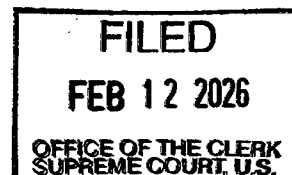


Docket No.:

25-7645

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
In re Lidia M. Orrego — PETITIONER



v.

United States Court of Appeals for the Second Circuit;
Hon. Sanket J. Bulsara, U.S. District Judge (recused), in his official capacity;
Hon. Anne Y. Shields, U.S. Magistrate Judge (recused), in her official capacity;
and the United States District Court for the Eastern District of New York
— RESPONDENT(S)

ON PETITION FOR A WRIT OF MANDAMUS
TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

PETITION FOR WRIT OF MANDAMUS

Lidia M. Orrego - Pro Se Petitioner
(Your Name)

95-08 Queens Blvd. 3E
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(City, State, Zip Code)

(347) 453-2234
(Phone)

QUESTIONS PRESENTED

1. Whether federal judges who have formally recused themselves under 28 U.S.C. § 455 may continue to exercise judicial power by issuing purported post-recusal rulings, and if such acts are void ab initio.
2. Whether an appellate court's refusal or failure to vacate jurisdictionally void purported post-recusal acts—through denial of mandamus and prolonged inaction on reconsideration—warrants issuance of supervisory mandamus under 28 U.S.C. § 1651(a).
3. Whether prolonged inaction by the United States Court of Appeals for the Second Circuit on an unopposed Motion for Reconsideration or En Banc Review, combined with denial of ancillary relief, constitutes constructive obstruction of justice, abuse of discretion, or violation of due process, and whether supervisory mandamus is appropriate to compel immediate resolution and prevent irreparable harm.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

RELATED CASES

1. United States District Court for the Eastern District of New York: Case Nos. 2:23-cv-06507-SJB-AYS and 2:24-cv-07247.
2. United States Court of Appeals for the Second Circuit: Docket Nos. 25-1810 (and consolidated cases).

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INDEX TO APPENDICES

Exhibit A – Orders and Docket Summary, United States Court of Appeals for the Second Circuit - Pages 1e–5e (5 pages)

Description: This exhibit contains multiple Second Circuit orders and a docket summary primarily relating to Docket No. **25-1810**, with references to consolidated matters, including Docket Nos. **25-1802, 25-1808, and 25-2399**. The exhibit confirms that the petition for a Writ of Mandamus was denied by order dated **November 21, 2025**, which granted in forma pauperis status but denied Mandamus relief pursuant to *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367 (2004), on the grounds that petitioner failed to establish the absence of an adequate alternative remedy, a clear and indisputable right to relief, or exceptional circumstances. The exhibit further reflects an order dated **February 2, 2026**, denying only ancillary motions, including: (1) the motion for permission to attach exhibits to the motion for Reconsideration (Docket Entry 24), and (2) the motion to stay district court proceedings and enforcement of orders pending Reconsideration (Docket Entry 25). The docket summary included in this exhibit reflects **no ruling on Docket Entry 23**, the Motion for Reconsideration or Reconsideration En Banc filed **December 4, 2025**, which remains pending and unresolved as of **February 2, 2026**.

Exhibit B – Reconsideration Mandamus as part of the Motion to Correct and Supplement the Record - Pages 6e–26e (21 pages)

Description: Reconsideration Mandamus filed **December 4, 2025**, at the Eastern District of New York, which is missing from the district court docket; Motion dated **February 4, 2026**, in Case No. **23-cv-6507**, seeking to correct and supplement the record. This exhibit documents filing irregularities and omissions affecting appellate and district court review.

Exhibit C – Order to Show Cause and Motion for Reconsideration and Vacatur - Pages 27e–106e (80 pages)

Description: Order to Show Cause addressing the Clerk’s failure to route a motion to the Chief Judge, together with a Motion for Reconsideration and Vacatur dated **January 28, 2026**. This exhibit reflects procedural breakdowns in case handling and judicial assignment.

Exhibit D – Motion for Reconsideration and Judicial Confirmation Record - Pages 107e–114e (8 pages)

Description: Motion for Reconsideration dated **January 28, 2026**, including an exhibit concerning Judge Bulsara’s **March 2024** confirmation hearing, during which U.S. Senator John Kennedy questioned issues relating to judicial bias. Submitted to support claims of appearance of impropriety and lack of impartiality.

Exhibit E – Notice of Appeal Alleging Usurpation of Judicial Power - Pages 115e–171e (57 pages)

Description: Docket Entry No. 147, dated **February 7, 2026**, Notice of Appeal in Case No. **23-cv-06507**, *Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al.*, alleging usurpation of judicial power and constitutional violations arising from district court proceedings.

Exhibit F – Docket, *Orrego v. Savitsky et al.* - Pages 172e–179e (8 pages)

Description: Docket sheet for Case No. **24-cv-07247**, *Orrego v. Savitsky et al.*, reflecting related litigation history and procedural posture relevant to claims of systemic irregularities.

Exhibit G: Bourke v. Contreras, Ariz. Sup. Ct. No. CV-24-0217-PR (Aug. 21, 2025) – Pages 180e–192e (13 pages)

Bourke v. Contreras, Ariz. Sup. Ct. No. CV-24-0217-PR (Aug. 21, 2025)

Justia Opinion Summary

The Supreme Court of Arizona held that once a judge recuses from a case, the judge remains disqualified from further participation unless the judge articulates the reasons why recusal is no longer required and allows the parties an opportunity to object. The court reversed the post-recusal ruling and remanded for a different judge.

TABLE OF AUTHORITIES CITED

CASES	Pages
Cheney v. U.S. Dist. Ct. for D.C., 542 U.S. 367 (2004)	4, 11, 14, 15
Ex parte Fahey, 332 U.S. 258 (1947)	15
Liljeberg v. Health Servs. Acquisition Corp., 486 U.S. 847 (1988)	14
Will v. United States, 389 U.S. 90 (1967)	14
 STATUTES AND RULES	
28 U.S.C. § 1651(a)	2, 9, 11
28 U.S.C. § 455	2, 11, 14, 16
Fed. R. Civ. P. 55(a)	9, 12, 15, 16
Fed. R. Civ. P. 60(a)	10, 12, 15
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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF MANDAMUS

Petitioner respectfully prays that a writ of mandamus issue

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A the petition and is to

☐ reported at ; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

The opinion of the United States district court appears at Appendix E and F the petition and is to

☐ reported at ; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

☐ For cases from **state courts**:

The ~~opinion of the~~ highest state court to review the merits appears at Appendix to the petition and is

☐ reported at ; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

The opinion of the ~~appears at~~ Appendix to the petition and is court

☐ reported at ; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was February 2, 2026.

☒ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

This Court has jurisdiction under the All Writs Act, 28 U.S.C. § 1651(a). The petition seeks supervisory mandamus to restrain judicial action taken without jurisdiction following formal recusal and to correct appellate failure to vacate void acts. The challenged actions arise from federal courts within this Court's supervisory authority, which extends to directing inferior courts—including the Second Circuit and the United States District Court for the Eastern District of New York—to perform ministerial duties and correct jurisdictional defects.

No adequate alternative remedy exists. Void orders persist amid filing restrictions, docket obstruction, and appellate inaction. This petition is timely, filed shortly after the Second Circuit's February 2, 2026, denial of ancillary motions (Exhibit A) and amid ongoing inaction on the December 4, 2025, Motion for Reconsideration (Exhibit B), underscoring the urgency of relief.

The district court's ministerial failures further foreclose any effective relief in the lower courts. The Eastern District of New York has failed to docket or act on Petitioner's request for entry of default judgment (or related certificate dated November 21, 2025) under FRCP 55(a), despite proper submission. It has also ignored motions, letters, and other filings seeking to correct and supplement the record due to docket irregularities—including motions dated February 4 and February 6, 2026, and follow-up letters submitted since November 21, 2025.

These undocketed actions, constituting clerical omission or manipulation under FRCP 79(a) and 60(a), prevent an accurate reflection of the proceedings, obstruct challenges to void post-recusal acts, and perpetuate irreparable harm without any lower-court mechanism for correction. The failure to act denies Petitioner meaningful access to the courts, frustrates timely appellate review, and undermines the integrity of the judicial process. Such inaction compounds financial and procedural harm, leaving Petitioner without any adequate remedy in the lower courts.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1. 28 U.S.C. § 1651(a) – All Writs Act
2. 28 U.S.C. § 455(a) – Judicial disqualification
3. Federal Rule of Civil Procedure 60(b)(4) – Void judgments
4. Article III, U.S. Constitution

STATEMENT OF THE CASE

In EDNY Case No. 2:23-cv-06507-SJB-AYS (and related proceedings, including Case No. 2:24-cv-07247, *Orrego v. Savitsky et al.*), District Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields formally recused themselves under 28 U.S.C. § 455 on November 5, 2025, and November 17, 2025, respectively, due to bias or partiality, including concerns raised during Judge Bulsara’s March 2024 confirmation hearing where U.S. Senator John Kennedy questioned issues relating to judicial bias and appearance of impropriety (Exhibit D, pages 107e–114e).

Despite recusal, both judges issued purported post-recusal judicial acts on December 1 and 3, 2025, including a filing injunction, dismissal with prejudice, and procedural directives related to a purported default judgment/certificate dated November 21, 2025. These acts lack jurisdiction and are void ab initio.

Petitioner sought mandamus in the Second Circuit (Nos. 25-1810 and 25-3234, consolidated with Nos. 25-1802, 25-1808, and 25-2399) to vacate the purported post-recusal rulings and enforce recusal. The Second Circuit denied mandamus on November 21, 2025, granting in forma pauperis but denying relief under *Cheney v. U.S. Dist. Ct. for D.C.*, 542 U.S. 367 (2004), citing failure to show no adequate alternative remedy, clear right, or exceptional circumstances (Exhibit A, pages 1e–5e). It denied ancillary motions (e.g., to attach exhibits and stay) on February 2, 2026 (Exhibit A). A December 4, 2025, Motion for Reconsideration/En Banc review—filed as part of a motion

to correct and supplement the record, which is missing from the EDNY docket—remains pending and unresolved as of February 2, 2026 (Exhibit A; Exhibit B, pages 6e–26e).

Additional procedural irregularities include the Clerk’s failure to route an Order to Show Cause and Motion for Reconsideration/Vacatur dated January 28, 2026 (Exhibit C, pages 27e–106e), a February 7, 2026 Notice of Appeal alleging usurpation of judicial power (Exhibit E, pages 115e–171e), and related docket issues in Case No. 2:24-cv-07247 (Exhibit F, pages 172e–179e).

The continued enforcement of these void orders—compounded by procedural barriers, docket omissions, and institutional inaction—forecloses meaningful relief and causes irreparable harm, including ongoing financial distress and blocked redress in related Workers' Compensation Board Case G2584330.

Further compounding the obstruction, the Eastern District of New York has repeatedly ignored and failed to docket Petitioner's motions and letters seeking to correct and supplement the record due to docket irregularities and omissions (e.g., motion dated February 4, 2026, in Case No. 2:23-cv-06507, Exhibit B; motion pursuant to FRCP 60(a) filed February 6, 2026; and polite follow-up letters submitted since November 21, 2025). These filings, properly submitted to the Pro Se Office, have not appeared on the docket nor received any response, preventing correction of the record and perpetuating enforcement of void purported post-recusal rulings. (Exhibit C).

The Eastern District of New York has also failed to docket or act on Petitioner's request for entry of default judgment (or related certificate dated November 21, 2025) under FRCP 55(a), despite proper submission. This omission persists amid a broader pattern of ignoring and failing to docket Petitioner's motions to correct and supplement the record (e.g., motions dated February 4, 2026, and February 6, 2026, per Exhibit B and related filings), as well as polite follow-up letters

since November 21, 2025. These undocketed actions unlawfully prevent correction of jurisdictional voids and obstruct justice.

This principle is reinforced by *Bourke v. Contreras*, Ariz. Sup. Ct. No. CV-24-0217-PR (Aug. 21, 2025) (Exhibit G). The Arizona Supreme Court held that once a judge recuses, the judge remains disqualified from further participation unless the judge clearly states why recusal is no longer required and allows the parties an opportunity to object. The court reversed a purported post-recusal ruling, emphasizing that such acts are voidable for lack of impartiality and jurisdictional authority. **Purported post-recusal rulings** without proper authority violate due process and cannot be ratified by mere inaction. Judicial recusal is a binding limitation, and immediate vacatur is required to preserve fairness, prevent prejudice, and avoid irreparable harm.

REASONS FOR GRANTING THE WRIT

NATURE OF THE WRIT

This petition seeks enforcement of structural jurisdictional limits, not review of discretionary rulings or factual findings. It addresses a single defect: exercise of judicial power without jurisdiction post-recusal, and appellate failure to terminate that defect.

I. This Petition Presents a Pure Question of Jurisdiction

Mandamus is appropriate to confine lower courts to lawful jurisdiction. *Will v. United States*,

389 U.S. 20, 92-96 (1967).

II. Post-Recusal Judicial Acts Are Void Ab Initio

Recusal under § 452 terminates judicial authority. Purported Post-Recusal Judicial Acts Are Void Ab Initio, not merely voidable. *Kilpatrick v. Health Serv. Acquisition Corp.*, 486 U.S. 847 (1988). Here, the December 1 and 3, 2022 purported acts by Judges Brusa and Shields are legal nullities.

III. Appellate Inaction as Constitutive Enforcement

The Second Circuit's denial and failure to resolve reconsideration perpetuate the jurisdictional violation. Silence and delay cannot legitimize void acts. *Cheeny v. U.S. Dist. Ct.*, 542 U.S. 367 (2004).

IV. The Cheeny Standard Is Violated

1. Clear and indisputable right: Recused judges have no authority; purported post-recusal

acts are void.

2. No adequate alternative remedy: Void orders, restrictions, docket omissions (e.g.,

missing motions in Exhibit B), and inaction on reconsideration (Exhibit A) block relief elsewhere. The Eastern District of New York's repeated failure to docket or act on Petitioner's request for

entry of default judgment (or related certificate dated November 21, 2025) under FRCP 55(a) — amid the broader pattern of ignoring motions to correct the record (including the February 4, 2026 motion in Exhibit B and the February 6, 2026 FRCP 60(a) motion) — constitutes unlawful clerical omission or manipulation that forecloses any effective lower-court remedy and leaves Petitioner without means to challenge jurisdictional voids or irregularities. The Second Circuit's additional failure to timely resolve Petitioner's interlocutory appeals from the unlawful from the purported post-recusal injunction (issued in violation of FRCP 65 requirements for notice, hearing, and scope) further demonstrates unreasonable delay and constructive denial of appellate review, exacerbating irreparable harm and leaving no adequate alternative remedy. Moreover, the court's unconscionable denial on February 2, 2026, of ancillary motions to attach evidence (Docket Entry 24) and stay district proceedings pending reconsideration (Docket Entry 25) (Exhibit A) deprived Petitioner of critical means to supplement the record and preserve the status quo amid ongoing jurisdictional voids, compounding the obstruction.

3. Exceptional circumstances: Judicial usurpation after recusal is the paradigm for mandamus—“a drastic and extraordinary remedy reserved for really extraordinary causes.” *Cheney*, 542 U.S. at 380 (quoting *Ex parte Fahey*, 332 U.S. 258, 259–260 (1947)). The cumulative appellate inaction—on the unopposed reconsideration of mandamus, interlocutory appeals, ancillary relief, and the district court's pattern of ignoring motions to correct docket manipulation—renders the delay unreasonable and effectively denies meaningful review and access to justice.

V. Supervisory Mandamus Is Necessary

If recusal does not terminate authority and appellate courts allow nullities to stand, jurisdictional boundaries erode.

CONCLUSION

The petition for a writ of mandamus should be granted.

1. Vacating all purported post-recusal rulings issued by Judges Bulsara and Shields as void ab initio;

2. Enforcing the legal effect of recusal under 28 U.S.C. § 455;

3. Compelling reassignment to a neutral judge;

4. Staying enforcement of all void purported post-recusal rulings or acts;

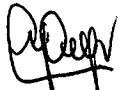
5. Directing the Second Circuit to terminate constructive enforcement of void acts;

Directing the Clerk of the United States District Court for the Eastern District of New York (and/or the Second Circuit Clerk, as applicable) to perform ministerial duties by immediately docketing all undocketed filings (including but not limited the request for Entry of Default Judgment/Certificate dated November 21, 2025, and motions to correct the record filed February 4 and February 6, 2026), properly entering any default under FRCP 55(a) if warranted, unsealing improperly sealed documents, expunging falsified or manipulated docket entries, and correcting the record to ensure transparency and prevent further obstruction of justice.

6. Granting such other relief as is just and proper.

Respectfully submitted,

Executed on March 18, 2026.



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