

Case No. 25A1355

Supreme Court, U.S.
FILED
JUN - 1 2025
OFFICE OF THE CLERK

IN THE
U.S. SUPREME COURT

CONNIE S. MAIN,	)	Appeal from Illinois U.S. Supreme
	)	Court, Case No. <u>132563</u>
)	
Plaintiff-Petitioner,)	
	)	Appeal from 4 TH District Appellate
	)	Court, Case No. No. <u>4-25-0188</u>
)	
vs.	)	Appeal from 9 TH Circuit Trial Court
	)	Case No.: <u>21-LL-21 KNOX COUNTY</u>
)	
	)	Honorable:
REBECCA L. LUNDEEN,	)	<u>JAMES G. BABER</u>
	)	Judge, Presiding
Defendant-Respondent.	)	WILLIAM A. RASMUSSEN

**PLAINTIFF-PETITIONER MAIN'S EMERGENCY MOTION
FOR AN EMERGENCY SUPERVISORY ORDER TO IMMEDIATELY RECALL & STAY
THE ISSUED MANDATE & PROCEEDINGS**

Plaintiff-Petitioner CONNIE S. MAIN, Pro se, and pursuant to U.S. Supreme Court Rule 17 – original jurisdiction, Rule 21 – purpose, facts & legal arguments, Rule 23 - Stays, Rule 29 – Proof of Service, 28 U.S.C. § 2101(f) – U.S. Supreme Court; time for appeal or certiorari; docketing; stay, and pursuant to Article VI, Section 16 of the Illinois Constitution and the supervisory authority of the U.S. Supreme Court, respectfully moves this Court for entry of an **EMERGENCY SUPERVISORY ORDER & IMMEDIATE RECALL & STAY OF ISSUED MANDATE AND PROCEEDINGS** by the Illinois Supreme Court on **May 8, 2026** pending further review and disposition of this matter. In support thereof states as follows:

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I. INTRODUCTION

1. This matter presents extraordinary circumstances requiring immediate supervisory intervention by this Court to prevent irreparable harm, preserve judicial integrity, and ensure compliance with constitutional and statutory requirements.
2. Absent emergency relief, Plaintiff-Petitioner Main will suffer substantial prejudice before ordinary appellate remedies can be meaningfully exhausted.
3. Emergency Supervisory intervention is necessary because:
 - Ordinary remedies are inadequate.
 - The challenged actions exceed lawful authority.
 - And immediate relief is required to preserve justice/status quo, protect this Court's jurisdiction pending further review and prevent irreparable harm and injury.
4. The Federal Rules of Appellate Procedure provide that "[a] party may move to stay the mandate pending the filing of a petition for certiorari in the Supreme Court" if it shows that "the petition would present a substantial question and that there is good cause for a stay." Fed. R. App. P.41(d)(1). Those criteria are more than satisfied here.
 - A certiorari petition presents a "substantial question" when there is a "reasonable probability" that four [J]ustices will vote to grant certiorari,"

and that there is a “fair prospect” that five justices will vote to reverse the judgment. **United States v. Silver**, 954 F.3d 455, 458 (2d Cir. 2020) (per curium). Certiorari is appropriate when a court of appeals “has decided an important federal question in a way that conflicts with relevant decisions of [the Supreme] Court,” “has entered a decision in conflict with the decision of another United States Court of Appeals on the same important matter” or “decided an important question of federal law that has not been, but should be, settled by th[e] [Supreme] Court.” Sup. Ct. R. 10(a), (c).

5. A certiorari petition seeking review of this Court’s decision would clearly present a substantial question. Thus far, the Court’s decisions have disregarded relevant decisions of the U.S. Supreme Court, see **Thompson v. Clark**, 596 U.S.__(2022), and **Chiaverine v. City of Napoleon** (2024).
6. All lower-level Court’s decisions have disregarded the binding precedents above – violating vertical stare decisis - and abandoning what the U.S. Supreme Court directs courts to apply in favor of new considerations determining the legal standard for malicious prosecutions – civil or criminal, state or federal – once cases are favorably Nolle prosequi and whether proof of innocence is required or not. Appellate-Maine’s criminal case was Nolle prosequi due to having proof of innocence, yet the courts have still ruled her Nolle was not favorable due to and because of a prosecutor’s non-factual

feelings and beliefs denying her civil recourse. **APPENDIX F (PLA A-46, Para. 6.(e), PLA A-16, Para. 27)**

7. The decision not only “fails to adhere to Supreme Court precedent that is directly on point,” it “creates enormous separation of power concerns.” Dkt. No. 50, at 17, 32 (Quattlebaum, J., dissenting from the denial of rehearing en banc).
8. This disregard of U.S. Supreme court precedent and exceptional separation of powers concern demonstrates that a petition for certiorari would present a “substantial question.” Fed. R. App. P.41(d).
9. Finally, “good cause” exists to stay the mandate to preserve the status quo. Fed. R. App. P.41(d)(1).

II. **JURISDICTION & AUTHORITY**

10. The U.S. Supreme Court possesses supervisory authority over all Illinois Courts pursuant to Article VI, Section 16 of the Illinois Constitution.
11. This Court may issue supervisory orders to:
 - Control the course of litigation.
 - Compel compliance with governing law.
 - Preserve appellate jurisdiction.
 - And prevent injustice where normal procedures are inadequate.
12. Supervisory authority may be invoked where:
 - The challenged actions exceed lawful authority.

- Important issues of administration or jurisdiction exist.
- Lower tribunals act beyond their authority.
- Or extraordinary circumstances threaten irreparable harm.

See:

- **People ex rel. Daley v. Schreier**, 92 Ill. 2d 271 (1982).
- **Kunkel v. Walton**, 179 Ill. 2d 519 (1997).
- **People v. Williams**, 204 Ill. 2d 191 (2003)

III. BACKGROUND

13. This appeal is about an illegal dog (at large, non-inoculated & non-registered) having more rights than elderly farmers attempting access to their farm property uninhibited, which ended up with both individuals being ‘ambush’ warrant arrested then later both were Nolle prosed after first having to present picture evidence of their innocence – the at large, attacking dog in the road. **APPENDIX T1 (EXHIBIT 3 – Discovery Proof of Innocence – Dog Picture)**

14. Driver - Plaintiff-Petitioner’s husband was charged with a felony for reporting the dog; it was dismissed approximately 6 months later after presenting picture evidence of the at large, attacking dog. **APPENDIX R (EXHIBIT 1)**
The Nolle documented that the evidence was ‘new,’ which was false; picture evidence of the illegal dog was known by law enforcement prior to the

'ambush' warrant arrests by way of notifying the arresting deputy verbally, then transmitting by e-mail to the Sheriff's Department Captain per direction from the arresting deputy Jacque Swanson-Arthur-Dare, Triad Officer.

15. Passenger - Plaintiff-Petitioner Main was charged with disorderly conduct for allegedly yelling & cursing at the dog. The same picture evidence of innocence Nolle prosequing her husband's charges Nolle prosequed Plaintiff-Petitioner-Main's, but not for another 1-1/2 years after it had been used as leverage against her for nearly 6 years – initially for arrests, throughout and when determining the outcome of her civil matter in the trial court to dismiss her civil lawsuit by granting Defendant-Respondent's negative defense Motion for Summary Judgment. **APPENDIX T (EXHIBIT 3, & APPENDIX V (EXHIBIT 5)** The cause behind this Emergency Motion.

16. Passenger - Plaintiff-Petitioner Main was jailed initially approximately 8 hours after her 'ambush' warrant arrests, and her husband was also jailed for 1-1/2 hours. Additionally, Plaintiff-Petitioner Main was never allowed to make a successful outgoing telephone call, nor was she given food or water.

APPENDIX U (EXHIBIT 4)

17. The trial court judge ruled, as did the 4th District Appellate Court, that Plaintiff-Petitioner Main's criminal Nolle prosequi was not favorable, which is against the U.S. Supreme Court's legal standard of **Thompson v. Clark**, 596 U.S.__(2022), and **Chiaverine v. City of Napoleon** (2024) even though other courts have realigned, except for the 4th Appellate and 9th Judicial Trial Court.

They three Illinois Appellate Courts are ignoring, and violating U.S. Supreme Court legal standard – vertical stare decisis, as well as the following:

- a. Animal Control statutes & ordinances that were violated by Defendant-Respondent;
 - b. Zero credibility or weight - that the dog & Defendant-Respondent were in violation of laws & ordinances proving fault, negligence, intent, and malice - were given to the FOIA response from Captain Landers – Sheriff’s Department. **APPENDIX S (EXHIBIT 2)**
 - c. No consideration or mention of the lack thereof of any evidence by Defendant-Respondent to prove guilt of Plaintiff-Petitioner Main, even having exterior home surveillance, and a cell phone.
 - d. Nor much emphasis that there was a witness – Plaintiff-Petitioner’s husband; or
 - e. No emphasis or importance that there was picture evidence of Respondent’s at large dog, attacking in the roadway.
18. A dog had/has more rights than two citizens in Knox County, Illinois, which continues.
19. There was never any known or missed Court dates before the ‘ambush’ warrant arrests.
20. There were never any ‘Affidavits of Probable Cause,’ because the arrest deputy – Jacque Swanson-Arthur-Dare did NOT witness anything.

21. Judge Lane never had 'probable cause' for the initial 'ambush' warrant arrests. He merely "infers" it per Judge Baber's ruling that he "need not independently determine whether probable cause to arrest Plaintiff existed based on the Court's ruling on Defendant's first two contentions" – negative defense (Respondent never asked for it, did not participate – after driving nearly ½ hour to and from her country residence to complete & verify a sworn statement) and that Defendant-Respondent did not feel or believe Plaintiff-Petitioner Main's Nolle was favorable either. **APPENDIX B (B3-B4)**
22. Plaintiff-Petitioner Main's Motion for Summary Judgement – prior to Respondent's Motion for Summary Judgement - was denied without the judge ever specifically stating he did not believe the Nolle prosequi was favorable (**APPENDIX A**) until he stated such in Defendant-Respondent's Motion for Summary Judgment. (**APPENDIX B**) Judge Baber also violated statute with respect to what a triable issue is, what a factual inference is, and/or disputed genuine issues by dismissing Plaintiff-Petitioner Main's civil malicious prosecution lawsuit.

(735 ILCS 5/2-1005) (from CH. 110, par. 2-1005)

Sec. 2-1005. "... (d) Summary determination of major issues. If the court determines that there is no genuine issue of material fact as to one or more of the major issues in the case, but that substantial controversy exists with respect to other major issues or if a party moves for a summary determination of one or more, but less than all, of the major issues in the case, and the court finds that there is no genuine issue of material facts to that issue or those issues, the court shall thereupon draw an order specifying the major issue or issues that appear without substantial controversy, and directing such further proceedings upon the remaining undetermined issues as are just..." Defendant-Respondent's Motion for Summary Judgment was

granted by the trial court based upon a negative defense without any factual evidence to back it.

23. If Plaintiff-Petitioner Main's Motion for Summary Judgment with loads of factual, supportive, relevant evidence had been properly ruled upon, then Defendant-Respondent's Motion for Summary Judgment would have never been granted by the trial court, even without factoring in that it was based upon a negative defense without any factual evidence to back it.
24. The Affidavits attached to Defendant-Respondent's Motion for Summary Judgment by the deputy and prosecutor are dated 2024 - several years after the 'alleged' arrest incident of 2020; they are not reliable as they contain incorrect information and are highly misleading at face value. Hence, there were no 'Affidavits of Probable Cause,' but this makes it appear that way.
25. Judge Baber - after an Ex parte communication on December 4, 2024, with Defendant-Respondent's attorney in front of Plaintiff-Petitioner Main while at her Motion for Summary Judgment hearing – asked Respondent's attorney if he could use irrelevant, unrelated, prejudicial, third-party case outcomes as support in making his decision, which he relied upon to grant Respondent's Motion for Summary Judgment February 7, 2025. **APPENDIX B**

IV. NATURE OF THE EMERGENCY REQUEST FOR AN IMMEDIATE SUPERVISORY ORDER

26. This matter presents an emergency because **the mandate was issued by the Illinois Supreme Court and sent to the 4th District Appellate Court and the 9th Judicial Trial Court on May 8, 2026, at approximately 2 p.m. on**

a Friday afternoon, immediately after notification to Plaintiff-Petitioner Main that her **Motion for Leave to File a Motion to Reconsider** was denied.

Absent immediate intervention, irreparable harm will occur before Plaintiff-Petitioner Main can meaningfully exercise her rights to rehearing and further review by a higher court.

Illinois Supreme Court Rule 368. Issuance, Stay, and Recall of Mandates from Reviewing Court says:

“... If the petition is denied, the mandate shall issue not earlier than 35 days after entry of the order denying the petition ...”.

ilcourtsaudio.blob.core.windows.net, 2021.05.19, Reporter of Decisions digitally signed.

27. Immediate enforcement of the mandate threatens:

- Loss of substantial rights
- Irreparable injury
- Revesting of jurisdiction in the Appellate Courts.
- And potential mootness of pending or contemplated appellate remedies.

28. Emergency relief is therefore necessary to preserve the status quo and protect this Court’s jurisdiction and the due process rights of Plaintiff-Petitioner Main pending further review by a higher court.

V. **PROCEDURAL HISTORY**

29. Plaintiff-Petitioner Main timely sought relief through ordinary prior procedures, including:

- Petition for Rehearing – 4th Dist. Appellate Ct. – 11/10/25 (**APPENDIX C**)

- Denial Petition for Rehearing – 11/10/25 – **(APPENDIX D)**
- Judge Thomas Harris – Notification of ‘Errors of Law’ – 11/14/25 – **(APPENDIX E)**
- Petition for Leave to Appeal – Illinois Supreme Court with Exhibits – 12/11/25 – **(APPENDIX F)**
- Confirmation of PLA Filing – Illinois Supreme Court Clerk – 12/11/25 – **(APPENDIX G)**
- Denied PLA – 03/25/26 – **(APPENDIX H)**
- Motion For Leave to file Motion to Reconsider – 04/15/26 - **(APPENDIX I)**
- Motion to Reconsider – 04/15/26 - **(APPENDIX J)**
- Denied Motion for Leave to File & Motion to Reconsider – 05/08/26 - **(APPENDIX K)**
- Mandate Issued by Illinois Supreme Court to 4th District Appellate & 9th Judicial Circuit Court (Knox County) – 05/08/26 - **(APPENDIX L)**
- Emergency Motion to Recall & Stay Issuance of Mandate & Proceedings – 05/11/26 - **(APPENDIX M)**
- All other available appellate proceedings and/or remedies.

30. Despite those efforts, immediate and irreparable harm remains imminent

due to:

The Illinois Supreme Court Clerk on **May 8, 2026 - immediately after notification to Plaintiff-Petitioner Main that her Motions for Leave to File & Motion for Reconsideration were denied (APPENDIX K & L) issued the mandate to take effect October 20, 2025, which documents that date as the effective date** of the Appellate Court’s Opinion/Order date to dismiss this matter.

31. Under Illinois Supreme Court Rule 368, **the mandate should not be scheduled to issue until June 12, 2026, at the earliest** – 35 days after the denial of **May 8, 2026**, of Plaintiff-Petitioner Main's Motion for Leave to File a Motion for Reconsideration.

32. Plaintiff-Petitioner Main intends to timely pursue one or more of the following:

- Petition for Writ of Certiorari to the Supreme Court of the United States
- Further constitutional review

33. The issues presented are substantial, non-frivolous, and involve serious questions concerning:

- Misapplication of controlling precedents by the U.S. Supreme Court Regarding Legal Standard for Malicious Prosecution Claims – violations of Vertical Stare Decisis (**Thompson v. Clark**, 596 U.S. __ (2022), and **Chiaverine v. City of Napoleon** (2024)) – as to what constitutes a favorable Nolle prosequi of criminal and/or civil matters. Plaintiff-Petitioner Main's case was dismissed after the 2 above new precedents/standards had taken effect.
- Multiple conflicts and/or violations with respect to controlling Illinois legal statutes, ordinances, standards and/or rules of procedure and evidence, especially what is relevant, factual, and/or prejudicial.
- Multiple Serious and Significant Manifest Errors of Law – judicial, factual & legal
- Due process & other constitutional violations
- Jurisdiction violations
- Abuse of Discretion and authority/Misconduct
- Ex parte communications

VI. EXTRAORDINARY CIRCUMSTANCES WARRANT SUPERVISORY RELIEF

A. THE LOWER TRIBUNALS EXCEEDED THEIR AUTHORITY

34. Illinois Supreme Court Rule 368 authorizes a reviewing court to recall, and/or stay the issuance of the mandate upon appropriate terms.

35. Illinois Supreme Court Rule 361 authorizes emergency motions where immediate relief is necessary to prevent substantial prejudice, injury and due process constitutional violations. Rule 361 contemplates preservation of the appellate process pending review by a higher court. T

36. U.S. Supreme Court Rule 17, 21, 23, and 28 U.S.C. § 2101(f), as well as Article VI, Section 16 of the Illinois Constitution also authorizes supervisory authority of this matter at hand, which is very emergent, since **the mandate issued (APPENDIX L) Friday, May 8, 2026, immediately after Plaintiff-Petitioner Main's Motion for Leave to File a Motion for Reconsideration had been denied.**

37. All Illinois courts possess inherent supervisory authority to preserve orderly judicial administration and ensure meaningful appellate review.

38. A stay is appropriate where:

- The proceedings involve substantial jurisdictional and constitutional defects, including 1) failure to follow controlling precedent/legal standards, 2) arbitrary or capricious judicial actions, 3) actions exceeding

statutory authority, 4) denial of due process, 5) deprivation of meaningful hearing rights.

- Substantial legal questions are presented.
- Irreparable harm is likely absent relief.
- The balance of hardships favors preservation of the status quo
- And the public interest supports continued review to protect the public from harm, protect faith and trust in the judicial system and government and ensure compliance to standards, statutes, ordinances, rules of practice, conduct and more

See also:

- **People ex rel. Scott v. Silverstein**, 87 Ill. 2d 167 (1981) Paragraph 7
“... Supreme Court Rule 301 (73 Ill.2d R. 301) provides that “[e]very final judgment of a circuit court in a civil case is appealable as of right.” (Emphasis added.) Similarly, Supreme Court rule 304 (73 Ill.2d R. 304) provides for appeals from final judgments as to fewer than all the parties or claims. (Emphasis added.)”
- **Supreme Court of the United States** Rule 23 was violated regarding the ‘Disposition of Cases in the Appellate Court.’

39. The lower tribunal’s actions constitute a clear abuse of discretion and threaten substantial injustice.

B. **ORDINARY APPELLATE REMEDIES ARE INADEQUATE**

40. Ordinary review mechanisms are inadequate because:

- The harm will occur before review concludes.

- Rights may be permanently lost.
- Enforcement may render further review moot; and
- Irreparable injury cannot later be undone.

41. Without immediate intervention, Plaintiff-Petitioner Main will continue to suffer irreparable injury and harm.

42. Once such harm occurs, later appellate relief will be ineffective.

VII. ARGUMENT

A. PETITIONER WILL CONTINUE TO SUFFER IRREPARABLE INJURY & HARM ABSENT IMMEDIATE RELIEF

43. If the mandate that was issued (APPENDIX L) May 8, 2026, is not remanded and stayed before completion of the highest court's appellate review is met by Writ of Certiorari in the U.S. Supreme Court, and disposed of, Plaintiff-Petitioner Main will suffer immediate and irreparable prejudice as follows:

- Constitution deprivations
- Character assassination
- Damaged stigma due to damaging, false accusations
- Loss of Professional License
- Lost business dealings, associates & connections
- Loss of family & friends
- Continued fear & intimidation

- Unknowns still being discovered such as jury duty form questions, other license renewal questions, such as FOIA, etc.
- Enforcement proceedings will or have already commence[ed] immediately
- Appellate remedies have been effectively meaningless

Given the conflict with the U.S. Supreme Court precedent/legal standard, the considerable separation of powers concerns, and the far-reaching implications of the decision's reasoning, it is clear that any Certiorari would present a "substantial question" as bulleted below. Fed. R. App. P.41(d). "Good cause" exists to stay the mandate, id., to maintain the status quo and avoid uncertainty about whether the lower tribunals violated U.S. Supreme Court precedent, which could result in unnecessary administrative burdens for litigants and the courts.

- U.S. Supreme Court Precedent violated Regarding Legal Standard for Malicious Prosecution Claims – Vertical Stare Decisis (**Thompson v. Clark**, 596 U.S. __ (2022), and **Chiaverine v. City of Napoleon** (2024)) – as to what constitutes a favorable Nolle prosequi of criminal and/or civil matters even with proof of her innocence. Plaintiff-Petitioner Main's case was dismissed after the 2 above new precedents/standards had taken effect.

44. Monetary and corrective relief would be adequate to remedy these injuries.

B. THE PETITION PRESENTS OTHER SUBSTANTIAL QUESTIONS WARRANTING FURTHER REVIEW

45. Appellant-Petitioner's contemplated filings raise substantial constitutional and legal issues, including:

- Multiple conflicts and/or violations with respect to controlling Illinois legal statutes, ordinances, standards and/or rules of procedure and evidence, especially what is relevant, factual, and/or prejudicial.
- Multiple Serious and Significant Manifest Errors of Law – judicial, factual & legal
- Due process & other state & federal constitutional violations/protections
- Jurisdiction violations
- Abuse of Discretion and authority/Misconduct
- Ex parte communications

46. These issues are not frivolous nor delayed by Plaintiff-Petitioner Main, instead they were intentionally delayed by the trial court more than four years now. This warrants preservation of the status quo pending this emergency review.

C. **SUPERVISORY INTERVENTION IS NECESSARY TO PRESERVE JUDICIAL INTEGRITY**

47. This Court's supervisory authority exists precisely to address extraordinary situations where adherence to ordinary process would result in manifest injustice.

48. Preservation of public confidence in the judiciary requires immediate intervention where substantial constitutional and jurisdictional concerns remain unresolved.

D. THE BALANCE OF EQUITIES FAVORS A STAY

49. A temporary stay will merely preserve existing conditions pending orderly review.

50. Respondent will suffer little or no prejudice from a brief stay.

51. By contrast, denial of relief risks permanent prejudice, injury & continued harm to Plaintiff-Petitioner Main, and undermines meaningful appellate review.

VII. REQUEST FOR IMMEDIATE RECALL & STAY OF MANDATE & PROCEEDINGS

51. Pending disposition of this motion, Plaintiff-Petitioner Main respectfully requests an immediate temporary recall & stay of the Illinois Supreme Court's **May 8, 2026**, issued mandate and of proceedings until heard by this higher court.

52. Temporary relief is necessary to preserve the status quo and protect this Court's jurisdiction.

VIII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff-Petitioner Main respectfully requests that this Court:

- Enter an immediate, emergency supervisory order.
- Recall & stay issued mandate and all enforcement proceedings.

- Grant such other relief as this Court deems equitable and justice requires.

DATED: **June 1, 2026**

Respectfully submitted,



CONNIE S. MAIN, PRO SE

P.O. BOX 815

Kewanee, Il 61443

309/337-0980

Cogal2@yahoo.com

VERIFICATION

Under penalties as provided by law, I certify that the statements set forth in this instrument are true and correct to the best of my knowledge, information and belief. I understand that making a false statement on this form is perjury and has penalties provided by law under **735 ILCS 5/1-109**.

Dated: June 1, 2026



CONNIE S. MAIN, PRO SE

CERTIFICATE OF SERVICE

The undersigned certifies that on June 1, 2026, a true and correct copy of the foregoing **EMERGENCY MOTION FOR AN EMERGENCY SUPERVISORY ORDER TO IMMEDIATELY RECALL & STAY ISSUED MANDATE & PROCEEDINGS** was served upon the Clerk of the U.S. Supreme Court using the United States Postal Service. The following counsel will also be served via the United States Postal Service as well as through his e-mail address listed below.

Paul L. Mangieri
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DATED June 1, 2026.



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)	Honorable:
REBECCA L. LUNDEEN,)	<u>JAMES G. BABER</u>
)	Judge, Presiding
Defendant-Respondent.)	WILLIAM A. RASMUSSEN

NOTICE AND PROOF OF CERTIFICATE OF SERVICE

Please take notice that on **June 1, 2026**, the undersigned certifies under penalties as provided by law pursuant to Supreme Court Rule 29 that her **Emergency Motion to Recall & Stay Issuance of Mandate & Proceedings, Proposed Order & Appendix** was mailed utilizing ‘Certificate of Mailing’ as proof of

mailing to the address set forth below, and through an approved outside electronic service provider (EFSP) via his e-mail address listed below on **June 1, 2026**.

Paul L. Mangieri
5 E. Simmons Street
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DATED June 1, 2026



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**Additional material
from this filing is
available in the
Clerk's Office.**