

No. 25-7232

IN THE SUPREME COURT OF THE UNITED STATES

JOHN B. FREITAS,
Petitioner,

v.

STATE OF CALIFORNIA, et al.,
Respondents.

MOTION FOR RECONSIDERATION OF RULE 39.8 DISMISSAL

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

MOTION FOR RECONSIDERATION OF RULE 39.8 DISMISSAL

Petitioner respectfully moves for reconsideration of the Court's June 22, 2026 order denying leave to proceed in forma pauperis and dismissing the petition pursuant to Rule 39.8. This motion is submitted in accordance with the Clerk's July 14, 2026 notice directing that any request for review "must be properly titled as a motion for reconsideration of a 39.8 dismissal."

I. PROCEDURAL BACKGROUND

On June 22, 2026, the Court denied Petitioner's application to proceed in forma pauperis and dismissed the petition under Rule 39.8. Petitioner's financial eligibility for in forma pauperis status has been repeatedly confirmed by state and federal courts over many years and remains unchanged. The denial therefore could not have been based on financial insufficiency.

On July 20, 2026, Petitioner submitted a Supplemental Brief containing documentary evidence essential to evaluating the petition's non-frivolous nature under Rule 39.8. Because this evidence was not before the Court at the time of the June 22 dismissal, Petitioner respectfully requests that the Court file and docket the Supplemental Brief so that the record before the Court is complete.

II. STANDARD FOR RECONSIDERATION

Reconsideration is appropriate where the Court's prior action was based on an incomplete record or where newly submitted evidence demonstrates that the petition is not frivolous under Rule 39.8.

III. THE PETITION IS NOT FRIVOLOUS UNDER RULE 39.8

Rule 39.8 dismissals are reserved for filings wholly lacking legal or factual foundation. The record now before the Court demonstrates:

- Unresolved breaks in the chain of title;
- securitization failures affecting ownership and servicing rights;
- liquidation of Petitioner's home without adjudication or accounting;
- the absence of any creditor with standing or authority.

These defects are documented in official records and industry-recognized failures. The petition therefore cannot be deemed frivolous under Rule 39.8.

IV. INDUSTRY CONDITIONS CONFIRM THE NON-FRIVOLOUS NATURE OF PETITIONER'S CLAIMS

Recent industry reporting confirms rapid consolidation in mortgage servicing platforms, including the July 2026 CrossCountry–Two Harbors acquisition.

Analysts note that such consolidation increases operational strain, recordkeeping failures, and servicing irregularities—precisely the defects Petitioner documented in the record below. These developments reinforce that Petitioner's claims arise from real, systemic conditions and are not frivolous.

V. CLARIFICATION REGARDING THE CLERK'S JULY 14 LETTER

To the extent the Clerk's July 14, 2026 notice references a "Rule 39.8 dismissal," Petitioner respectfully submits that the petition presents substantial constitutional questions supported by documentary evidence. The record demonstrates that the petition is not frivolous and therefore does not fall within the scope of Rule 39.8.

VI. RELIEF REQUESTED

Petitioner respectfully requests that the Court:

1. Vacate the June 22, 2026 Rule 39.8 dismissal;
2. Grant leave to proceed in forma pauperis;
3. Reinstate the petition for writ of certiorari; and
4. File and docket the “Supplemental Brief in Support of the Motion for Reconsideration,” previously submitted and originally titled “Supplemental Brief in Support of the Petition for Rehearing.”

Respectfully submitted,


John B. Freitas

Petitioner, pro se

36937 Cherry Street

Newark, CA 94560

Date: July 23, 2026

CERTIFICATE OF GOOD FAITH

Pursuant to Rule 44.2, I certify that this Motion for Reconsideration of Rule 39.8

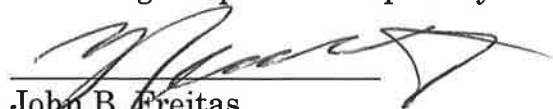
Dismissal is presented in good faith and not for delay.


John B. Freitas

Date: July 22, 2026

CERTIFICATE OF COMPLIANCE

I certify that this Motion for Reconsideration of Rule 39.8 Dismissal complies with the word limitations of Rule 33.2(b). The motion contains fewer than 3,000 words, excluding the parts exempted by Rule 33.1(d).


John B. Freitas

Date: July 23, 2026

CERTIFICATE OF SERVICE

I, Cindy Freitas, declare that on July 23, 2026, I served the "Motion for Reconsideration of Rule 39.8 Dismissal" on:

Community Fund, LLC Mr. Timothy A. Larsen Respondent's Counsel 1032 East
14th Street San Leandro, CA 94577

Service was made by depositing one copy of the document in the United States Mail, first class, with signature tracking, postage prepaid, addressed as shown above.

I declare under penalty of perjury that the foregoing is true and correct.

Cindy Freitas
Cindy Freitas

Date: July 23, 2026