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IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

MAR - 3 2026

OFFICE OF THE CLERK

HADAROU SARE,

Petitioner,

v.

CHRISTINA NIKIFORIDOU; CHENCHEN HANDLER; MARUKO KOGURE; DAN

SCHORR; HOSAM FATHY; UNIVERSITY OF MARYLAND COLLEGE PARK

Respondents.

On Petition for a Writ of Certiorari

to the United States Court of Appeals

for the Fourth Circuit

PETITION FOR A WRIT OF CERTIORARI

Hadarou Sare

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QUESTIONS PRESENTED (Rule 14.1(a))

1. Whether dismissal of individual defendants for alleged failure of service is proper where evidence establishes valid service and defendants had actual notice of the action.
2. Whether a federal court may dismiss a pro se civil-rights complaint at the Rule 12(b)(6) stage by resolving disputed factual issues and denying discovery.
3. Whether a public university's expulsion of a doctoral student and termination of fellowship without meaningful pre-deprivation process violates the Fourteenth Amendment under *Goss v. Lopez* and *Mathews v. Eldridge*.
4. Whether Eleventh Amendment immunity bars prospective declaratory and injunctive relief against state officials under *Ex parte Young*.

LIST OF PARTIES

Petitioner:

Hadarou Sare

Respondents:

Christina Nikiforidou

Chenchen Handler

Maruko Kogure

Dan Schorr

Hosom Fathy

University of Maryland at College Park

OPINIONS BELOW

The unpublished per curiam opinion of the United States Court of Appeals for the Fourth Circuit (Feb. 23, 2026) is attached in the Appendix at App. 1a.

The Order of the United States District Court for the District of Maryland (July 29, 2025) granting Defendants' Motion to Dismiss and dismissing the consolidated amended complaint without prejudice is attached at App. 1b.

JURISDICTION

The judgment of the court of appeals was entered on February 23, 2026.

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

This petition is timely under Supreme Court Rule 13.

CONSTITUTIONAL PROVISIONS INVOLVED

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

STATEMENT OF THE CASE

This case arises from Petitioner's expulsion from the University of Maryland College Park and the termination of his doctoral fellowship.

The district court dismissed several defendants based on alleged failure of service and dismissed the amended complaint without prejudice.

On appeal, the Fourth Circuit affirmed in an unpublished per curiam opinion, stating it found "no reversible error."

Petitioner contends:

- Service of process was properly executed and documented.
- Defendants had actual notice and participated in the litigation.
- The dismissal rested on disputed factual premises.
- The complaint alleged constitutional violations under the Fourteenth Amendment.

Neither the district court nor the Fourth Circuit conducted a *Mathews* balancing analysis.

REASONS FOR GRANTING THE PETITION

I. The Decision Conflicts with Federal Service-of-Process Principles

The district court dismissed several defendants based on alleged failure to effect service.

However:

- Executed proofs of service were filed.
- Defendants appeared through counsel.
- The record reflects actual notice and litigation participation.

Federal courts routinely hold that technical defects in service do not warrant dismissal where defendants have actual notice and suffer no prejudice.

The Fourth Circuit affirmed without addressing whether Rule 4 was satisfied in substance.

The lower courts failed to address evidence demonstrating valid service and actual notice.

This issue recurs frequently in civil-rights litigation.

II. The Courts Below Misapplied Rule 12(b)(6)

At the pleading stage, courts must:

- Accept well-pleaded allegations as true
- Draw reasonable inferences in plaintiff's favor

Instead, the district court resolved factual disputes and denied discovery.

This conflicts with *Twombly*, *Iqbal*, and *Erickson v. Pardus*.

III. The Decision Conflicts with Supreme Court Due-Process Precedent

Under *Goss v. Lopez*, students at public institutions possess protected property interests.

Under *Mathews v. Eldridge*, pre-deprivation process must be evaluated.

Neither court conducted this constitutional analysis.

IV. The Case Raises Important Questions Regarding Public University Discipline

Public universities nationwide expel students and terminate fellowships.

The procedural safeguards governing such actions are of exceptional importance.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

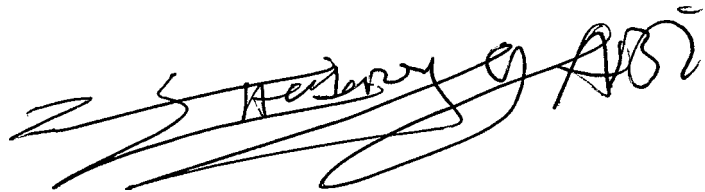
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Date: ~~3/3/2026~~
4/17/2026

A large, stylized handwritten signature in black ink, appearing to read 'Hadarou Sare' with a large flourish at the end.