

No. USCA 5 25-50216

IN THE

SUPREME COURT OF THE UNITED STATES

STACEY BERNARD MARTIN — PETITIONER

Vs.

THE CITY OF LAS VEGAS, LINDA MARQUIS, DALIA
MARINA-HUNT, LEGAL AID CENTER OF SOUTHERN NEVADA
CAMERON BROWN, CHRISTOPHER P. FORD,
TONY T. SMITH, KIMBERLY-EVANS HOUSE, KASSANDRA LEVAY,
ROSIE ALVARADO, CHRISTINA VASQUEZ HORTICK, TONJA
MICHELLE OCHONMA, CHARLES OCHONMA,

— RESPONDENTS

ON PETITION FOR WRIT OF CERTIORARI TO
THE UNITED STATES COURT OF APPEALS FOR THE FIFTH
CIRCUIT

PETITION FOR REHEARING

Stacey Bernard Martin
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Questions Presented For Review

1. This Court denied the Petition without knowing that the Respondents, District Court and Appellate Court DID NOT redress the specific factual allegations of this case which is mandated by this court for every court to do in hearing a civil suit, which was the basis of the whole lawsuit, that "Without Any Jurisdiction, respondents initiated malicious prosecution and rendered judgment against petitioner causing him irreparable injury." Is it an intervening issue for this court to hear and do at least the minimum to seek a remedy?
2. If the court orders the Respondents to Respond to the Petition for Writ of Certiorari exposing the fact that they never redressed the facts but conceded to the violations, could this court still hold the decision to deny certiorari regardless of what the respondents say in their response?

LIST OF PARTIES

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TABLE OF AUTHORITIES CITED

SUPREME COURT CASES

<u>Bell Atlantic Corp. v. Twombly</u>	550 US 544 (2007)
<u>Ashcroft v. Iqbal</u>	556 U.S. 662 (2009)
<u>Stump v. Sparkman</u>	435 U.S. 394 (1978)
<u>Bradley v. Fisher</u>	13 Wall. 335, 80. U.S. 351. Pp. 435 U.S. 355-357)
<u>Dred Scott v. Sanford</u>	60 U.S. (how.) 393(1857)
<u>Frank v. Mangum</u>	237 U.S. 309 (1915)
<u>Thompson v. Clark</u>	596 U.S. 36 42 (2022)

CIRCUIT AND DISTRICT COURT COURT CASES

<u>Spencer v. Krause</u>	Nos. 14-35689; 14-35737; F.C. No. 3:11-cv-05424-BHS (Ninth Cir. Ct. of Appeals May 18, 2017);
<u>Devereaux v. Abbey</u> ,	263 F. 3d 1070, 1074-75 (9th Cir. 2001) (en banc)
<u>Whitlock v. Brueffeman, 682</u>	F. 3d 567, 582 - 83 (7th Cir. 2012)
<u>Winfrey v. Rogers</u>	901 F.3d 483, 492-93 (5th Cir. 2018)

STATUTES

28 U.S.C. Section 1983 (Ku Klux Klan Act of 1871)..... 10

INTERVENING CIRCUMSTANCES

How can a US District Court dismiss a civil complaint WITHOUT redressing the factual allegations and fundamental claims in that lawsuit that “WITHOUT ANY JURISDICTION, respondents initiated malicious prosecution and rendered judgment against the petitioner causing him irreparable injury.”

1. The petitioner has been injured and not remedied.
2. The factual allegations in a case have to be redressed according to federal law but the fundamental claims in this case have never been redressed by the US District Court nor the Appellate Court, yet a decision to dismiss the entire complaint under the guise as if all the claims were addressed is fundamentally unconstitutional and violates this court's very own rulings in every case regarding redress of factual allegations in lawsuits, especially in *Bell Atlantic Corp. v. Twombly*, 550 US 544 (2007) *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and Federal Rules of Civil Procedure Rule 12(b)(6).

The US District Court Judge for the Western District of Texas omitted to “construe the complaint in the light most favorable to the plaintiff, accept all well-plead factual allegations as true...” as federal law requires in *Bell Atlantic Corp. v.*

Twombly, 550 US 544 (2007) and Ashcroft v. Iqbal, 556 U.S. 662 (2009). There was an obvious omission of the most essential factual allegations which is a deviation from normal proceedings in any courtroom which is also an intervening issue in itself. The normal proceedings are that a plaintiff files a complaint, the judge addresses each factual allegation - not omit addressing- and makes a ruling.

The entire basis of the complaint was without jurisdiction.

The fact that there was no jurisdiction, the case is without dispute or any defense. Stump v. Sparkman, 435 U.S. 394 (1978); quoting Bradley v. Fisher, 13 Wall. 335, 80. U.S. 351. Pp. 435 U.S. 355-357). And there is no immunity from liability because the act is not a judicial act. Cause number **G057053** initiated by Tonja Ochonma, Charles Ochonma, Christopher Ford, Tony Smith, Cameron Brown, Linda Marquis, Marina Dalia Hunt, The City of Las Vegas and the Legal Aid Foundation of Southern Nevada, is without jurisdiction and the respondents are liable without excuse and are not entitled to an ounce of immunity from liability in any of the claims against them. Bradley v. Fisher, 13 Wall. 335, 80. U.S. 351. Pp. 435 U.S. 355-357).

A. DISTRICT COURT And THE 5th CIRCUIT APPEALS COURT ADDRESSAL TO PETITIONER'S CLAIM

- ☐ The District and Appellate Court stated that: *"he alleged the defendants engaged in illegal and unconstitutional conduct by depriving him of access to his son."*

- ☐ “Plaintiff Stacey Bernard Martin...asserts sweeping allegations of illegal conduct by 13 named defendants, claiming they deprived him of access to his son...”

This court has several easy options to remedy this case:

- ☐ Grant Certiorari and reverse the case ordering the lower court to redress the one quintessential fundamental violation;
- ☐ Order the Respondents to Respond to the Petition;

Consequences Of This Court's Inaction

If this court fails to intervene, then the ruling in the lower courts makes it clear that a judge DOES NOT have to redress each factual allegation alleged in a lawsuit by a plaintiff.

It is also constitutional for a judge to lie, fabricate an alternate mischaracterization of the facts of this lawsuit totally different than those alleged.

If this is now all constitutional because this court will not act or intervene to remedy or deem it not important, then what is?

ACTION REQUESTED

This court should at a minimum reverse this case and order the Lower court to specifically redress the one quintessential fundamental claim that “WITHOUT any jurisdiction, the respondents initiated

malicious prosecution and rendered judgment against the petitioner causing injury."

This court, at a minimum, can Request a Response from the Respondents in this case to get a clearer picture of this case because they have already conceded to the constitutional violations that they have committed against the petitioner.

This court should allow all 13 respondents to engage the petitioner's claims, not omit and circumvent, and allow him to prove the incompetence, inadequacies, and their inability to survive his one quintessential claim in this suit.

CONCLUSION

The petition for Rehearing should be granted.

Respectfully submitted,



Stacey Bernard Martin

Date: July 12th, 2026

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STACEY BERNARD MARTIN — PETITIONER

vs.

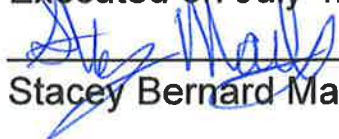
THE CITY OF LAS VEGAS, et al RESPONDENTS

CERTIFICATION OF PARTY UNREPRESENTED BY COUNSEL

Petitioner, Stacey B. Martin certifies that he is unrepresented by counsel and presents this petition for rehearing and a Certification of Party Unrepresented By Counsel in good faith and not for delay.

I declare under penalty of perjury that the foregoing is true and correct and 10 copies of this petition and certificate are affixed.

Executed on July 12, 2026



Stacey Bernard Martin