates an impermissible risk of bias—financial incentives (*Tumey v. Ohio*, 273 U.S. 510 (1927); *Ward v. Village of Monroeville*, 409 U.S. 57 (1972); *Aetna Life Ins. Co. v. Lavoie*, 475 U.S. 813 (1986)), combined accusatory and adjudicatory functions (*Murchison*; *Mayberry v. Pennsylvania*, 400 U.S. 455 (1971)), prior significant prosecutorial involvement (*Williams v. Pennsylvania*, 579 U.S. 1 (2016)), and extraordinary influence on a judge’s selection (*Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).

This case raises a remedial question that follows an adjudicated disqualification. The issue is not whether bias existed; a state judge has already entered a disqualification order under an objective appearance-of-bias standard. The question is what the Constitution requires next: whether a state court may preserve and enforce the disqualified judge's substantive orders by recharacterizing the impartial-tribunal violation as harmless.

II. THE DECISION BELOW TREATS AN IMPARTIAL-TRIBUNAL VIOLATION AS HARMLESS AND CONFLICTS WITH THIS COURT'S STRUCTURAL-ERROR FRAMEWORK.

An unconstitutional failure to recuse is a structural defect that is "not amenable" to harmless-error review. *Williams*, 579 U.S. at 14. The reason is institutional as well as practical: the harm is not limited to any one ruling, and it cannot be measured by asking whether the result might have been the same before a neutral judge. See also *Arizona v. Fulminante*, 499 U.S. 279, 309-10 (1991) (distinguishing structural errors from trial errors); *Sullivan v. Louisiana*, 508 U.S. 275, 281-82 (1993); *Neder v. United States*, 527 U.S. 1, 8 (1999).

Here, the successor trial judge did not apply a structural remedy. Instead, the court reviewed the disqualified judge's merits rulings for "impropriety" and declined to vacate them because it found nothing "improper." App., *infra*, 3a. That approach collapses the impartial-tribunal guarantee into a post hoc merits review and leaves a litigant bound by orders entered under an adjudicated cloud of bias. Due process does not permit preserving tainted proceedings by treating an impartial-tribunal defect as harmless.

III. AT MINIMUM, THIS CASE WARRANTS A GVR FOR RECONSIDERATION UNDER THE CORRECT DUE PROCESS FRAMEWORK.

Even if this Court declines plenary review, this case is an appropriate candidate for a grant, vacatur, and remand so that the California courts may reconsider the denial of relief under this Court's controlling impartial-tribunal precedents.

IV. THIS CASE IS A CLEAN VEHICLE FOR RESOLVING THE FEDERAL REMEDY QUESTION AND ILLUSTRATES AN ARBITRARY DEPARTURE FROM CALIFORNIA'S SETTLED REMEDIAL FRAMEWORK.

This petition does not ask the Court to correct a state-law error in a domestic-relations dispute. The bias finding has already been adjudicated under an objective appearance-of-bias standard, and the question presented is purely remedial: whether a State may preserve and continue to enforce substantive orders entered by a trial judge who has been formally disqualified for bias by treating the resulting impartial-tribunal defect as harmless and declining to vacate the disqualified judge's orders.

California's own authorities underscore the arbitrariness of the approach taken below. California decisional law recognizes that disqualification "relates back" to the disqualifying facts and that rulings made after disqualification are not insulated by a successor court's post hoc merits review. See, e.g., *Catchpole v. Brannon*, 36 Cal. App. 4th 237 (1995) (reversal required where the average observer could doubt impartiality; no prejudice analysis). California's Judicial Conduct Handbook—while not binding federal law—reflects the State judiciary's own understanding of those obligations and instructs that expressions of racial or ethnic bias "require[] reversal," citing *Catchpole* and *Hernandez v. Paicius*, 109 Cal. App. 4th 452 (2003). See California Judicial Conduct Handbook (4th ed.) § 2:10 (Racial and ethnic bias).

Despite that settled remedial framework, the successor trial court denied vacatur because it found "nothing improper" about the disqualified judge's ruling on the merits. That approach effectively replaced the structural impartial-tribunal remedy with a harmless-error/merits review—precisely what this Court's cases forbid in the judicial-bias context. See *Williams v.*

Pennsylvania, 579 U.S. 1, 14 (2016) (unconstitutional failure to recuse is structural error “not amenable” to harmless-error review).

The state courts’ refusal to apply the State’s own settled remedial rule does not present merely a state-law disagreement; it underscores the federal due process problem. Due process is violated when a State arbitrarily denies a litigant the benefit of an established state-law protection in a manner that undermines fundamental fairness. See *Hicks v. Oklahoma*, 447 U.S. 343 (1980); *Bouie v. City of Columbia*, 378 U.S. 347 (1964); *Rogers v. Tennessee*, 532 U.S. 451 (2001); *Fiore v. White*, 531 U.S. 225 (2001) (per curiam).

This case therefore presents a clean vehicle. The record contains (1) the adjudicated disqualification order, (2) the order denying vacatur because the ruling was not “improper,” and (3) the appellate denials of writ relief. The federal issue is fully preserved and separable from the remaining merits proceedings, allowing this Court to resolve whether, once judicial bias has been formally adjudicated under an objective standard, due process permits the State to preserve and enforce the disqualified judge’s substantive orders by treating the structural impartial-tribunal defect as harmless.

CONCLUSION

The petition for a writ of certiorari should be granted. In the alternative, the Court should grant the petition, vacate the judgment below, and remand for further consideration in light of this Court’s decisions holding that judicial bias is a structural due process defect requiring meaningful relief.

Mandeep Singh Mundi

Respectfully submitted,

Mandeep Singh Mundi

2-17-2026