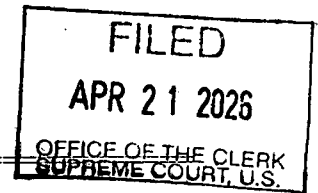


25-7345



---

---

IN THE SUPREME COURT OF THE UNITED STATES

---

---

No. \_\_\_\_\_

ROHIT UPPAL,  
Petitioner,

v.

Ms. NEERA,  
Respondent.

On Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Sixth Circuit

**PETITION FOR A WRIT OF CERTIORARI**

Rohit Uppal, Pro Se

7922 Knowledge Lane, Knoxville, TN 37938

Email: ruppal45@gmail.com

Dated: April 21, 2026

---

---

QUESTIONS PRESENTED

---

---

1. Can appellate courts summarily deny mandamus without addressing documented "*bad faith*," "*flagrant constitutional violations*" and judicial bias? *Younger abstention is a doctrine of comity, not a license for "bad faith," "flagrant constitutional violations" and judicial bias. This is not comity -- it is anarchy.*

*The overarching question is how to exactly delineate "bad faith," "flagrant constitutional violations" and "judicial bias" exceptions, which is of nationwide importance, directly affects the rights of litigants in state domestic relations courts across the country, and warrants this Court's guidance.*

*This case is an ideal vehicle.*

2. Whether the Sixth Circuit's application of *Younger abstention conflicts with this Court's and other Circuits's precedents in Sprint Communications, Inc. v. Jacobs, 571 U.S. 69 (2013), Gibson v. Berryhill, 411 U.S. 564 (1973), Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009):*

*\*\*Supreme Court's unanimous holding that a proceeding between two private parties, not a civil enforcement action akin to a criminal prosecution, and not a proceeding uniquely in furtherance of a state court's judicial functions.*

*\*\* Ninth Circuit has recognized that "Younger abstention is an extraordinary and narrow exception to the general rule that federal courts have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given." Cook v. Harding, 879 F.3d*

1035, 1039 (9th Cir. 2018).

\*\* The Third Circuit has applied Sprint's three-category limitation strictly. See *Borowski v. Kean Univ.*, 68 F.4th 844, 849 (3d Cir. 2023).

***The result is a direct conflict:***

*It limited Younger abstention to those three categories and no others, and which expressly overruled the broader "important state interest" test that Sixth circuit applied to domestic relations proceedings.*

3. What is the remedy when adjudication of judicial misconduct is rendered perfunctory in appellate review? *No court has ever ruled on the constitutional merits of Petitioner's claims -- the Tennessee Court of Appeals dismissed the recusal appeal on procedural grounds, and the District Court and Sixth Circuit Court abstained -- leaving Petitioner in a procedural trap in which NO forum has ever adjudicated the merit of his constitutional claims.*

4. Whether the Sixth Circuit erred in applying Younger abstention when the state divorce proceedings were perpetuated through constitutional violations when the state trial judge exhibited objective bias by:

(a) admitting judicial error ("*faulty recall*") in a written order and separately apologizing for "*the manner in which it was handled*";

(b) excuses a false court filing on the legally irrelevant ground that "*motions are not filed under oath*";

(c) dismissing a false police report claim on a ground not found in the governing statute;

(d) on the same hearing date the same court, in the same hearing, characterizes the fraudulent transfer of title documents and Petitioner's separate property as

"It is no different for me if she took a couch from the living room & put it in the dining room" and orders Respondent to immediately return Petitioner's separate property -- irreconcilably acknowledging and absolving the same wrongful act and thereby demonstrating an objective probability of bias.

(e) excluding notarized evidence as "hearsay" in violation of Fed. R. Evid. 902(8) -- thus establishing the "*bad faith*," "*flagrant unconstitutionality*," and "*extraordinary circumstances*" exceptions to Younger abstention.

5. *Whether the Due Process Clause of the Fourteenth Amendment is violated when a state trial judge:*

(a) *denies a litigant the opportunity to present sworn testimony on two separate hearing dates;*

(b) *issues a written order apologizing for "faulty recall" and for "the manner in which it was handled"; and*

(c) *excludes self-authenticating notarized evidence as "hearsay" contrary to Fed. R. Evid. 902(8) and Tenn. R. Evid. 902(8).*

6. *Whether the Sixth Circuit erred in applying Younger abstention where the state divorce proceedings were initiated through a warrantless home arrest in violation of Payton v. New York, 445 U.S. 573 (1980), predicated on a deliberately false police report in violation of Franks v. Delaware, 438 U.S. 154 (1978), effectuated through the use of excessive force in violation of Graham v. Connor, 490 U.S. 386 (1989), and subsequently ratified by the state trial court through the creation of an extra-statutory requirement to absolve Respondent -- where the entire course of state proceedings was thus both initiated by and built upon a federal constitutional violation.*

---

---

LIST OF PARTIES

---

---

Rohit Uppal -- Petitioner/Appellant (Pro Se)

Neera Uppal -- Respondent/Appellee (Pro Se)

No corporate entities are parties. No corporate disclosure statement is required

pursuant to Supreme Court Rule 29.6.

---

---

TABLE OF CONTENTS

---

---

Questions Presented .....	i
List of Parties .....	iv
Table of Authorities .....	iv
Opinions and Orders Below .....	1
Jurisdiction .....	1
Constitutional and Statutory Provisions Involved .....	2
Statement of the Case .....	2
A. Factual Background .....	2
B. Procedural History .....	13
Reasons for Granting the Writ .....	14
I. The Sixth Circuit Misapplied Sprint Communications which.....	14
Conflicts With Decisions of Other Circuits Creating a Circuit Split That Warrants This Court's Review	
II. The Procedural Trap: No Merits Ruling in Any Court.....	24
III. Questions of Exceptional National Importance .....	25
Prayer for Relief .....	26
Conclusion .....	31
Appendix (filed separately)	

---

---

TABLE OF AUTHORITIES

---

---

CASES

Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)  
Elrod v. Burns, 427 U.S. 347 (1976)  
Fieger v. Thomas, 74 F.3d 740 (6th Cir. 1996)  
Gibson v. Berryhill, 411 U.S. 564 (1973)  
Goldberg v. Kelly, 397 U.S. 254 (1970)  
Mathews v. Eldridge, 424 U.S. 319 (1976)  
Mitchum v. Foster, 407 U.S. 225 (1972)  
Moore v. Sims, 442 U.S. 415 (1979)

Ohio Citizens for Responsible Energy v. NRC, 479 U.S. 1312 (1986)  
 Pennzoil Co. v. Texaco, Inc., 481 U.S. 1 (1987)  
 Simpson v. Frontier Community Credit Union, 810 S.W.2d 147 (Tenn.1991)  
 Tindall v. Wayne Cnty. Friend of the Court, 269 F.3d 533 (6th Cir. 2001)  
 Withrow v. Larkin, 421 U.S. 35 (1975)  
 Younger v. Harris, 401 U.S. 37 (1971)

---



---

**CONSTITUTIONAL PROVISIONS**

---



---

U.S. Const. amend. XIV, Section 1 (Due Process Clause) .....2

**STATUTES AND RULES**

28 U.S.C. Section 1254(1) .....	1
Sup. Ct. R. 13.1 .....	1
Fed. R. Evid. 801(d)(2) .....	7
Fed. R. Evid. 902(8) .....	8, 9, 19, 20, 24
Tenn. Code Ann. Section 36-4-106(d) .....	2, 6
Tenn. Code Ann. Section 36-4-121(b)(1)(A) .....	2
Tenn. Code Ann. Section 36-4-121(b)(2)(D) .....	2, 5, 19, 29
Tenn. Code Ann. Section 39-14-103 .....	2, 5
Tenn. Code Ann. Section 39-14-150 .....	2
Tenn. Code Ann. Section 39-16-502 .....	2, 3, 19, 27
Tenn. Code Ann. Section 66-3-301 et seq. ....	2
Tenn. Code Ann. Section 66-3-305(b) .....	6
Tenn. Sup. Ct. R. 10B .....	13

## OPINIONS AND ORDERS BELOW

---

---

- 1) The order of the United States Court of Appeals for the Sixth Circuit denying the petition for a writ of mandamus appears at: *In re Uppal*, No. 25-5639 (6th Cir. Dec. 3, 2025). App. 1a-4a.
- 2) The district court's abstention order is: *Uppal v. Uppal et al.*, No. 3:25-CV-308-KAC-JEM (E.D. Tenn. July 11, 2025). App. 69a-74a.
- 3) The Tennessee Court of Appeals' order affirming denial of recusal on procedural grounds only, without reaching the merits, is: *Rohit Uppal v. Neera Uppal*, No. E2025-00710-COA-T10B-CV (Tenn. Ct. App. May 28, 2025). App. [102a-106a].
- 4) The Knox County Circuit Court order denying all of Petitioner's motions is dated February 21, 2026. App. 65a-68a.
- 5) The Sixth Circuit's order denying rehearing and rehearing en banc was entered April 7, 2026. App. 118a.

---

---

## JURISDICTION

---

---

The judgment of the United States Court of Appeals for the Sixth Circuit was entered on December 3, 2025. A timely petition for rehearing and rehearing en banc was filed on December 10, 2025, and was denied on April 7, 2026. This petition is filed within 90 days of that denial. See Sup. Ct. R. 13.1. The filing deadline is on or about July 6, 2026. This Court has jurisdiction under 28 U.S.C. Section 1254(1).

---

---

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

=====  
United States Constitution, Amendment XIV, Section 1 (Due Process Clause): "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The following Tennessee statutory provisions are also at issue: TCA Section 39-16-502 (false reports to law enforcement); Section 39-14-150 (identity theft); Section 39-14-103 (theft of property); Section 66-3-301 et seq. (UVTA); Section 36-4-106(d) (automatic injunction against concealment of marital property); Section 36-4-121(b)(1)(A) (exception for fraudulent conveyance in anticipation of divorce); Section 36-4-121(b)(2)(D) (separate property defined).

=====  
**STATEMENT OF THE CASE**  
=====

**A. Factual Background**

Petitioner and Respondent were married for more than 25 years. On March 28, 2024, Respondent filed a complaint for divorce in the Fourth Circuit Court for Knox County, Tennessee, Case No. 159500, before the Hon. Gregory S. McMillan. The proceedings have been marked by multiple criminal misconducts by Respondent, repeated denials of Petitioner's right to be heard, exclusion of self-authenticating evidence, deliberate procedural delay, and a series of irreconcilable judicial rulings that together establish a constitutionally intolerable probability of bias.

**FALSE POLICE REPORT AND UNLAWFUL WARRANTLESS HOME ARREST BASED**

**ON FALSE POLICE REPORT - FEDERAL CONSTITUTIONAL VIOLATION. (App. 18a-21a, App. 152a-155a)**

On or about December 20, 2023 -- Respondent filed a false police report alleging that Petitioner had locked her out of the marital home. That allegation was false. Petitioner was arrested on the basis of that false report. This criminal act was the opening move in a pattern of misconducts that has defined the entire proceeding. When Petitioner moved the trial court to hold Respondent in contempt, the trial court shielded the criminal misconduct by dismissing Petitioner's motion by creating an extra-statutory requirement *that does not exist in TCA Section 39-16-502 or any other Tennessee law* on the ground that

*"the affiant on the warrant is a law enforcement officer, not Wife."* App. 65a-68a.

Section 39-16-502, which prohibits filing a false report with law enforcement. *The ruling effectively absolved Respondent's criminal misconduct on a fabricated statute.*

The false police report was filed by Respondent and Ms. Anagha, as a co-complainant. Both knowingly made false representations to law enforcement that caused Petitioner's warrantless home arrest, taser deployment, and more than 24-hour detention.

Based solely on that false report, and without obtaining a warrant, Knox County police officers entered Petitioner's home and arrested him inside his residence.

The arrest was warrantless. The Supreme Court held in *Payton v. New York*, 445 U.S. 573, 585 (1980), that the Fourth Amendment categorically prohibits warrantless arrests inside a person's home absent exigent circumstances. No exigent circumstances existed. Respondent had deliberately filed a false domestic complaint and officers acted on it without judicial authorization. *Franks v. Delaware*, 438 U.S. 154 (1978), establishes that an arrest predicated on a

deliberately false statement lacks constitutional foundation. It has since been proven false -- the case was discharged without any charges being filed in court, confirming that no valid probable cause ever existed.

*The arrest was triggered at the precise moment Petitioner told the officers that Respondent's report was false.* Arresting a person for asserting his innocence -- for exercising his First Amendment right to speak -- is itself a constitutional violation. *Nieves v. Bartlett*, 587 U.S. 391. During the arrest, officers deployed a taser against Petitioner inside his own home. The use of a taser against a person who had committed no offense, posed no threat, and was simply asserting his innocence constitutes excessive force under the Fourth Amendment's objective reasonableness standard. *Graham v. Connor*, 490 U.S. 386, 396 (1989).

Petitioner was held for more than 24 hours. The matter was discharged without conviction -- confirming the absence of probable cause from the outset. *County of Riverside v. McLaughlin*, 500 U.S. 44 (1991).

This unlawful arrest was not merely a wrong done to Petitioner in isolation. It was the opening act of the divorce proceedings -- the instrument by which Respondent initiated a course of misconducts designed to gain advantage in anticipated litigation.

This is not a case in which state proceedings incidentally involved constitutional questions. This is a case in which the state proceedings were launched through a federal constitutional violations -- *a warrantless home arrest based on a false report*  
-- *and in which the state court subsequently immunized that violation from any accountability.*

**THEFT OF SEPARATE PROPERTY, FRAUDULENT TRANSFER AND**

**CONCEALMENT OF MARITAL HOME TITLE, AND IN-COURT ADMISSION. (App. 22a-41a, App. 152a-155a)**

Seven days before filing for divorce -- on March 21, 2024 -- Respondent accessed the jointly maintained safe deposit box and removed:

- (1) the original certificate of title to the marital residence at 7922 Knowledge Lane, Knoxville, Tennessee, held in joint tenancy; and*
- (2) Petitioner's separate property consisting of gold rings and gold-plated watches received as gifts.*

Under TCA Section 36-4-121(b)(2)(D), property acquired by gift is separate property.

Respondent transmuted ownership of these items by transferring to a safe deposit box held exclusively in her own name at the same bank, without Petitioner's knowledge or consent.

**This conduct constitutes theft under Tenn. Code Ann. Section 39-14-103(a)**, which provides that a person commits theft "if, with intent to deprive the owner of property, the person knowingly obtains or exercises control over the property without the owner's effective consent."

Each element is satisfied: Respondent

- (i) knowingly accessed the box and removed the items;
- (ii) did so without Petitioner's knowledge, authorization, or consent;
- (iii) thereby transmuted ownership from Petitioner to herself; and
- (iv) acted with clear intent to deprive, as demonstrated by the timing of seven days before filing for divorce -- a textbook badge of fraudulent intent.

As a consequence of this theft, Petitioner has been continuously deprived of his separate property rings and watches since March 21, 2024 -- a period exceeding two years at the time of

this filing.

Respondent also CONCEALED the original certificate of title to the marital home. The title is necessary for any proposed sale, refinancing, or other transaction involving the property. By seizing and CONCEALING it, Respondent effectively transmuted ownership of residence.

Respondent did not disclose the transferred items on her list of assets filed with the court on November 4, 2024, in violation of TCA Section 36-4-106.

The transfer also satisfies at least seven of the statutory badges of fraud under Tenn. Code Ann. Section 66-3-305(b):

- (1) transfer to an insider (spouse transferred to herself);*
- (2) retention of possession and control;*
- (3) concealment (not disclosed on the November 2024 asset list);*
- (4) anticipation of litigation (seven days before filing);*
- (5) removal of assets from jointly held account;*
- (6) absence of consideration; and*
- (7) timing immediately preceding a substantial claim.*

Critically, at the February 20, 2026 hearing, Respondent admitted in open court to retaining Petitioner's property. The following exchange occurred:

THE COURT: Something to the effect "*Ma'm, you should know if you have those things you should immediately return those items.*"

RESPONDENT: Something to the effect "*Yes, I will.*"

An official Fourth Circuit Court recorded DVD of the February 20, 2026 hearing corroborating

this exchange has been lodged with the Clerk App. [58a].

Respondent's admission -- "Yes, I will" -- constitutes a party-opponent admission under Fed. R. Evid. 801(d)(2). See *Simpson v. Frontier Community Credit Union*, 810 S.W.2d 147, 149 (1991).

This exchange is direct in-court confirmation that:

*(a) Respondent had Petitioner's property in her possession;*

*(b) she acknowledged it belonged to Petitioner; and*

*(c) the transfer required correction.*

The court's own directive to return the items constitutes an implicit judicial finding that the transfer was wrongful.

During the hearing on February 20, 2026 -- the judge characterized the transmutation of ownership of Petitioner's separate property, and CONCEALMENT of the title of marital home as "*It is no different for me if she took a couch from the living room & put it in the dining room.*"

App. 58a.

*This analogy is irreconcilable with the court's own oral directive to return the property issued. A court cannot concurrently find that property must immediately be returned and also diminish the misconduct as rearranging the furniture.* These two positions cannot both be correct, and their juxtaposition within a single hearing day and a single written order is itself evidence of inconsistent and constitutionally intolerable adjudication.

**IDENTITY THEFT. (App. 42a-48a, App. 152a-155a)**

In July, 2024, Petitioner discovered that Respondent had used his Social Security number and date of birth in connection with a federal financial aid application (FAFSA), without his knowledge or consent. A notarized email from a university official confirmed this. The trial court

excluded the evidence as "*hearsay*" despite its self-authenticating nature under Tenn. R. Evid. 902(8) and Fed. R. Evid. 902(8).

The court then declined jurisdiction over the criminal aspect without addressing the criminal misconduct implications of using Petitioner's personal identifying information without knowledge, consent or approval.

**FRAUD UPON THE COURT AND DELIBERATE DELAY. (App. 52a-57a, App. 107a-117a)**

Respondent filed a motion on April 7, 2025, falsely claiming that Petitioner's prior motions had been "*denied or dismissed*." Those motions had in fact were heard or ruled upon on February 20, 2026. When those motions were finally heard on February 20, 2026 -- the record confirmed that Respondent's representation had been false from the outset. The trial judge declined to impose any sanction, ruling that "*motions are not filed under oath*."

This ruling is legally flawed: the question was not compliance with an oath requirement but whether Respondent made a knowingly false factual statement of record to the court. The court's tolerance of this misconduct, and the months of delay caused by unavailability of interpreter (App. 107a-117a), denied Petitioner a timely resolution of his constitutional claims.

**EXCLUSION OF SELF-AUTHENTICATING NOTARIZED EVIDENCE.**

Throughout the proceedings, the trial court excluded Petitioner's notarized affidavits and accompanying exhibits as "*hearsay*," including:

- 1) Notarized bank statements and safe deposit box records establishing the fraudulent transfer

(including surrender certificate of the safe box and record of visits);

2) Notarized FAFSA email from the university official;

3) Notarized text message corroborating the false police report; and

4) *Notarized Bank Note establishing Petitioner as the sole mortgage borrower on the marital residence.*

Under Fed. R. Evid. 902(8) and Tenn. R. Evid. 902(8), documents accompanied by a notarial certificate of acknowledgment are self-authenticating and require no extrinsic evidence of authenticity. The trial court's categorical exclusion of self-authenticating notarized evidence on "hearsay" grounds is contrary to the Federal Rules of Evidence, the Tennessee Rules of Evidence and deprived Petitioner of his entire evidentiary record.

**JUDICIAL ADMISSION OF ERROR AND APOLOGY FOR CONDUCT OF PROCEEDINGS.**

On June 27, 2025, the trial judge issued a written order containing two extraordinary admissions:

first, an apology for

"*faulty recall*" after making a false statement in open court; and

second, a separate apology for "*the manner in which it was handled.*" App. 95a-101a.

The first admission is a sitting judge's written acknowledgment that he made a false factual statement from the bench. The second admission goes further: it is the judge's own recognition that his conduct of the proceedings toward Petitioner was improper authenticating bias towards a litigant. When a presiding judge concedes in writing both that he misstated facts and that he mishandled the proceedings, the constitutional presumption of impartiality *is affirmatively rebutted by the court's own record.*

These admissions, viewed alongside the irreconcilable oral and written rulings of February 20-21, 2026 on the fraudulent transfer, the systematic exclusion of self-authenticating evidence, the creation of extra-statutory requirements to shield Respondent's criminal misconduct, and the prolonged denial of the right to be heard, constitute compelling evidence of the "*probability of actual bias*" that *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872 (2009), identifies as constitutionally intolerable. A neutral arbiter does not apologize for the manner in which he has treated a litigant; a biased one does so when the record has grown too plain to ignore. The written apology is therefore not merely evidence of error. *It is probative of bias and animosity toward Petitioner.*

#### **DENIAL OF THE RIGHT TO PRESENT TESTIMONY.**

On January 10, 2025, and again on February 7, 2025, Petitioner appeared in court prepared to present sworn testimony and evidence, but was not permitted to do so on either date. When finally permitted to testify on February 20, 2026 -- the first opportunity in over a year -- he was subjected to continuous heckling and disruption throughout his testimony, preventing a coherent presentation of his case.

*The systematic denial of the right to be heard across multiple hearing dates, followed by a disrupted and compromised hearing when testimony was finally permitted, constitutes a sustained pattern of due process denial that no doctrine of comity can require a federal court to ignore.*

#### **IMPROPER SERVICE AND FACIALLY DEFECTIVE AFFIDAVITS OF SERVICE**

**FROM UNKNOWN THIRD PARTIES.**

Throughout the proceedings, Respondent filed Affidavits of Service executed by unknown third party -- individual who had no identified relationship to the proceedings. *One such Affidavit of Service contains three different dates*, making it facially defective and internally contradictory on its face. App. 151a. The trial court accepted these defective affidavits without question while simultaneously rejecting Petitioner's self-authenticating notarized evidence as "*hearsay*."

None of these alternatives is consistent with a court that is functioning as a neutral arbiter. The acceptance of facially defective service documents from unknown third parties -- while rejecting self-authenticating notarized evidence submitted by Petitioner -- is a concrete illustration of the double standard that defines this record and that satisfies the "probability of actual bias" standard of Caperton, 556 U.S. at 872. See also Mullane, 339 U.S.; Tenn. R. Civ. P. 4.03, 11.02. App. 151a.

Throughout the proceedings, Respondent served discovery on Petitioner via email transmitted by an unknown third party, who was never authorized by Petitioner to receive service via email. App. 95a-101a.

*Under Tenn. R. Civ. P. 5.02, email service is valid only when the recipient has consented and approved in writing to electronic service. Petitioner never provided such consent or approval.*

Service by an unauthorized stranger and despite Petitioner's objection, setting a trial date based on void service is void ab initio. See Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950). App. 95a-101a.

**JUDICIAL PRAISE OF FALSE STATEMENT -- SUBSEQUENTLY ADMITTED BY**

## **RESPONDENT HERSELF.**

At a hearing before the trial court on 15 August, 2025, the judge praised a statement made by Respondent. Petitioner immediately and contemporaneously objected, stating that Respondent's statement was false. The trial court disregarded Petitioner's objection.

On 25 August, 2025, Respondent herself filed a sworn affidavit admitting that she had misled the court, by the very person who made it, within ten days. App. 149a-150a.

The trial court never imposed sanction for Respondent's false statement or made no correction to the record. *This sequence -- praise of a false statement, immediate objection by Petitioner, and subsequent written admission of deception by Respondent herself ten days later — constitutes perhaps the most concrete evidence of bias in this record.* No inference is required.

A neutral tribunal does not praise false statements made in the court, disregard the opposing party's immediate objection, and then take no action when the fraud is admitted in writing. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872 (2009); *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238, 246 (1944); *Chambers v. NASCO, Inc.*, 501 U.S. 32, 44 (1991); *In re Murchison*, 349 U.S. 133, 136 (1955).

---

## **DENIAL TO APPOINT FORENSIC ACCOUNTANT AND DIGITAL INVESTIGATOR**

The trial court also ignored Petitioner's Motion to Appoint a Forensic Accountant and Digital Investigator. *A forensic accountant was necessary to document the fraudulent transfer of marital and separate personal assets. A digital investigator was necessary to trace the unauthorized use of Petitioner's SSN.* By proceeding toward trial based on void discovery, while simultaneously denying Petitioner the investigative tools to document Respondent's criminal conduct - *The trial court created a procedural structure effectively ensured to absolve Respondent's*

misconduct. This is not neutral case management. It is systematic procedural deprivation. App. 145a-148a.

---

#### B. Procedural History

**\*\*TRIAL COURT.** The divorce complaint was filed March 28, 2024. Petitioner wasn't permitted to testify on January 10, 2025 and February 7, 2025. The February 20, 2026 hearing was the first occasion Petitioner was permitted to testify, though he was heckled throughout. On February 21, 2026, Judge McMillan issued the order denying all of Petitioner's motions. App. 65a-68a.

**\*\*TENNESSEE COURT OF APPEALS -- RULE 10B RECUSAL.** On or about May 14, 2025, Petitioner moved to recuse Judge McMillan based on bias, denial of fundamental procedural rights, and unresolved motions. The trial court denied the motion.

**\*\* On May 28, 2025, the Tennessee Court of Appeals affirmed -- *but solely on procedural grounds, finding that Petitioner's affidavit lacked the words "on personal knowledge" and that the motion omitted the mandatory Rule 10B non-improper-purpose statement.* Rohit Uppal v. Neera Uppal, No. E2025-00710-COA-T10B-CV (Tenn. Ct. App. May 28, 2025). App.102a-106a.**

**The court expressly did not adjudicate the merits of bias allegations of the Petitioner. No Tennessee court has ever ruled on the constitutional substance of Petitioner's claims.**

**\*\* U.S. DISTRICT COURT.** On or about July 1, 2025, Petitioner filed a complaint in the Eastern District of Tennessee seeking, inter alia, disqualification of Judge McMillan and criminal misconduct of the Respondent. Case No. 3:25-CV-308-KAC-JEM. On July 11, 2025, Judge Crytzer abstained and stayed the action, holding that Petitioner had not demonstrated "*institutional bias*" in the Tennessee judiciary, and characterizing his strongest argument as showing only ratification "by silence." App. 69a-74a. The district court did not have before it the

February 20-21, 2026 irreconcilable rulings.

\*\* SIXTH CIRCUIT. On December 3, 2025, the Sixth Circuit denied mandamus relief, concluding that none of the Younger exceptions applied and that Petitioner challenged only "the day-to-day conduct of state hearings." In re Uppal, No. 25-5639, slip op. at 3 (6th Cir. Dec. 3, 2025). App. 1a-4a. Petitioner timely filed for rehearing and rehearing en banc on December 10, 2025. App. 75a-94a. That petition was denied April 7, 2026. App. 118a. This petition follows.

=====

**REASONS FOR GRANTING THE WRIT**

=====

**I. THE SIXTH CIRCUIT ERRED IN APPLYING YOUNGER ABSTENTION  
BECAUSE THE STATE PROCEEDINGS WERE INITIATED AND CONDUCTED  
IN BAD FAITH AND UNDER EXTRAORDINARY CIRCUMSTANCES.**

**A. The Sixth Circuit Misapplied Sprint Communications which Conflicts With  
Decisions of Other Circuits Creating a Circuit Split That Warrants This Court's Review**

The threshold error is jurisdictional. In *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013), this Court unanimously held that Younger abstention is limited to three narrow categories: (1) ongoing state criminal prosecutions; (2) civil enforcement proceedings akin to criminal prosecutions; and (3) civil proceedings uniquely in furtherance of state courts' judicial functions. See also *New Orleans Public Service, Inc. v. Council of New Orleans*, 491 U.S. 350, 368 (1989).

**NONE OF THE THREE SPRINT CATEGORIES APPLY TO A PRIVATE DIVORCE  
PROCEEDING BETWEEN TWO INDIVIDUALS**

In *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69, 78 (2013),

\* First Category. — Ongoing State Criminal Prosecution: Petitioner is not the defendant in any state criminal proceeding. The criminal allegations in this case (false police report, fraudulent

transfer, identity theft, fraud on the court) are against Respondent, not Petitioner. Younger abstention protects state criminal proceedings from federal interference when the defendant seeks relief. *That is not this case.*

\* Second Category — Civil Enforcement Proceeding "Akin to Criminal": This category requires the state to be a party, acting in its sovereign capacity. Petitioner's divorce is a private dispute between two individuals. The State of Tennessee is not a party. No state agency has initiated any enforcement action against Petitioner.

\* Third Category — Orders Uniquely in Furtherance of State Court Function: This narrow category covers civil contempt orders (*Judice v. Vail*, 430 U.S. 327 (1977)) and bond requirements (*Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1 (1987)).

Petitioner's divorce proceeding involves no contempt order, no bond requirement, and no order that uniquely threatens the state court's ability to function.

Because none of the three Sprint categories apply, the Sixth Circuit erred as a matter of law when it abstained. *This Court should grant certiorari to correct that error and to resolve the circuit split on this very question.*

\* A private divorce proceeding between two private individuals does not fall within any of these three categories:

\* The divorce proceeding is a civil domestic relations action brought by one private party against another. There is no state prosecution, and no state actor initiating proceedings.

\* It is not a civil enforcement proceeding akin to a criminal prosecution. Sprint defined this category as state-initiated actions brought by the state to sanction wrongful conduct -- the

paradigm being a state agency enforcement action or regulatory proceeding. See 571 U.S. at 79. A private divorce action, initiated by a private party against another private party, is the opposite of a coercive state enforcement action.

\* It is not a proceeding uniquely in furtherance of the state court's judicial functions. The proceeding at issue is a contested divorce. It does not involve enforcement of a court order, a contempt proceeding, or any of the other specialized functions this Court identified in *Juidice v. Vail*, 430 U.S. 327 (1977), and *Pennzoil Co. v. Texaco Inc.*, 481 U.S. 1 (1987).

Under *Sprint*, therefore, the Sixth Circuit was obligated to exercise jurisdiction. It did not. Instead, it applied *Younger* abstention -- a doctrine *Sprint* limited to exceptional circumstances -- to a routine private civil dispute between two individuals, in a manner that is irreconcilable with *Sprint's* holding.

***The Inter-Circuit Conflict Is Real and Documented.***

Following *Sprint*, the circuits have divided on whether *Younger* abstention continues to apply to domestic relations proceedings under the old "important state interest" test that *Sprint* overruled, or whether *Sprint's* three-category limitation governs.

The Sixth Circuit -- as demonstrated by its decision in this case and its prior decisions in *Aaron v. O'Connor*, 914 F.3d 1010 (6th Cir. 2019), and *Shafizadeh v. Bowles*, 476 F. App'x 71 (6th Cir. 2012) -- continues to apply *Younger* abstention to domestic relations proceedings. See *Aaron*, 914 F.3d at 1017 (holding that a request for "federal injunctions requiring the recusal of state-court judges" in a domestic relations proceeding justifies *Younger* abstention because domestic relations litigation satisfies "the state-interest prong"). This is precisely the broader "important state interest" test that *Sprint* unanimously rejected. See *Sprint*, 571 U.S. at 79-80.

Other circuits have applied Sprint more meticulously. The Ninth Circuit has recognized that "Younger abstention is an extraordinary and narrow exception to the general rule that federal courts have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given." *Cook v. Harding*, 879 F.3d 1035, 1039 (9th Cir. 2018). The Third Circuit has similarly applied Sprint's three-category limitation strictly. See *Borowski v. Kean Univ.*, 68 F.4th 844, 849 (3d Cir. 2023).

***The result is a direct conflict:*** in the Sixth Circuit, a litigant challenging unconstitutional conduct in a domestic relations proceeding is told that Younger abstention applies because domestic relations is an important state interest -- the very test Sprint overruled. In other circuits, Sprint's three-category limitation is meticulously applied, and domestic relations proceedings that do not fit the three categories are not subject to Younger abstention.

***This conflict is not merely academic.*** It determines whether millions of litigants in state domestic relations proceedings across the country have access to a federal forum to vindicate constitutional rights. The Sixth Circuit's continued application of the overruled "important state interest" test has the practical effect of restoring the pre-Sprint regime in the six states of its jurisdiction, creating a geography-based disparity in constitutional rights that only this Court can resolve.

***This Case Is the Ideal Vehicle to Resolve That Conflict.***

This case presents the Sprint conflict in its starkest possible form. The district court expressly applied Younger abstention to a domestic relations proceeding -- the exact test Sprint overruled. The Sixth Circuit affirmed. The constitutional violations at issue -- documented in the trial

court's own written orders, including the judge's apologies, his irreconcilable rulings, and Respondent's in-court admission -- are of a magnitude that would not have required federal intervention had the Sprint limitation been meticulously applied. The record is fully developed. No intervening developments have mooted the issues. This case calls for this Court's review. The Sixth Circuit applied Younger because domestic relations involves "important state interests" -- the precise test Sprint unanimously overruled. That error requires reversal regardless of the other violations in this record.

B. The Bad Faith Exception Independently Applies.

Even assuming Younger could apply to divorce proceedings, the record compels the bad faith exception. This Court has consistently held that federal courts need not abstain where state proceedings are brought in bad faith, for purposes of harassment, or under extraordinary circumstances. *Younger v. Harris*, 401 U.S. 37, 53-54 (1971); *Gibson v. Berryhill*, 411 U.S. 564, 577 (1973); *Mitchum v. Foster*, 407 U.S. 225, 230 (1972); *Kugler v. Helfant*, 421 U.S. 117, 126 n.6 (1975). The Sixth Circuit has itself recognized these exceptions. *Tindall v. Wayne Cnty. Friend of the Court*, 269 F.3d 533, 538 (2001); *Fieger v. Thomas*, 74 F.3d 740, 750 (6th Cir. 1996).

These proceedings were not merely a civil dispute -- they were initiated through criminal conduct and perpetuated through a continuing pattern of constitutional violations:

On December 20, 2023 -- before the divorce was even filed -- Respondent filed a false police report, causing Petitioner's warrantless home arrest, taser deployment, and 24-hour detention. Officers entered Petitioner's home without a warrant and arrested him at the precise moment he

asserted his innocence. The arrest violated *Payton v. New York*, 445 U.S. 573 (1980). No charges were ever filed. The matter was discharged, confirming the absence of probable cause. The state court subsequently shielded this conduct by inventing an extra-statutory requirement not found in Tenn. Code Ann. Section 39-16-502, dismissing Petitioner's contempt motion on the ground that "*the affiant on the warrant is a law enforcement officer, not Wife.*" App. 65a-68a. **A doctrine of comity that protects proceedings initiated through federal constitutional violations is not comity. It is abdication.**

On March 21, 2024 -- seven days before filing for divorce -- Respondent removed Petitioner's separate property (gold rings and watches, received as gifts, constituting separate property under Tenn. Code Ann. Section 36-4-121(b)(2)(D)) and the original certificate of title to the marital residence from the jointly maintained safe deposit box, transferring all items to a box solely in her name. Petitioner has been continuously deprived of his separate property since that date. Respondent concealed the home title. When Petitioner raised this, the trial court characterized the seizure as "*no different for me if she took a couch from the living room & put it in the dining room*" -- App. 58a -- the same day it directed Respondent in open court to immediately return those items. These two positions cannot both be correct. Their juxtaposition within a single hearing day is itself extraordinary circumstance.

Respondent committed identity theft, using Petitioner's Social Security number on a federal financial aid application. The trial court excluded the self-authenticating notarized email from a university official confirming this as "hearsay," contrary to Fed. R. Evid. 902(8) and Tenn. R. Evid. 902(8). App. 42a-48a.

On April 7, 2025, Respondent filed a false motion claiming Petitioner's prior motions had

been "denied or dismissed." Those motions had never been heard. The trial court imposed no sanction, stating only that "motions are not filed under oath" -- a legally irrelevant response to a demonstrably false statement of record. App. 52a-57a.

On August 15, 2025, the trial court praised Respondent's statement despite Petitioner's immediate contemporaneous objection that it was false. Ten days later -- on August 25, 2025 -- Respondent filed a sworn affidavit admitting she had misled the court. The trial court made no correction, imposed no sanction, and took no remedial action. This sequence substantiates bias. The timeline proves it: praise, immediate objection, ten-day sworn admission. App. 149a-150a.

Throughout the proceedings, the trial court accepted Affidavits of Service from unknown third parties -- including one bearing three different dates on its face -- while simultaneously excluding Petitioner's self-authenticating notarized evidence as "hearsay." App. 151a. The trial court also set a trial date based on discovery served by an unauthorized unknown stranger via email, in violation of Tenn. R. Civ. P. 5.02, and ignored Petitioner's Motion to Appoint a Forensic Accountant and Digital Investigator necessary to document Respondent's criminal conduct. App. 95a-101a, 145a-148a.

C. Extraordinary Circumstances: The State Forum Is Constitutionally Incapable of Neutral Adjudication.

In *Gibson v. Berryhill*, this Court held that Younger abstention "naturally presupposes the opportunity to raise and have timely decided by a competent state tribunal the federal issues involved." 411 U.S. at 577. That predicate is entirely absent here. No Tennessee court has ever reached the merits of Petitioner's constitutional claims. The Tennessee Court of Appeals

dismissed the recusal appeal on procedural grounds only. The state system has produced not a single merits ruling on Petitioner's constitutional arguments.

Caperton v. A.T. Massey Coal Co. holds that due process requires recusal when "the probability of actual bias on the part of the judge is too high to be constitutionally tolerable." 556 U.S. 868, 872 (2009). The following independently established facts satisfy that standard:

First, on June 27, 2025, the trial judge issued a written order apologizing for "faulty recall" after making a false statement in open court, and separately apologizing for "the manner in which it was handled." App. 95a-101a. A judge who apologizes in writing for both what he said and how he conducted the proceedings has affirmatively rebutted the constitutional presumption of impartiality from his own record.

Second, the August 15-25, 2025 sequence -- judicial praise of a false statement, immediate objection by Petitioner, and Respondent's ten-day sworn admission of deception -- constitutes objective, timeline-verified, document-supported evidence of bias requiring no inference.

Third, the irreconcilable rulings of February 20-21, 2026 -- an oral directive to return property and a written characterization of the same seizure as "moving a couch" issued within 24 hours -- demonstrate active, affirmative judicial inconsistency, not silence.

The district court characterized Petitioner's strongest argument as ratification "by silence." That assessment was based on the record as of July 2025. Each of the three facts above post-dated that order entirely. These are not silent ratifications. They are documented, affirmative judicial acts that independently satisfy Caperton.

This Court noted in *Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1 (1987), that Younger abstention may be inappropriate where irreparable harm is concrete and immediate. Petitioner has been

deprived of his separate property for over two years. The marital home title remains concealed. The residence faces imminent court-ordered sale. Once sold, no federal order can restore it. The harm is not speculative.

D. Flagrant Unconstitutionality Is Present.

Abstention is further inappropriate where the challenged conduct is patently and flagrantly unconstitutional. *Younger*, 401 U.S. at 53-54. The denial of the right to present sworn testimony on January 10 and February 7, 2025 -- on two separate consecutive hearing dates -- violates the most fundamental requirements of due process. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976); *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970). When Petitioner was finally permitted to testify on February 20, 2026, he was subjected to continuous heckling and disruption. The systematic denial of the right to be heard across multiple hearing dates, followed by a compromised and disrupted hearing, is flagrant unconstitutionality that no doctrine of comity can require a federal court to ignore.

=====

II. THE SIXTH CIRCUIT'S DECISION CONFLICTS WITH THIS COURT'S PRECEDENTS ON DUE PROCESS AND JUDICIAL BIAS.

The Due Process Clause guarantees every litigant a "fair trial in a fair tribunal." *Withrow v. Larkin*, 421 U.S. 35, 46 (1975). That guarantee is violated when the "probability of actual bias" is too high to be constitutionally tolerable. *Caperton*, 556 U.S. at 872. The record establishes that violation across five independent grounds.

FIRST -- DENIAL OF THE RIGHT TO BE HEARD. The denial of Petitioner's right to present sworn testimony on January 10 and February 7, 2025 is a per se due process violation. "The fundamental requirement of due process is the opportunity to be heard at a meaningful time

and in a meaningful manner." Mathews v. Eldridge, 424 U.S. 319, 333 (1976). A litigant denied the right to present evidence has been denied due process regardless of the merits. Goldberg v. Kelly, 397 U.S. 254, 267 (1970). The heckling Petitioner endured when he finally testified on February 20, 2026, did not cure those prior denials -- it compounded them.

SECOND -- THEFT, TRANSMUTATION OF OWNERSHIP, AND PROLONGED

DEPRIVATION. Respondent transmuted ownership of Petitioner's separate property on March 21, 2024, and has deprived him of it continuously for over two years. She simultaneously concealed the marital home title, causing months of procedural delay. The trial court's characterization of this sustained theft as "moving a couch" -- while simultaneously directing Respondent to return the property in open court -- is an irreconcilable contradiction that reflects the "probability of bias" Caperton prohibits. App. 22a-41a.

THIRD -- PRAISED FALSE STATEMENT WITH DOCUMENTED TEN-DAY

ADMISSION. On August 15, 2025, the trial court praised Respondent's statement despite Petitioner's immediate objection. On August 25, 2025, Respondent filed a sworn affidavit admitting she had misled the court. The trial court imposed no sanction and made no correction. "A fair trial in a fair tribunal is a basic requirement of due process." In re Murchison, 349 U.S. 133, 136 (1955). A court that praises fraud upon the court, disregards the opposing party's immediate objection, and takes no action when the fraud is admitted in writing does not meet this standard. App. 149a-150a.

FOURTH -- DOUBLE STANDARD IN EVIDENCE. The trial court accepted an Affidavit of Service bearing three different dates from an unknown third party while excluding Petitioner's self-authenticating notarized evidence as "hearsay." This double standard is itself evidence of

bias. Due process requires proper service before a court may proceed. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950); *Henderson v. United States*, 517 U.S. 654, 672 (1996). The systematic exclusion of self-authenticating notarized evidence under Fed. R. Evid. 902(8) and Tenn. R. Evid. 902(8) on hearsay grounds -- contrary to the express text of those rules -- deprived Petitioner of his entire documentary record. App. 151a, 58a.

FIFTH -- JUDICIAL ADMISSIONS OF IMPROPER CONDUCT. The trial judge's written apologies for "faulty recall" and for "the manner in which it was handled" are direct evidence of an unreliable and biased adjudicator. No neutral judge apologizes for the manner in which he has treated a litigant. These admissions, combined with the irreconcilable rulings of February 20-21, 2026 and the pattern of shielding Respondent from the consequences of criminal conduct, establish the "probability of actual bias" that Caperton condemns. App. 95a-101a.

SIXTH -- THE PROCEDURAL TRAP. No court -- state or federal -- has ever ruled on the merits of Petitioner's constitutional claims. The Tennessee Court of Appeals dismissed the recusal appeal on procedural grounds. The district court and Sixth Circuit abstained. The result is a perfect procedural trap: the federal court defers to state court; the state court dismisses on procedural grounds; no court ever decides. This directly conflicts with Gibson's requirement that abstention presuppose a competent state forum actually available to decide the federal issues. 411 U.S. at 577. Where that forum has never reached those issues, the predicate for Younger abstention is absent.

=====

III. THE QUESTIONS PRESENTED ARE OF EXCEPTIONAL NATIONAL IMPORTANCE.

This petition presents three independent grounds for certiorari, each of which alone warrants review.

*First, the Sprint conflict is real and consequential.* The Sixth Circuit continues to apply the "important state interest" test that Sprint unanimously overruled, denying federal forum access to litigants in state domestic relations proceedings across six states. Every year, thousands of litigants with legitimate federal constitutional claims are denied a federal forum by a doctrine Sprint made inapplicable. The conflict between the Sixth Circuit and circuits that meticulously apply Sprint's three-category limitation warrants this Court's resolution.

Second, the bad faith and extraordinary circumstances exceptions have been rendered meaningless by the decision below. If this record -- criminal initiation of proceedings through a warrantless home arrest, over two years of deprivation of separate property, concealment of marital home title, a judge's written apologies for false statements and improper conduct, irreconcilable rulings within 24 hours, a ten-day documented sworn admission of deception praised by the court, acceptance of a three-date facially defective AOS while excluding self-authenticating evidence, and two denials of the right to testify -- does not constitute bad faith or extraordinary circumstances, those exceptions are dead letters for every civil litigant. This Court should say so.

*Third, the procedural trap this case presents warrants independent attention. The rule emerging from the decisions below -- abstract in federal court, dismiss on procedural grounds in state court, reach the merits nowhere -- is constitutional abandonment masquerading as comity. It conflicts directly with Gibson. It deserves correction.*

The record is fully developed across five courts. The constitutional violations are documented

in the trial court's own written orders. The Sixth Circuit's legal standard is clearly articulated including the judge's apologies, his irreconcilable rulings, and Respondent's in-court admission.

*The litigant is left with no forum that has ever adjudicated the merits of his constitutional claims. This is not comity -- it is anarchy.* Gibson v. Berryhill, 411 U.S. at 577, requires that abstention presuppose a competent state tribunal actually available to decide the federal issues. Where that tribunal has never adjudicated those issues, the predicate for Younger abstention is absent. *Younger abstention is a doctrine of comity, not a license for "bad faith," "flagrant unconstitutionality," or "extraordinary circumstances"*. Younger, 401 U.S. at 53-54.

The question of where the *"bad faith," "flagrant unconstitutionality," or "extraordinary circumstances"* exceptions begin is of nationwide importance, directly affects the rights of litigants in state domestic relations courts across the country, and warrants this Court's guidance.

*This case is an ideal vehicle.*

---

---

PRAYER FOR RELIEF

---

---

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant the petition for a writ of certiorari.
2. Reverse the judgment of the United States Court of Appeals for the Sixth Circuit.
3. Vacate the district court's order abstaining.
4. Remand with instructions to exercise federal jurisdiction over Petitioner's constitutional claims.
5. *Grant the accompanying Emergency Application for Stay to preserve the status quo and*

prevent the sale of the marital residence pending disposition of this petition. Issue or maintain a stay of all proceedings in *Neera Uppal v. Rohit Uppal*, Knox County Fourth Circuit Court, Case No. 159500, including any order for sale, transfer, or encumbrance of the marital residence at 7922 Knowledge Lane, Knoxville, Tennessee, pending the filing and full disposition of this petition and any subsequent proceedings on remand in Petitioner's claims under 42 U.S.C. Section 1983, to preserve the status quo and prevent rendering moot of any relief this Court may grant.

The marital residence is Petitioner's only home. Its sale would constitute irreparable harm because:

(a) Respondent has concealed the title to the property since March 21, 2024,

preventing any lawful transaction without her cooperation;

(b) once sold and proceeds distributed, no subsequent court order can restore Petitioner's home;

and

(c) the property division would become effectively final, rendering any relief from this Court on remand meaningless. See *Elrod v. Burns*, 427 U.S. 347, 373 (1976); *Ohio Citizens for*

*Responsible Energy, Inc. v. NRC*, 479 U.S. 1312, 1313 (1986) (Scalia, J., in chambers).

6. Refer Respondent's criminal misconduct to the appropriate investigative authorities, such as DOJ or Knox County DA, for:

\* Filing a false police report in violation of *Tenn. Code Ann. § 39-16-502*, App. 18a-21a;

\* Identity theft in violation of 18 U.S.C. § 1028(a)(7), App. 42a-48a;

\* Fraud upon the court as defined by this Court's precedents in *Hazel-Atlas Glass Co. v.*

*Hartford-Empire Co.*, 322 U.S. 238 (1944), App. 52a-57a;

*\* Fraudulent transfer and concealment of marital home title and petitioner's separate property consisting of gold rings and gold-plated watches seven days before filing for divorce -- on March 21, 2024. App. 22a-41a.*

7. Upon remand, direct the district court to consider Petitioner's claims under 42 U.S.C. Section 1983 against:

(a) Respondent Ms. Neera and co-complainant Ms. Anagha, who jointly filed the false police report that caused the warrantless home arrest of December 20, 2023; and

(b) the Knox County police officers who conducted the warrantless home arrest, deployed a taser against Petitioner inside his residence, and arrested Petitioner at the precise moment he exercised his First Amendment right to assert his innocence -- for violations of the Fourth Amendment (warrantless home arrest, *Payton v. New York*, 445 U.S. 573 (1980); excessive force, *Graham v. Connor*, 490 U.S. 386 (1989)) and the First Amendment (retaliatory arrest, *Nieves v. Bartlett*, 587 U.S. 391 (2019)). Petitioner further requests that upon a finding of liability, the district court consider appropriate injunctive relief including referral to the Tennessee Peace Officer Standards and Training Commission for decertification proceedings against the officers involved.

8. Impose Sanctions for Respondent's Contemptuous Conduct.

9. Compel Respondent to serve full responses to Petitioner's discovery requests dated February 12, 2025.

10. Upon remand, direct the district court to consider awarding the marital residence exclusively to Petitioner as an equitable property division under Tenn. Code Ann. § 36-4-121, in light of Respondent's fraudulent scheme through false police report, fraudulent transfer of marital assets,

identity theft, perjury, and fraud on the court. App. 158a-164a

11. Divest Respondent of any claim to ownership or proceeds from the marital residence to prevent unjust enrichment.

12. Impose a constructive trust on any assets obtained by Respondent through her fraudulent transfer of marital property. See *Beatty v. Guggenheim Exploration Co.*, 225 U.S. 112, 160 (1912).

13. Preserve Petitioner's right to seek separate civil damages for malicious prosecution, defamation, identity theft, conversion, and fraudulent transfer arising from Respondent's criminal conduct. See *Carey v. Phipps*, 435 U.S. 247 (1978).

14. Vacate the trial court's August 15, 2025 order accepting a one-sided statement of assets and debts while multiple motions were pending.

15. Strike Respondent's filings procured by fraud, including perjured affidavits of service.

16. Declare Respondent's discovery requests served by email prior to April 25, 2025 null and void, and of no effect.

17. Correction of Judicial Bias and Protection of Due Process

**\*\* Vacate orders entered by the trial judge that relied upon Respondent misrepresentations, unauthorized communications, or one-sided Statement of Assets and Debts.**

**\*\* In light of the Judge's biased conduct, including expressions of favoritism toward Respondent and acceptance of proven falsehoods, Petitioner respectfully submits that continued adjudication before this tribunal cannot provide a fair and impartial process.**

**\*\* *Upon remand, the district court shall have authority to fashion all appropriate relief***

*to protect Petitioner's constitutional rights, including but not limited to enjoining further proceedings before the Hon. Gregory S. McMillan pending recusal proceedings consistent with Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009).*

18. Upon remand, direct the district court to enjoin further proceedings in the state court until:

(a) Respondent serves properly authorized discovery in compliance with Tenn. R. Civ. P. 5.02;

(b) the trial court rules on Petitioner's Motion to Appoint a Forensic Accountant and Digital Investigator; and

(c) Petitioner has been afforded a meaningful opportunity to respond to properly served discovery and present evidence through properly appointed forensic experts.

19. Upon remand, direct the district court to consider Petitioner's claims arising from the warrantless home arrest of December 20, 2023, including claims under 42 U.S.C. Section 1983 for violations of the Fourth Amendment (warrantless home arrest, *Payton v. New York*), the First Amendment (retaliatory arrest, *Nieves v. Bartlett*), and the Fourth Amendment (excessive force, *Graham v. Connor*), and to determine the applicability of any tolling doctrines to the applicable statute of limitations given the ongoing nature of Respondent's misconduct.

20. Grant fee waivers including:

- Docketing fees
- PACER fees (under *Adkins v. E.I. DuPont*, 335 U.S. 331 (1948))

21. Grant such other and further relief as the Court deems just and proper.

---

---

CONCLUSION

---

---

For the foregoing reasons, the petition for a writ of certiorari should be granted. The record presents a case in which: criminal conduct initiated the underlying proceedings; Respondent

admitted in open court to retaining stolen separate property that she has withheld for over two years; she concealed the marital home title causing months of procedural delay; the trial judge's own written orders contain irreconcilable rulings and admissions of false statements and improper conduct of proceedings; self-authenticating evidence was systematically excluded on legally incorrect grounds; and no court -- state or federal -- has ever reached the merits of Petitioner's constitutional claims. The Sixth Circuit's characterization of this record as "day-to-day conduct of state hearings" is incompatible with this Court's precedents in *Gibson and Caperton* and warrants this Court's review.

The record presents a case in which: the Sixth Circuit applied *Younger* abstention to a private divorce proceeding in a manner that conflicts with this Court's unanimous holding in *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013);

criminal conduct initiated the underlying proceedings; Respondent admitted in open court to retaining stolen separate property that she has withheld for over two years; she concealed the marital home title causing months of delay; the trial judge praised a false statement in court on August 15, 2025, disregarded Petitioner's immediate objection, and took no corrective action when Respondent admitted the statement was false in a sworn affidavit ten days later on August 25, 2025;

the trial court accepted a facially defective Affidavit of Service bearing three different dates while rejecting self-authenticating notarized evidence;

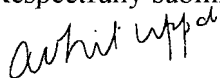
the trial court set a trial date based on void service; the trial judge's own written orders contain irreconcilable rulings issued within 24 hours and admissions of false statements and improper conduct; and no court -- state or federal -- has ever reached the merits of Petitioner's

constitutional claims.

The urgency of this petition cannot be overstated. Petitioner's only home faces imminent court-ordered sale. Once sold, no federal court order can restore it. The constitutional questions presented — including whether the Sixth Circuit's application of Younger abstention to a private divorce proceeding conflicts with *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013) -- are not abstract. They are the difference between a man keeping his home and losing it forever to proceedings initiated through criminal conduct and conducted before a biased tribunal. This Court's review is not merely warranted. It is urgently necessary.

The Sixth Circuit's application of Younger abstention to a private divorce proceeding is irreconcilable with *Sprint*. Its characterization of this record as "day-to-day conduct of state hearings" is incompatible with *Gibson and Caperton*. This Court's review is warranted.

Respectfully submitted,



Rohit Uppal, Pro Se

7922 Knowledge Lane, Knoxville, TN 37938

Email: ruppal45@gmail.com

Dated: April 21, 2026