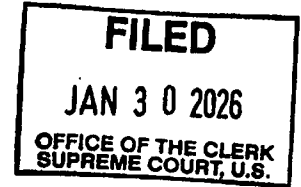


No. _____

25-7206

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



HUONG GILMER GIACCIO — PETITIONER
(Your Name)

vs.

MEREDITH LYON, ET AL., — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

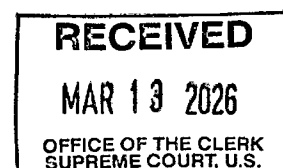
PETITION FOR WRIT OF CERTIORARI

HUONG GILMER GIACCIO
(Your Name)

3719 KELLY BLVD
(Address)

CARROLLTON, TEXAS 75007
(City, State, Zip Code)

945.546.0934
(Phone Number)



QUESTIONS PRESENTED

1. Whether municipal judges and prosecutors are entitled to absolute judicial or prosecutorial immunity when they act **in the clear absence of subject-matter jurisdiction** and in coordination with retaliatory enforcement actions against a private resident home.

2. Whether **retaliatory arrests, citations, and prosecutions** initiated in response to a home's owner protected petitioning activity violate the **First and Fourteenth Amendments**.
3. Whether **summary dismissal of constitutional claims without evidentiary review** violates **procedural due process** and the **right of access to courts**, particularly where liberty interests are implicated.
4. Whether **repeated warrantless arrests and enforcement actions**, combined with judicial refusal to review evidence, violate the **Fourth and Fourteenth Amendments**.
5. Whether denial of **meaningful language access and ADA accommodations** to a pro se litigant facing arrest, fines, and incarceration violates **due process and federal disability law**.

LIST OF PARTIES

- **Petitioner:** Huong Gilmer Giaccio
- **Respondents:**
 - Meredith Lyon (municipal judge)
 - Christopher Castro (municipal judge)
 - Fabian Melo (municipal prosecutor)
 - Daimon Hail (city marshal)

TABLE OF CONTENTS

Cover Page.....1
Questions Presented.....1
List of Parties.....2
Table of Contents.....3
Table of Authorities.....3
Opinions Below.....4
Jurisdiction.....5
Constitutional and Statutory Provisions Involved.....5
Statement of the Case.....5
Reasons for Granting the Writ.....8
Conclusion.....10
Appendix.....11
Proof of Service.....12

TABLE OF AUTHORITIES

Cases

Stump v. Sparkman, 435 U.S. 349 (1978)

Bradley v. Fisher, 80 U.S. (13 Wall.) 335 (1872)

Forrester v. White, 484 U.S. 219 (1988)

Lozman v. City of Riviera Beach, 585 U.S. 87 (2018)

Hartman v. Moore, 547 U.S. 250 (2006)

Nieuwenhuis v. City of New York, 970 F.3d 316 (2d Cir. 2020) (illustrative)

Bell v. Hood, 327 U.S. 678 (1946)

Mathews v. Eldridge, 424 U.S. 319 (1976)

Gerstein v. Pugh, 420 U.S. 103 (1975)

Statutes & Rules

U.S. Const. amend. I

U.S. Const. amend. IV

U.S. Const. amend. XIV

42 U.S.C. § 1983

28 U.S.C. § 1254(1)

Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.

Supreme Court Rule 13

Supreme Court Rule 39

OPINIONS BELOW

- Fifth Circuit unpublished opinion affirming dismissal, entered **December 30, 2025**
- Fifth Circuit order granting PACER fee exemption

- District Court order adopting magistrate judge’s findings and dismissing claims

(All opinions reproduced in the Appendix.)

JURISDICTION

The judgment of the United States Court of Appeals for the Fifth Circuit was entered on **December 30, 2025**.

This Court has jurisdiction under **28 U.S.C. § 1254(1)**.

The petition is timely under **Supreme Court Rule 13**.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves the **First, Fourth, and Fourteenth Amendments** to the United States Constitution, as well as the **Americans with Disabilities Act (ADA)** and federal due-process protections. Relevant provisions are set forth in the Appendix.

STATEMENT OF THE CASE

Ongoing Enforcement and Risk of Arrest

Petitioner is presently subject to **active municipal enforcement actions and citations** issued in December 2025. The City of Carrollton has issued written notice

warning that failure to resolve the citations may result in issuance of a **statewide warrant and arrest**.

Petitioner has previously been arrested multiple times in connection with these matters. The newly issued citations remain pending and carry escalating fines and criminal consequences. These ongoing enforcement actions demonstrate that Petitioner is not seeking abstract review. She faces **real and continuing risk of arrest, prosecution, and loss of liberty**. The courts' refusal to address the merits of Petitioner's constitutional claims has left her exposed to continued municipal enforcement without meaningful judicial protection. This case therefore presents urgent and recurring constitutional questions requiring this Court's intervention.

A. Background

Petitioner is a resident living in her private home who engaged in protected activity by **petitioning government entities, filing complaints, and seeking judicial review** of municipal enforcement actions taken against her.

Following this protected activity, municipal officials in Carrollton, Texas escalated enforcement efforts against Petitioner, including **repeated citations, warrantless arrests, and prosecutions**. These actions were carried out by city officials acting in concert, including municipal judges, a municipal prosecutor, and a city marshal.

B. Retaliatory Enforcement and Arrests

Petitioner was subjected to **multiple arrests without warrants**, issued in connection with municipal code enforcement matters. These arrests followed Petitioner's complaints and filings challenging prior enforcement actions and alleging misconduct.

Petitioner submitted **extensive evidence**, including recordings, documentation, and sworn statements, demonstrating retaliation, lack of lawful investigation, and absence of valid warrants. Courts declined to meaningfully review this evidence.

C. Federal District Court Proceedings

Petitioner filed a civil-rights action under **42 U.S.C. § 1983**, asserting violations of the First, Fourth, and Fourteenth Amendments, , as well as denial of access to courts and failure to provide ADA and language accommodations.

The magistrate judge recommended dismissal based primarily on **absolute immunity doctrines**, without factual development or evidentiary review. The district court adopted the recommendation and dismissed the case. The Fifth Circuit affirmed via unpublished summary disposition.

D. Fifth Circuit Proceedings

Petitioner appealed. The Fifth Circuit affirmed via **unpublished summary disposition**, finding “no reversible error,” without addressing Petitioner’s evidence or constitutional arguments in detail.

This petition follows.

REASONS FOR GRANTING THE WRIT

I. This Case Presents Important and Recurring Questions Regarding the Limits of Judicial and Prosecutorial Immunity

This case squarely presents whether municipal judges and prosecutors are entitled to absolute immunity when they act in the **clear absence of jurisdiction** and in coordination with **retaliatory enforcement actions**.

This Court has long held that absolute immunity does not extend to actions taken in the “clear absence of all jurisdiction.” Yet the decisions below dismissed Petitioner’s claims at the threshold without factual development, despite allegations of coordinated misconduct, retaliatory enforcement, and unlawful arrests.

The lower courts did not examine whether Respondents acted within lawful jurisdiction or whether immunity was improperly invoked to shield unconstitutional conduct. This case presents an appropriate vehicle to clarify the constitutional limits of immunity in the municipal-court context.

II. Retaliatory Enforcement for Protected Petitioning Activity Undermines the First Amendment

Petitioner alleges that enforcement actions escalated after she engaged in protected petitioning activity, including filing complaints and seeking judicial review.

This Court has repeatedly recognized that retaliation by government officials for protected speech or petitioning violates the First Amendment. When enforcement power is used to punish citizens who seek redress, constitutional protections are hollowed.

The refusal of the lower courts to examine retaliatory motive allows municipalities to weaponize enforcement authority against dissenting citizens. This case presents an important opportunity to reaffirm First Amendment protections.

III. Summary Dismissal Without Evidentiary Review Denies Procedural Due Process

Petitioner's claims were dismissed without factual development despite allegations involving arrest, incarceration, and continuing enforcement.

Procedural due process requires meaningful judicial review where liberty interests are at stake. The approach below insulates constitutional violations from review whenever immunity is asserted, eroding the right of access to courts.

This recurring issue warrants this Court's guidance.

IV. Repeated Warrantless Arrests and Judicial Refusal of Review Undermine Fourth Amendment Protections

Petitioner alleges multiple arrests without warrants or lawful investigation. When courts decline to examine the legality of such arrests, Fourth Amendment protections become illusory.

This case illustrates how procedural shortcuts can nullify substantive constitutional rights, warranting this Court's intervention.

V. This Case Raises an Important and Under-Addressed Issue of Language Access and ADA Compliance

Petitioner repeatedly requested language assistance and accommodations necessary to meaningfully participate in proceedings involving arrest and fines. These requests were not meaningfully addressed.

The denial of language access and ADA accommodations to a pro se litigant facing deprivation of liberty raises serious constitutional concerns. This Court has not squarely addressed this issue in the municipal-court enforcement context.

CONCLUSION

For the foregoing reasons, the Petition for a Writ of Certiorari should be granted.



Respectfully submitted,
/s/ Huong Gilmer Giaccio
Pro Se Huong Gilmer Giaccio
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Email: hgfive@yahoo.com

CERTIFICATE OF SERVICE

I, Huong Gilmer Giaccio, certify that on this 29 day of January 2026, a true and correct copy of the foregoing **Petition for Writ of Certiorari and Motion to Proceed In Forma Pauperis** was served on the following Respondents by U.S. Mail to **SUPREME COURT OF THE UNITED STATES** and electronic filing CM/ECF upon all parties of court records.

/s/ Huong Gilmer Giaccio
Pro Se Huong Gilmer Giaccio

APPENDIX CONTENTS



Appendix A – Opinion and Judgment of the United States Court of Appeals for the Fifth Circuit, filed December 30, 2025

Appendix B – Final Judgment of the United States District Court for the Northern District of Texas, filed August 5, 2025

Appendix C – Findings, Conclusions, and Recommendation of the United States Magistrate Judge, dated July 18, 2025

Appendix D – Plaintiff's Objections to the Magistrate Judge's Findings and Recommendation, filed July 18, 2025