

No. 25-6992

ORIGINAL

Supreme Court, U.S.
FILED
JAN - 7 2026
OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

In Re Jaime EL — PETITIONER
(Your Name)

vs.

ROBERT HAZLEWOOD, FCI Berlin

ON PETITION FOR A WRIT OF MANDAMUS

FROM THE UNITED STATES COURT OF APPEALS (NEW YORK DIVISION) Docket No.
25-831

PETITION FOR WRIT OF MANDAMUS

Jaime EL
(Your Name)

1131 Tolland TPKE Suite 0 #106
(Address)

Manchester, Connecticut near 06042
(City, State, Zip Code)

706.843.7487
(Phone Number)

QUESTION(S) PRESENTED

1. Does "fraud" have a "statute of limitations" ?
2. Whether a United States Court of Appeals may decline jurisdiction by issuance of a Notice of Non-Jurisdiction after mandate while unresolved constitutional claims, un rebutted affidavits, and alleged federal employee misconduct remain pending.
3. Whether failure to address uncontested affidavits and defaults constitutes reversible constitutional error.
4. Whether federal employees acting under color of office lose immunity for mail interference, fraud, and failure to respond, implicating First, Fourth, and Fifth Amendment protections.
5. Whether appellate courts have a duty to take a "hard look" at constitutional claims prior to disclaiming jurisdiction.
See Motor Vehicle Mfrs. Ass'n v. State Farm, 463 U.S. 29 (1983).
- 6.*Is Title 31 USC 3101 Repealed? If not, does this insured / assured "statutory guarantee" cover the "full faith and credit" in all evident statements, that compliments constitutional issues raised?

"SEE ATTACHED PETITION..."

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

*Second Circuit Docket No.: 25-831

On Appeal From the
United States District Court for the
District of Connecticut (Hartford Division)
District Court Docket No.: 3:24-cv-1476

TABLE OF CONTENTS

OPINIONS BELOW..... 1
JURISDICTION.....
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED
STATEMENT OF THE CASE
REASONS FOR GRANTING THE WRIT
CONCLUSION.....

INDEX TO APPENDICES

- APPENDIX A = APPENDIX-A / APPENDIX 1 (Is the order ~~1st~~ received from the court)
APPENDIX B = APPENDIX-B / APPENDIX 2 ... (Court order)
APPENDIX C
APPENDIX D
APPENDIX E
APPENDIX F

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

→ Second Circuit Docket No.: 25-831

On Appeal From: United States District Court for the District of Connecticut (Hartford Division)
 District Court Docket No. 3:24-cv-1476 Second Circuit Docket No.: 25-831



On Appeal From:

STATUTES AND RULES

* PROTECTION OF THE MAIL - CONSTITUTIONAL AND STATUTORY AUTHORITY

- * The United States Constitution protects the mail under the First, Fourth, and Fifth Amendments.
- * Mail interference constitutes a federal offense under 18 U.S.C. § 1341.
- * Federal regulations impose affirmative duties upon federal employees to safeguard legal and "special mail."
 See Ex. pte. → 28 C.F.R. § 540.18(a).
- * The United States Supreme Court has repeatedly held that interference with mail violates due process.
 See Ex. pte. Jackson, 96 U.S. 727 (1878).
- * Connecticut courts recognize heightened protections for legal correspondence and access to courts.
- * New Hampshire law likewise recognizes special protections for legal and registered mail, particularly involving incarcerated persons.
 - United States v. Beggerly, 524 U.S. 38 (1998) Fed. R. Civ. P. 60(d)(3)
 - Rotella v. Wood, 528 U.S. 549 (2009)
 - Hazel-Atlas Glass Co. v. Hartford-Empire Co., 322 U.S. 238 (1944)

OTHER

* LOSS OF IMMUNITY AND FEDERAL EMPLOYEE LIABILITY

- * FEDERAL employees acting outside the scope of lawful authority lose qualified immunity.
 See Butz v. Economou, 438 U.S. 478 (1978).
- * Courts are constituted by authority and they cannot act beyond the power delegated to them. If a Court acts without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a remedy sought in opposition to them, even prior to a reversal. They constitute no justification; and all persons concerned in executing such judgments, or sentences, are considered, in law as trespassers." See Elliot v. Perisot, 26 U.S. 328, 340 (1828)

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue.

OPINIONS BELOW

For cases from **federal courts**:

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

reported at United States Court of Appeals for the Second Circuit, 40 Foley Square, New York, NY 10007, Doc # 25-831; 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 A to the petition and is

reported at United States District Court of Connecticut (New Haven Div), 141 Church St., New Haven, Ct 06510, Doc # 25-cv-0176; 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 _____ 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 _____ 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.

1.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 11/04/2025.

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 _____.
A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- * United States Constitution - Article 3 "Oaths and duty to protect, non-negotiable."
- * United States Constitution - Article IV, Section 1 "Full Faith And Credit Clause"
- * United States Constitution - Article VI "Protection of all Treaties, Contracts, and all dutiful obligations..."
- * United States Constitution - Amend. 1 "Right to redress"
- * United States Constitution - Art. IV, Sec. IV "Guaranty clause"...
- * Title 18 USC § 1341 states the penalty - "...Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, ... such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both."
- * Title 28 CFR § 540.18(a) states - "at § 540.18 Special mail. (a) The Warden shall open incoming special mail only in the presence of the inmate for inspection for physical contraband and the qualification of any enclosures as special mail. The correspondence may not be read or copied if the sender is adequately identified on the envelope, and the front of the envelope is marked "Special Mail - Open only in the presence of the inmate."
- * *LOPER BRIGHT ENTERPRISES v. RAIMONDO*, evidencing the final "interpretation of the laws," would be "the proper and peculiar province of the courts". The Federalist No. 78, p. 525 (A. Hamilton).
- * Jump to essay - 1 Ex parte Jackson, 96 U.S. 727, 732 (1878). See
- * *United States Postal Serv. v. Council of Greenburgh Civic Assn's*, 453 U.S. 114 (1981), in which the Court sustained the constitutionality of law making it unlawful for persons to use, without payment of a fee (postage), a letterbox which has been designated an authorized depository of the mail by the Postal Service.
- * 381 U.S. at 305, quoting Justice Holmes in *United States ex rel. Milwaukee Social Democratic Pub. Co. v. Burleson*, 255 U.S. 407, 437 (1921) (dissenting opinion): "The United States may give up the Post Office when it sees fit, but while it carries it on the use of the mails is almost as much a part of free speech as the right to use our tongues..." See also *Blount v. Rizzi*, 400 U.S. 410, 416 (1971) (quoting same language). But for a different perspective on the meaning and application of Holmes' language, see *United States Postal Service v. Council of Greenburgh Civic Assn's*, 453 U.S. 114, 127 n.5 (1981), although there too the Court observed that the postal power may not be used in a manner that abridges freedom of speech or press. *Id.* at 126. Notice, too, that first-class mail is protected against opening and inspection, except in accordance with the Fourth Amendment: *Ex parte Jackson*, 96 U.S. 727, 733 (1878); *United States v. van Leeuwen*, 397 U.S. 249 (1970). But see *United States v. Ramsey*, 431 U.S. 606 (1977) (border search).

STATEMENT OF THE CASE

WRIT

This Petition arises from proceedings in the United States Court of Appeals for the Second Circuit, Docket No. 25-831, on appeal from the United States District Court for the District of Connecticut, Case No. 3:24-cv-1476.

On November 26, 2025, the Second Circuit issued a Notice of Non-Jurisdiction, citing issuance of mandate under FRAP 41, without addressing pending constitutional claims, unrebutted affidavits, or alleged federal employee misconduct.

"Under the Constitution's Take Care Clause (U.S. Const. art. II, §3) and consistent with Harlow v. Fitzgerald, 457 U.S. 800, 818 (1982), qualified immunity does not shield federal actors from liability for mail fraud pleaded with particularity under Rule 9(b) and the substantive elements of 18 U.S.C. §1341, because knowingly fraudulent acts fall outside the lawful performance of official duties and thus strip any entitlement to immunity."

*Ref. Harlow v. Fitzgerald, 457 U.S. 800 (1982) (public officials are protected only for actions not-violating clearly established rights). *Ref. 18 USC 1341, 28 CFR § 540.18(a)

This writ is submitted in aid of the Court's appellate jurisdiction under Supreme Court Rule 20.1, as it arises from extraordinary circumstances involving alleged mail fraud and ultra vires acts that vitiate immunity and corrupt the integrity of the judicial process itself. The Supreme Court has long recognized that where fraud upon the court is credibly alleged, particularly criminal fraud outside the scope of official authority, immediate supervisory intervention is warranted to prevent irreparable harm and jurisdictional nullity (see Harlow v. Fitzgerald, 457 U.S. 800 (1982); Westfall v. Erwin, 484 U.S. ~~292~~ 292 (1988)). No adequate relief can be obtained through ordinary appellate channels or from any inferior court because the challenged actions strike at the lawful exercise of jurisdiction and the constitutional obligation that no officer of the United States may cloak criminal conduct in immunity, rendering this extraordinary writ the only effective remedy.

REASONS FOR GRANTING THE PETITION

1. Void Orders Are Reviewable at Any Time

Ex parte Siebold, 100 U.S. 371 (1879)

2. Failure to Address Defaults Violates Due Process

Peralta v. Heights Medical Center, 485 U.S. 80 (1988)

3. Mail Interference Is a Constitutional Violation

Ex parte Jackson, 96 U.S. 727 (1878)

4. Federal Employees Lose Immunity When Acting Outside Lawful Authority

Butz v. Economou, 438 U.S. 478 (1978)

*5. Chevron Deference Abrogate - Courts Must Apply Law as Written

Loper Bright Enterprises v. Raimondo, 603 U.S. ___ (2024)

CONCLUSION

The petition for a writ of mandamus should be granted.

Respectfully submitted,

By: El James as an ^{without prejudice} ~~EXCISE~~ *without recourse.*

Date: 12/20/2025

02/03/2026 *J.E.*