

NO.

IN THE U.S. SUPREME COURT

DAWUD C.S. GABRIEL,
Petitioner,

v.

LORI M. CHAVEZ-DEREMER, SECRETARY
U.S. DEPARTMENT OF LABOR,
Respondent.

To the Attention
of the
Honorable U.S. Associate Justice
Sonia M. Sotomayor

On Petition for Writ of *Certiorari*

To the Judgment
of the

Second (2nd) Cir. C.O.A.
(Second (2nd) Cir. C.O.A. Case No. 24-2130)

Petitioner's Oversized Corrected *Certiorari* Petitions Leave Motion

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ORIGINAL COPY

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IV. INTRODUCTION

October 20, 2025

Pursuant to S.Ct.R.22, Petitioner **DAWUD C.S. GABRIEL** (“Gabriel”) moves for Good Cause Leave to file oversized 28 U.S.C. §1254(1) Corrected Certiorari Petitions that allegedly exceed the forty (40) page limit allegedly set by S.Ct.R.33.2(b) (2023).

V. DISCUSSION

A. S.Ct.R.33.2(b) is Unlawful

Before arguing reasons for leave, Gabriel first argues of S.Ct.R.33.2(b) (2023)’s vagueness, because S.Ct.R.33.2(b) (2023) 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) (2023) 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).

S.Ct.R.33.2(b) (2023)’s vagueness caused one (1) of the two (2) controversies in the issuance of October 13, 2025, S.Ct.R.14.5 Letter [App. NN], where the Clerk stated that Gabriel allegedly failed to adhere S.Ct.R.33.2(b) (2023), when the latter portion of Gabriel’s Original *Certiorari* Petitions (the section that is allegedly subject to S.Ct.R.33.2(b) (2023)) was thirty-four (34) **physical** pages in length and is the same length as the Corrected *Certiorari* Petitions for this matter, both of which is allegedly in compliance with S.Ct.R.33.2(b) (2023). See App. NN, Pg.1, and Corrected *Certiorari* Petitions, Pgs.1-68.

Additionally, S.Ct.R.33.2(b) (2023)’s vagueness causing confusion as it pertains to filing motions, considering S.Ct.R.22.2 requires compliance with S.Ct.R.33.2 (to include S.Ct.R.33.2(b) (2023)) when filing such motions, and S.Ct.R.34.2 requires a Table of Contents section and Table of Authorities section if the motion “exceeds five pages[,]” but S.Ct.R.34.2 also does not state whether its physical pages or printed-on pages, more unlawful vagueness.

This was an issue that Gabriel raised in the *Certiorari* Petitions for the matter of Gabriel v. Noem, Case no.25-5755 (S.Ct.2025), when Gabriel moved for leave and questioned S.Ct.R.33.2(b) (2023)'s validity, for the Honorable U.S. Associate Justice Clarence Thomas ("Justice Thomas") to respectfully grant Gabriel leave in-part without respectfully addressing the issue of S.Ct.R.33.2(b) (2023)'s vagueness. See Gabriel v. Noem, Case no.25-5755 (S.Ct.2025)'s S.Ct.R.22 Leave Motion, Pg.1, and its Second (2nd) Corrected *Certiorari* Petitions, Pg.2. As the result of the issue of S.Ct.R.33.2(b) (2023)'s vagueness not being addressed has caused Gabriel to send the Original *Certiorari* Petition in this matter in the manner to which he did and for one (1) of the alleged deficiencies of October 13, 2025, S.Ct.R.14.5 Letter [App. NN] to arise. Mathews v. Eldridge, 424 US 319, 332-33, 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).

Gabriel's Corrected *Certiorari* Petitions for the matter of Gabriel v. Noem, Case no.25-5755 (S.Ct.2025) were sent back to him to condense by four (4) to five (5) physical pages, when Gabriel stated in every Pauper Motion that that he has filed during the Summer of 2025, that the Government has disallowed and/or limited him from receiving income and employment, and yet, this not been heeded, because the Clerk's office continues to return Gabriel's filing as if he has the endless means of reprinting and resending his filings repeatedly, showing no respect for "traditional notions of fair play and substantial justice[.]" to no degree. 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). However, an email address to the Clerk for Gabriel to file his papers would have been nice, but no person in the Clerk's office considered such "traditional notions of fair play and substantial justice[.]"

The second controversy of October 13, 2025, S.Ct.R.14.5 Letter [App. NN] on Gabriel's first attempt in filing *Certiorari* Petitions for this matter (compared to the three (3) attempts in Gabriel v. Noem, Case no.25-5755 (S.Ct.2025)) is that Gabriel allegedly failed to endorse a page of the Pauper Motion, which is not plausible, and Gabriel will present proof of his theory. First, Gabriel will begin by establishing a basis for his theory that these *Certiorari* Writ Proceedings are against the Government, who the U.S Postal

Service happens is an entity. Air Courier Conf. of America v. A.F.W.U., 498 US 517, 519, 111 S.Ct. 913, 112 L.Ed.2d 1125 (1991); Regents of Univ. of Cal. v. Public Employment Relations Bd., 485 US 589, 98, 108 S.Ct. 1404, 99 L.Ed.2d 664 (1988).

Second, Gabriel inspected his all of his filings before sending them (which any reasonable person would do), and this was the first time any document was returned to Gabriel for lack of a signature when filing any paper with the High Court; in turn, not plausible that Gabriel would make such mistake, but would be a Plausible Deniability tactic the Government would utilize considering Gabriel suffers from Attention Deficit Hyperactivity Disorder (“Adhd”) and General Anxiety Disorder (“G.A.D.”). Global-Tech Appliances, Inc. v. SEB SA, 563 US 754, 755-70, 131 S. Ct. 2060, 179 L. Ed. 2d 1167 (2011); Robinson v. Perales, 894 F. 3d 818, 829 (7th Cir.2018).

Next, after Gabriel mailed October 10, 2025, Original *Certiorari* Petitions for this matter, Gabriel recalls his computer restarting on its own on the morning of October 11, 2025, when Gabriel has regularly checks his personal computer (“PC”) for Window Updates, and installs his own Window Updates, even though he has his PC set to automatically install necessary Window Updates (showing proof that the Government has rooted Gabriel’s PC and is remotely controlling it, as Gabriel has stated in the Second (2nd) Corrected *Certiorari* Petitions). See Gabriel v. Noem, Case no.25-5755 (S.Ct.2025)’s Second (2nd) Corrected *Certiorari* Petitions, Pgs.18-19.

After Gabriel mailed October 10, 2025, Original *Certiorari* Petitions via the U.S Postal Service (an entity of the Government), the tracking information for Package #9410-8301-0935-5006-3590-72 (the “Package”) stated that the Package departed the place of origin on October 10, 2025, at 5:03 pm, but did not arrive at its next destination at U.S.P.S.’ “Ybor City...Distribution Center[,]” in Tampa. Florida (a place that’s located approximately seventy (70) miles away), on “October 11, 2025, [at] 2:17 pm.” See Ex.1, Pg.2.

Gabriel has sent many packages with U.S.P.S., and knows all packages that are sent from Sebring, Florida, will only arrive at U.S.P.S.’ Ybor City Distribution Center between 9pm that day and 3am the following morning, showing that the Package arrived at the U.S.P.S.’ Ybor City Distribution Center well

after expected, giving more than sufficient time for it to be illegally modified by the Government. Ornelas v. U.S., 517 US 690, 700, 116 S.Ct. 1657, 134 L. Ed. 2d 911 (1996); U.S. v. Ortiz, 422 US 891, 897, 95 S.Ct. 2585, 45 L. Ed. 2d 623 (1975). See Ex.2, Pg.3.

Going further, as required by federal appellate clerks and district court clerks (who have to file everything regardless of whether it complies with the rules), the Clerk does not file nor docket anything unless it complies with the S.Ct. Local Rules, meaning that Gabriel cannot verify the papers that the Clerk is making his determinations as to compliance to S.Ct. Local Rules, which is a lack of Common-Law required Transparency. Nixon v. Warner Communications, Inc., 435 US 589, 597, 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).

For additional context, in the past when Gabriel sent packages to the U.S. Supreme Court in the past by Priority Mail, U.S.P.S. quoted a non-guaranteed delivery time of two (2) days. All of sudden, the packages that Gabriel sent this summer to the Court all have three (3) day non-guaranteed delivery times. Ironically, every package that is sent back to Gabriel from the Clerk, Gabriel receives in exactly two (2) days, showing that it is quite possible of sending something through U.S.P.S. via Priority Mail and it being delivered to the Court in two (2) days, as well as additional evidence of the Government's obstructive involvement. 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 Ex.3, Pgs.1-4.

The slowing of the delivery of Gabriel's filings for this matter causes him to have less time correcting such alleged deficiencies on the back end. 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).

Then again, maybe Gabriel is not allegedly thinking rationally, has not reasonably taken in consideration the magnitude of the *Certiorari* Requests for this matter and the matter of Gabriel v. Noem, Case no.25-5755 (S.Ct.2025), as in the expectations of having such so called "tribulations" because the matters are against the Government, and now respectfully defers such controversies to the Court (as in the Honorable U.S. Associate Justice Sonia M. Sotomayor ("Justice Sotomayor")) for clarification, which is

the appropriate forum (and the respectful judicial official) legally capable of Resolution, as Article III of the U.S. Constitution empowers. Lujan v. Defenders of Wildlife, 504 US 555, 560, 112 S. Ct. 2130, 119 L. Ed. 2d 351(1992); Whitmore v. Arkansas, 495 US 149, 155, 110 S. Ct. 1717, 109 L. Ed. 2d 135 (1990).

B. Numerous Constitutional Violations to Explain

Assuming, *Arguendo*, that S.Ct.R.33.2(b) (2023) 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.18-67.

Of the seven (7) questions presented, one (1) wholly relate to S.Ct.R.10(a), being that the Second (2nd) Cir. C.O.A.'s proceedings "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.18-67.

A reasonable person would conclude from all orders entered (on their faces) that the lower court and the Agency (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) (2023)'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 March 27, 2023, Gabriel filed 49 U.S.C.§42121(b)(1) Complaint Documents [App. D] in accords with the 2000 *Wendell H. Ford Aviation Investment & Reform Act for the 21st Century* ("AIR21"), aspiring to be made whole in his claim(s), certain entitled relief the lower court and the Agency 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 court

Agency's Pervasive Bias toward Gabriel (with Impartiality being the subject of the fifth and sixth S.Ct.R.10 Questions). Murray v. UBS Securites, LLC, 601 U.S. 23, 24-30, 144 S. Ct. 445, 217 L. Ed. 2d 343 (2024); Lawson v. FMR LLC, 571 US 429, 430-35, 134 S. Ct. 1158, 188 L. Ed. 2d 158 (2014); 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.18-67

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.18-67.

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 the Government, that cannot be stated in S.Ct.R.33.2(b) (2023)'s alleged 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.18-67.

Secondly, while expressing reasoning for his S.Ct.R.10(a) Question, Gabriel reasonably consumes all and more of S.Ct.R.33.2(b) (2023)'s alleged 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.18-67. 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 three (3) of the latter S.Ct.R.10 Questions within the section 10(B), and his sixth S.Ct.R.10 Question with Section 10(E), doing so not to protrude overtly of S.Ct.R.33.2(b) (2023)'s alleged 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, the lower court, and the Agency) that is relevant to this inquiry as Gabriel argues the far departure from the usual and accepted appellate proceedings in the Second (2nd) Cir. C.O.A., 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.18-67.

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).

The Second (2nd) Cir. C.O.A. and the Agency has intentionally and repeatedly offended “traditional notions of fair play and substantial justice[,]” at the influence of the Government, causing Gabriel to have to articulate the untold number of improprieties committed to prevent Gabriel from Justice. See Petition, Pgs.18-67.

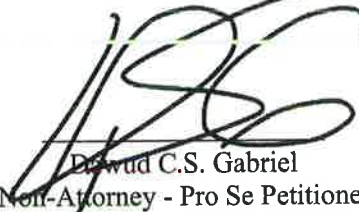
Gabriel realizes that he is requesting the highest court in the land to hear and grant his *Certiorari Plea*, a filing that should be carefully tailored in a manner that reflects his respect for the Justices of the Court, who have been meticulously selected to discharge their respective, distinguished 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 and/or at the discretion of the Court.

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.

October 20, 2025

Respectfully,



Dawud C.S. Gabriel
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