

NO.

IN THE U.S. SUPREME COURT

DAWUD C.S. GABRIEL,
Petitioner,

v.

KRISTI NOEM - SECRETARY,
U.S. DEPARTMENT OF HOMELAND SECURITY,
Respondent.

On Petition for Writ of *Certiorari*
To the Judgment
of the

Eleventh (11th) Cir. C.O.A.
(Eleventh (11th) Cir. Case No. 24-13865)

Petitioner's Oversized Corrected *Certiorari* Petitions Leave Motion

Dawud C.S. Gabriel
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IV. INTRODUCTION

September 12, 2025

Pursuant to S.Ct.R.21.2(c), Petitioner **DAWUD C.S. GABRIEL** (“Gabriel”) moves for Good Cause Leave to file oversized 28 U.S.C. §1254(1) Corrected Certiorari Petitions that exceed the forty (40) page limit set by S.Ct.R.33.2(b).

V. DISCUSSION

Before arguing reasons for leave, Gabriel first argues of S.Ct.R.33.2(b)’s Vagueness, because S.Ct.R.33.2(b) states the limit for pages of *Certiorari* Petitions is forty (40), without specifying between physical pages or printed-on pages, considering there is no S.Ct.R. that requires the pages to be front facing/printed; therefore, causing S.Ct.R.33.2(b) to be unclear with its alleged instructions, and not enforceable. Kolender v. Lawson, 461 U.S. 352, 357, 103 S.Ct. 1855, 75 L.Ed.2d 903 (1983); Grayned v. Rockford, Ill., 408 US 104, 108, 92 S. Ct. 2294, 33 L. Ed. 2d 222 (1972); Citizens United v. Federal Election Comm’n, 558 U.S. 310, 313, 130 S.Ct. 876, 175 L.Ed.2d 753 (2010); Ayotte v. Planned Parenthood, 546 U.S. 320, 329, 126 S.Ct. 961, 163 L.Ed.2d 812 (2006).

Assuming, *Arguendo*, that S.Ct.R.33.2(b) is allegedly legal, Gabriel seeks leave to file his oversized §1254(1) Corrected Certiorari Petitions for two (2) bases. First, focal points of Gabriel’s §1254(1) Corrected Certiorari Petitions are oriented on multiple S.Ct.R.10 Questions, pertinent inquisitions concisely argued. Bracy v. Gramley, 520 US 899, 908-909, 117 S. Ct. 1793, 138 L. Ed. 2d 97 (1997); Harris v. Nelson, 394 US 286, 300, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969). See Petition, Pg.ii, and Pgs.13-167.

Of the eight (8) questions presented, two (2) wholly relate to S.Ct.R.10(a), being that the Eleventh (11th) Cir. C.O.A.’s proceedings “depart[ed the accepted and usual course of judicial proceedings] in so stark a manner[.]” while sanctioning the U.S. District Court – S.D.Fla.’s proceedings that also “depart[ed the accepted and usual course of judicial proceedings] in so stark a manner[.]” causing Gabriel to be “so tried[.]” calling for *Certiorari*. Erickson v. Pardus, 551 US 89, 90, 127 S.Ct. 2197, 167 L.Ed.2d 1081 (2007); Morissette v. U.S., 342 US 246, 247, 72 S. Ct. 240, 96 L. Ed. 288 (1952). See Petition, Pgs.13-167.

A reasonable person would conclude from all orders entered (on their faces) that the lower courts (while conspiring with the Government to which is the alleged defendant) were intentionally entered in a manner to prevent Gabriel from complying with S.Ct.R.33.2(b)'s page allowance, as well making it difficult for him to compile an accurate Appendix, while referencing orders therein the Appendix (additional technical exercises). Swierkiewicz v. Sorema NA, 534 US 506, 514, 122 S. Ct. 992, 152 L. Ed. 2d 1 (2002); Foman v. Davis, 371 U.S. 178, 181-82, 83 S.Ct. 227, 9 L.Ed.2d 222 (1962).

On August 14, 2024, Gabriel filed this matter in accords with the Civil Rights Act of 1964 and the Rehabilitation Act of 1973, aspiring to be made whole in his claim(s), with hopes of having other claims annexed for adjudication via a prospective pleading ameliorate of discriminatory actions that span over thirteen (13) years, through Equitable Tolling Doctrine utilizations, certain entitled relief the lower courts have egregiously denied Gabriel within callous tribunals already, conspiring and obstructive actions influenced by the Government (who is the extrajudicial source), such motive for proscribed behaviors arising sequential of the ability lacking to legitimately fend off Gabriel's claim(s), compounded by theirs and the lower courts' Pervasive Bias toward Gabriel (with Impartiality being the subject of the third (3rd) S.Ct.R.10 Question). Tassy v. Buttigieg, 51 F. 4th 521, 529-32 (2nd Cir.2022); Nat'l RR Pass. Corp. v. Morgan, 536 US 101, 114, 122 S. Ct. 2061, 153 L. Ed. 2d 106 (2002); Liteky v. U.S., 510 U.S. 540, 545-48, 114 S. Ct. 1147, 127 L. Ed. 2d 474 (1994); U.S. v. Phillips, 664 F. 2d 971, 1003 (5th Cir.1981); U.S v. Grinnell Corp., 384 US 563, 583, 86 S. Ct. 1698, 16 L. Ed. 2d 778 (1966). See Petitions, Pgs.13-167, and Appendix, Vol.1, App. R, Pgs.1-12.

The illicitness of the Government's actions extends far beyond the courts, which is why Gabriel is proceeding pro se, for reason of the Government's violation of Gabriel's Paid Counsel Rights, as well as violations of Gabriel's Eighth (8th) Amendment Right (as it relates to Cruel & Unusual Punishment), and his Ninth (9th) & Tenth (10th) Amendments' Enumerated Rights, etc. Ohralik v. Ohio State Bar Assn., 436 US 447, 459, 98 S. Ct. 1912, 56 L. Ed. 2d 444 (1978); NAACP v. Button, 371 US 415, 428-29, 83 S. Ct. 328, 9 L. Ed. 2d 405 (1963); Whitley v. Albers, 475 US 312, 318, 106 S. Ct. 1078, 89 L. Ed. 2d 25 (1986); Ingraham v. Wright, 430 US 651, 664, 97 S. Ct. 1401, 51 L. Ed. 2d 711 (1977); Koontz v. St. Johns River

Water Mgmt. Dist., 570 US 595, 604, 133 S. Ct. 2586, 186 L. Ed. 2d 697 (2013); D.C. v. Heller, 554 US 570, 570-636, 128 S. Ct. 2783, 171 L. Ed. 2d 637 (2008). See Petitions, Pgs.13-167

Gabriel will also show the Government took untold efforts to dissuade Gabriel from exercising his rights in duration to their efforts to dissuade Gabriel from recognizing the Unlawful Discrimination that he had been subjected to during and after his Federal Service, to included (and but not limited to) denying Gabriel's Paid Counsel Rights, influencing Unlawful Employment Practices and/or terminations while Gabriel was employed by other companies, influencing Kangaroo Court Proceedings in the U.S. Equal Employment Opportunity Commission (the "EEOC"), in U.S. District Courts, and U.S. Courts of Appeals for the matters in which Gabriel filed civil actions against his former employers, to which the Government influenced unlawful employment practices and/or terminations, unlawful taking of his liberties such as the freedom of living where he chooses to live, own a vehicle, cohabitate, start a family, an unlawful arrest and unlawful confinements, two (2) unlawful civil commitments that were both knowingly unreasonably prolonged (which Gabriel is only going to mention only one (1) of unlawful civil commitments), Remote Harassment, Censorship, etc., relevant information because all actions were meant to dissuade Gabriel from continuing his quest to seek Justice in the claim(s) in the matter of Gabriel v. Mayorkas, Case no.24-CV-14262 (S.D.Fla.2024) (and others civil matters against the Government), they are illegal obstruction efforts proscribed by the Ninth (9th) & Tenth (10th) Amendments (as well as other Constitutional Amendments and Common Law Rights) and federal statutes, causing far deviations from the usual and accepted course of judicial proceedings "so stark a manner[.]" while causing Gabriel to be "so tried[.]" Koontz v. St. Johns River Water Mgmt. Dist., 570 US 595, 596, 133 S. Ct. 2586, 186 L. Ed. 2d 697 (2013); Nollan v. California Coastal Comm'n, 483 U.S. 825, 837, 107 S.Ct. 3141, 97 L.Ed.2d 677 (1987); Dolan v. Tigard, OR, 512 U.S. 374, 391, 114 S.Ct. 2309, 129 L.Ed.2d 304 (1994); Fischer v. U.S., 603 US 480, 481-93, 144 S. Ct. 2176, 219 L. Ed. 2d 911 (2024); Yates v. U.S., 574 US 528, 529-40, 135 S. Ct. 1074, 191 L. Ed. 2d 64 (2015); U.S. v. Lanier, 520 US 259, 264-65, 117 S. Ct. 1219, 137 L. Ed. 2d 432 (1997); U.S. v. Price, 383 US 787, 791, 86 S. Ct. 1152, 16 L. Ed. 2d 267 (1966). See Petitions, Pgs.13-167.

Since *Certiorari* is not a Constitutional, Civil, nor Common-Law Right but granted only at discretion of the Court, Due Process requires such leave to afford Gabriel the opportunity to attempt to compel the Court to grant him *Certiorari* to explain the illicit efforts taken by the Government within over a fifteen (15) year period, that cannot be stated in S.Ct.R.33.2(b)'s page allowance. Kontrick v. Ryan, 540 US 443, 459, 124 S. Ct. 906, 157 L. Ed. 2d 867 (2004); Foman v. Davis, 371 US 178, 182, 83 S. Ct. 227, 9 L. Ed. 2d 222 (1962). See Petitions, Pgs.8-167.

Secondly, while expressing reasoning for both S.Ct.R.10(a) Questions, Gabriel reasonably consumes all and more of S.Ct.R.33.2(b)'s page allowance, resulting from untold Due Process Violations (along with unreasonable limits to a Common-Law Right), leaving no aperture for advancing remaining commensurate inquiries. Mathews v. Eldridge, 424 US 319, 332, 96 S. Ct. 893, 47 L. Ed. 2d 18 (1976); Richardson v. Belcher, 404 US 78, 80-81, 92 S. Ct. 254, 30 L. Ed. 2d 231 (1971); Goldberg v. Kelly, 397 US 254, 262-63, 90 S. Ct. 1011, 25 L. Ed. 2d 287 (1970); Nixon v. Warner Communications, Inc., 435 US 589, 609, 98 S. Ct. 1306, 55 L. Ed. 2d 570 (1978); Craig v. Harney, 331 U.S. 367, 374, 67 S.Ct. 1249, 91 L.Ed. 1546 (1947); Kontrick v. Ryan, 540 US 443, 459, 124 S. Ct. 906, 157 L. Ed. 2d 867 (2004); Foman v. Davis, 371 US 178, 182, 83 S. Ct. 227, 9 L. Ed. 2d 222 (1962).See Petition, Pgs.13-167. Adherence to S.Ct.R.14.1(d) – (h) is compulsory while compiling the Corrected *Certiorari* Petitions' latter portions, with S.Ct.R.14.1(f)'s dictate ingesting considerable pages. See Petition, Pgs.1-12.

Doing his best to condense the petitions (Diligence to the Extraordinary Circumstances at hand), Gabriel has argued five (5) of the latter S.Ct.R.10 Questions within the sections he argued the first three (3), doing so not to protrude overtly of S.Ct.R.33.2(b)'s allowance, on Corrected *Certiorari* Petitions that were long and tirelessly labored to compose, while experiencing the Government's unlawful obstruction efforts, illicit actions (of both the Government and the lower courts) that is relevant to this inquiry as Gabriel argues the far departure from the usual and accepted appellate proceedings in the Eleventh (11th) Cir. C.O.A., with the Eleventh (11th) Cir. C.O.A. knowingly sanctioning the U.S. District Court – S.D.Fla.'s far departure from the usual and accepted trial court proceedings, as Gabriel has explained, in depth, therein his Corrected *Certiorari* Petitions. D.C. v. Heller, 554 US 570, 579-80, 128 S. Ct. 2783, 171 L. Ed. 2d 637

(2008); U.S. v. Verdugo-Urquidez, 494 US 259, 265, 110 S. Ct. 1056, 108 L. Ed. 2d 222 (1990); Fischer v. U.S., 603 US 480, 481-93, 144 S. Ct. 2176, 219 L. Ed. 2d 911 (2024); Yates v. U.S., 574 US 528, 529-40, 135 S. Ct. 1074, 191 L. Ed. 2d 64 (2015). See Petition, Pgs.13-167.

On August 5, 2025, the Clerk returned Gabriel's July 29, 2025, postdated Original *Certiorari* Petitions, for reason of three (3) deficiencies. One (1) of the reasons for the issuance of August 5, 2025, S.Ct.R.14.5 Letter [Vol.1, App. GG] was the Original *Certiorari* Petitions exceeded S.Ct.R.33.2(b)'s page allowance, when Gabriel moved for leave to file the oversized Original *Certiorari* Petitions. See Appendix, Vol.1, App. GG. Pg.1. Another reason for the issuance of August 5, 2025, S.Ct.R.14.5 Letter [Vol.1, App. GG], because an "s" was missing in the Table of Contents for Vol.1 of the Appendix, as it related to May 13, 2025, Orders [Vol.1, App. G] (a signification of May 13, 2025, Orders [Vol.1, App. G] being plural), when Eleventh (11th) Cir. C.O.A. issued May 13, 2025, Orders [Vol.1, App. G] in such a confusing manner. See Appendix, Vol.1, App. GG. Pg.1.

It was apparent that Gabriel is a pro se litigant (who supposed to be afforded liberal constructions of the rules as well as his papers being liberally construed) and when this Court has stated World-Wide Volkswagen Corp. v. Woodson, 444 US 286, 100 S. Ct. 559, 62 L. Ed. 2d 490 (1980) and International Shoe Co. v. Washington, 326 US 310, 66 S. Ct. 154, 90 L. Ed. 95 (1945) that "maintenance of the suit "[should] not offend `traditional notions of fair play and substantial justice[.]" Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Estelle v. Gamble, 429 US 97, 106, 97 S. Ct. 285, 50 L. Ed. 2d 251 (1976); World-Wide Volkswagen Corp. v. Woodson, 444 US 286, 292, 100 S. Ct. 559, 62 L. Ed. 2d 490 (1980); International Shoe Co. v. Washington, 326 US 310, 316, 66 S. Ct. 154, 90 L. Ed. 95 (1945).

The Eleventh (11th) Cir. C.O.A. and the U.S. District Court – S.D.Fla. has intentionally and repeatedly offended "traditional notions of fair play and substantial justice[.]" at the influence of the Government, causing Gabriel to have to articulated the untold number of improprieties committed to prevent Gabriel from Justice. See Appendix, Vol. 1, App. A, Pg.1, App. B, Pgs.1-3, App. C, Pgs.1-2, App. D, Pg.1, App. E, Pgs.1-4, App. F, Pgs.1-2, App. G, Pgs.1-2, App. H, Pg.1, App. I, Pgs.1-3, App. J, Pg.1,

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However, Gabriel realizes that he is requesting the highest court in the land to hear and grant his *Certiorari Plea*, a filing that should be carefully tailored in a manner that reflects his respect for the Justices of the Court, who have been meticulously selected to discharge their respective, distinguished functions; however, Due Process requires that Gabriel be given the same *Certiorari Plea* requirements as everyone else who's burdens have entered the doors of the prestigious forum of the Court, inconsequential of the magnitude of the matter nor the adversary of the filer, but for reasons related S.Ct.R.10. Therefore, Gabriel argues that two (2) of the reasons for August 5, 2025, S.Ct.R.14.5 Letter [Vol.1, App. GG], especially since S.Ct.R.14.5 states that additional time should only be issued if the filing was made in Good Faith, and since Gabriel was given the S.Ct.R.14.5 Extension, it must be assumed that his Original *Certiorari* Petition was a Good Faith effort.

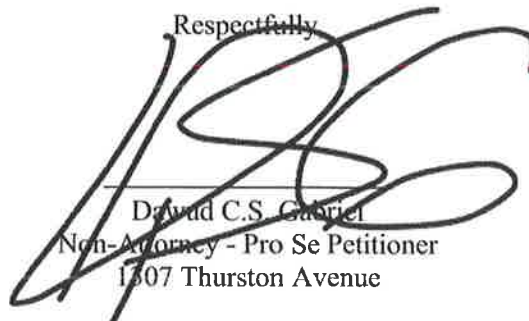
As it relates to the conciseness of the Jurisdictional Statement, it may have included additional information that a reasonable person may have concluded to be unnecessary, but the included statements were concisely written relative to the different stages of the administrative, civil, and appellate proceedings that are related this *Certiorari Plea*. However, with this corrected filing, Gabriel has condensed the Jurisdictional Statement only to reflect the latter proceedings/orders of the Eleventh (11th) Cir. C.O.A., but the Interest of Justice still calls for leave in S.Ct.R.33.2(b)'s deviation. See Petition, Pgs.1-2.

VI.CONCLUSION

Since Gabriel has demonstrated Good Cause for leave to which the Interest of Justice will be served, Gabriel's request should be granted.

September 12, 2025

Respectfully



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VII. CERTIFICATE OF SERVICE

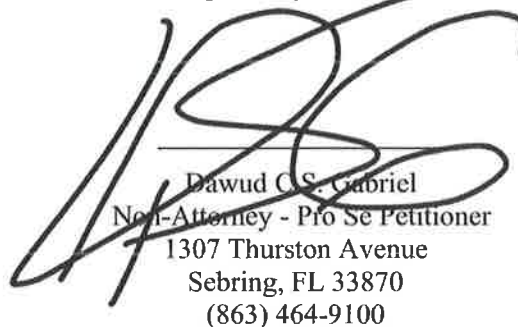
Pursuant to S.Ct.R.29, I, Dawud C.S. Gabriel, do declare that on September 12, 2025, to have served ten (10) S.Ct.R.21.2(c) Oversized Corrected Certiorari Petition Leave Motions on Mr. Scott S. Harris, Clerk of the U.S. Supreme Court, via the U.S. Postal Service. The U.S. Postal Service's Priority Mail processed three (3) day anticipated service of my S.Ct.R.21.2(c) Oversized Corrected Certiorari Petition Leave Motions within a Large Flat Rate shipping box (Tracking No.9410-8301-0935-5005-5343-02).

The shipping box is addressed to **1 First Street, N.E., Washington, D.C., 20543**, with prepaid postage for delivery. At present, I am the only active party to the matter for reason that District Court (on October 31, 2024) unlawfully dismissed [Vol.1, App. B] the matter before ordering the U.S. Marshals Service (pursuant to Fed.R.Civ.P.4(c)(3)) to process service of the Amended Summons [Vol.2, App. G] and the Civil Complaint [Vol.1, App. R], considering pauper privileges were granted.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on September 12, 2025

Respectfully Submitted,



Dawud C.S. Gabriel
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