

Do. 25A807

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2025

DEWAYNE BULLS,

Petitioner,

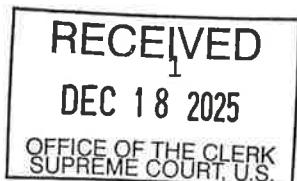
v.

FEDERAL BUREAU OF INVESTIGATION, et al.,

Respondents.

APPLICATION FOR EMERGENCY RELIEF AND STAY PENDING DISPOSITION OF PETITION FOR WRIT OF CERTIORARI

TO THE HONORABLE *Samuel A. Alito*,
CHIEF JUSTICE OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT:



PRELIMINARY STATEMENT: A Constitutional Crisis Demanding Immediate Intervention

This application is not merely a request for relief; it is an appeal to the fundamental covenant of our Republic. It presents a constitutional crisis of unprecedented magnitude, a naked seizure of judicial power by the Executive that threatens to shatter the bedrock of American governance. The Federal Bureau of Investigation, wielding the instruments of state secrecy—FISA Title I surveillance powers—as weapons of institutional capture, has allegedly performed an assault on the federal judiciary—authoring judicial orders under judges' names to evade accountability for documented constitutional violations spanning more than a decade. These are not the fevered claims of an aggrieved litigant. They are claims supported by specific dates, identified personnel, documentary evidence, and an irrefutable, chilling pattern of legal errors that defy professional judicial reasoning. Most damning: not a single judge—from the District Court to the Circuit Court—has acknowledged, investigated, or addressed these allegations of forgery and fraud upon the court. This silence is not neutrality, it is complicity, and it is a verdict against justice itself.

Lower courts have failed their constitutional mandate. The calculated silence has calcified into precedent, authorizing a perilous new reality: executive agencies may now author judicial fiat dismissing claims against themselves, fabricate litigation histories through informant proxies, nullify a citizen's right to counsel through secret surveillance, destroy exculpatory evidence, and operate with absolute impunity while the Article III judiciary remains utterly mute. The Republic, forged in the imperative of checks and balances, cannot survive such institutional capture. This Court must act now to restore the solemn independence of Article III, or admit that the separation of powers is merely a ghost in the machine.

I. THE CONSTITUTIONAL ARCHITECTURE IS UNDER ACTIVE ASSAULT

The Constitution established three co-equal branches because the Framers understood that power, unchecked, becomes tyranny. Article III created an independent judiciary, the final bulwark against executive overreach. When executive agents assume the pen of judicial authority, writing orders that dismiss claims against themselves, that bulwark crumbles into dust. When judges maintain silence while sworn allegations of judicial impersonation are presented with compelling evidence, Article III ceases to be a protective charter and becomes an empty pretense for state tyranny.

A. The Pattern of Judicial Fabrication by the Pittsburgh FBI and Judicial Silence Across Multiple Orders

1. March 24, 2025: Courthouse Intimidation and Defamatory Fabrication as Predicate. On March 24, 2025, Petitioner exercised his most sacred First

Amendment right to petition for redress, attempting to file documents exposing the FBI's misconduct. Instead of sanctuary, he met calculated intimidation. Law enforcement personnel used the coded word "discipline" over courthouse radio within Petitioner's hearing deliberate tactic to instill fear of arrest and create a hostile environment, effectively obstructing his right to access the courts.

U.S. Judicial Security and U.S. Marshal Allen, acting under FBI directive and the color of federal authority, deliberately provoked Petitioner to manufacture grounds for detention or removal, thereby obstructing his right to access the courts. *Anderson v. Davila*, 125 F.3d 148, 161-63 (3d Cir. 1997). U.S. Marshals then levied the most base and fabricated accusation—that Petitioner delivered urine to U.S. Attorney Olshan on November 13, 2024—a lie utterly unsupported by any evidence. Petitioner repeatedly requested courthouse surveillance footage to disprove this defamatory lie. The FBI refuses to produce it because that footage would prove Petitioner's innocence and expose their fabrication. This false accusation established the predicate for restricting Petitioner's courthouse access and manufacturing the vexatious litigant record that followed.

Count III – Defamation: Defendants knowingly published false statements—that Plaintiff delivered urine to the U.S. Attorney—constituting defamation *per se* under Pennsylvania law. *Milkovich v. Lorain Journal Co.*, 497 U.S. 1 (1990). Statements were made with actual malice, causing reputational and emotional harm. Plaintiff seeks presumed, compensatory, and punitive damages.

Count IV – Intentional Infliction of Emotional Distress: Defendants' extreme and outrageous conduct—including intimidation, false accusations, and device tampering—was intended to cause severe distress. Plaintiff suffered severe emotional distress. *Snyder v. Phelps*, 562 U.S. 443 (2011); *Hustler Magazine v. Falwell*, 485 U.S. 46 (1988). Plaintiff seeks compensatory and punitive damages.

2. **June 2, 2025: Dismissal Without Examination of Evidence.** The District Court dismissed Petitioner's claims as "frivolous" not after reasoned deliberation, but *a priori*, refusing to review core evidence: Governor Shapiro's official correspondence, Petitioner's sworn declarations, and specific dated incidents supported by surveillance footage. The court's abdication of duty failed to apply *Neitzke v. Williams*, 490 U.S. 319 (1989), and *Denton v. Hernandez*, 504 U.S. 25 (1992), with required rigor. This reflects a breakdown of judicial duty and a denial of the constitutional requirement that courts meaningfully evaluate claims before denying citizens access to justice.
3. **July 21, 2025: Vexatious Litigant Order Built on Demonstrable Falsehoods.** This punitive order rests entirely on factual findings that are demonstrably and irrefutably false. The District Court attributed seven civil actions to Petitioner, yet the record proves he filed only four. The three additional lawsuits were filed by "Dewann Bulls"—a relative weaponized by the Pittsburgh FBI to manufacture false litigation history and systematically destroy Petitioner's credibility.

Crucially, these fabricated filings occurred while Petitioner was unjustly incarcerated in FBI-FISA rendition from March 2016 to July 2020—making his involvement physically impossible. The District Court, Pittsburgh FBI, and U.S. Attorney's Office possessed evidence proving Petitioner did not file these lawsuits. They ignored it. They buried it. The Pittsburgh FBI, through unlawful use of FISA Title I powers, systematically replaced constitutional truth with manufactured evidence. These deliberate fabrications were embraced by the District Court without investigation and weaponized to silence a constitutional voice. This is a violation of due process, a collapse of fundamental fairness, and a profound breach of judicial integrity, the use of the court system itself as a tool of state oppression.

4. **July 15, 2025: Statutory Violation in Revocation of *In Forma Pauperis***
Status. The Third Circuit's revocation is legally defective. The court substituted the explicit statutory requirement of \$28\$ U.S.C. §1915(a)(3)\$—which mandates written certification that an appeal is not taken in good faith—with mere interpretive dicta from *Urrutia v. Harrisburg County Police Dep't*, 91 F.3d 451 (3d Cir. 1996). The panel issued no certification, directly violating the statute's mandatory language. The court acted outside lawful authority and blatantly disregarded the clear command of Congress.
5. **October 14, 2025: Summary Affirmance Without Appellate Review.** The Third Circuit's summary affirmance was issued without addressing Petitioner's documentary evidence, his core constitutional claims, the misapplied precedents, or the explosive statements regarding FBI authorship of judicial orders. The panel provided no analysis; it issued only silence. This silence represents an abandonment of appellate review and an institutional acceptance of structural abuses of power. The result is the catastrophic collapse of safeguards the Constitution entrusts to Article III courts: the obligation to ensure fairness, the duty to check government overreach, and the responsibility to protect citizens from arbitrary exercises of power. This is coordinated judicial silence across multiple judges and circuits—a pattern suggesting either complicity or institutional compromise so pervasive that normal appellate review is inherently disabled. When every judge responds with silence, when every court refuses to investigate, when every tribunal dismisses without examination, the silence itself becomes the irrefutable evidence of conspiracy.

B. The Mechanism of Institutional Capture

1. **FISA Title I Surveillance of Judicial Communications.** The deliberate intrusion of federal agents, through FISA Title I surveillance, upon judicial deliberations—enabling real-time interception, forgery, and impersonation of the judiciary—constitutes a profound constitutional crisis equivalent to a coup d'état against a co-equal branch. This is a direct, frontal assault on the Separation of Powers. Judicial power vested in Article III courts is defined by independence. The integrity of judicial communication is a non-delegable core function. Such intrusion undermines the command of *Marbury v. Madison* (1803): the judiciary's duty is to "say what the law is." That duty becomes an impossibility when the

branch is internally compromised. This transforms the judge from a neutral arbiter into the compromised, silenced subject of the Executive.

2. **National Security Letter (NSL) Gag Orders.** NSL gag provisions have been weaponized to prevent counsel from representing Petitioner or even acknowledging the existence of such orders. This has been Pittsburgh FBI practice for over a decade. This state-sanctioned interference is the precise reason Petitioner is forced to confront the full machinery of federal power *pro se* in this emergency application. This is an unconscionable violation of the Sixth Amendment Right to Counsel and Fifth Amendment Due Process. The right to counsel is the right to effective assistance (*Strickland v. Washington*, 466 U.S. 668 (1984)). A lawyer silenced by a gag order is rendered utterly ineffective, transforming the process from a legal proceeding into a predetermined ritual of state power. This court has affirmed the right to counsel is fundamental (*Gideon v. Wainwright*, 372 U.S. 335 (1963)). The gag order creates a *per se* violation of this right. It is "secret justice" a concept fundamentally antithetical to the open, adversarial system the Constitution requires.
3. **Judicial Fabrication Using FBI Informants.** The deliberate use of "Dewann Bulls," an FBI informant, to manufacture false litigation history constitutes judicial fabrication of the gravest kind. This act corrupts the judicial record and deprives litigants of due process under the Fifth and Fourteenth Amendments. Due process demands a fair, reliable, truthful mechanism for resolving disputes. Intentional introduction of fabricated evidence into the judicial record is a fraud that taints the entire proceeding, rendering any outcome fundamentally unjust. The government has an affirmative duty to ensure fairness (*Napue v. Illinois*, 360 U.S. 264 (1959); *Giglio v. United States*, 405 U.S. 150 (1972)). Manufacturing litigation history is the deliberate corruption of the judicial truth-seeking function.
4. **Evidence Destruction Through Warrantless Searches.** Warrantless searches and device tampering during courthouse security procedures amount to evidence destruction. Such actions contravene Fourth Amendment protections against unreasonable searches and seizures while simultaneously obstructing justice. Using a courthouse security checkpoint—a coercive environment—as a pretext for a warrantless investigative search and device tampering is an egregious violation of the right to privacy and property. This is a deliberate "end-run" around the constitutional requirement that warrantless searches are *per se* unreasonable (*Katz v. United States*, 389 U.S. 347 (1967)). The Exclusionary Rule (*Mapp v. Ohio*, 367 U.S. 643 (1961)) exists precisely to deter this unlawful conduct. Evidence destruction is the final, fatal step in extinguishing the victim's ability to seek redress.
5. **Judicial Impersonation by Federal Agents.** This is the most severe constitutional transgression, violating the foundational principle of Checks and Balances. By counterfeiting judicial authority—issuing fraudulent fiat—executive agents place themselves above the law. This is not merely an illegal act—it is an act of tyranny that nullifies limited government. It defrauds the judiciary by theft of its authority and subverts the Constitution by creating a shadow government that is unaccountable. The power to issue judicial orders is the exclusive, non-

transferable authority of the Article III branch. When the Executive assumes the pen of the Judiciary, the entire constitutional order collapses.

II. IRREPARABLE CONSTITUTIONAL HARM DEMANDS IMMEDIATE INTERVENTION

A. First Amendment: Prior Restraint on the Right to Petition

The Vexatious Litigant Order is a naked prior restraint on Petitioner's fundamental right to petition for redress of grievances. In *Elrod v. Burns*, 427 U.S. 347, 373 (1976), this Court made clear that loss of First Amendment freedoms, "even for minimal periods of time," constitutes irreparable injury *per se*. Yet Petitioner faces permanent silencing. He is barred from the federal court in his district without permission from the very tribunal he alleges has been compromised by FBI authorship. That is not justice, it is censorship cloaked in judicial authority.

This restraint rests on deliberate fabrication. The District Court claimed Petitioner filed "at least seven" cases. Petitioner's sworn declaration under §28 U.S.C. §1746\$ proves he filed only four. The government knew the rest were filed by the informant "Dewann Bulls" during Petitioner's incarceration—an impossibility—yet they pressed forward anyway. To silence a citizen through documented falsehoods strikes at the very heart of liberty. Every day this order stands, Petitioner's voice is extinguished. This harm cannot be undone with money damages. When government actors fabricate restraint to silence a citizen, they imperil democracy itself.

B. Sixth Amendment: Nullification of the Right to Counsel Through Secret Surveillance

For more than a decade, the Pittsburgh FBI and U.S. Attorney's Office have invoked "national security" to block Petitioner's access to legal counsel, using NSLs to prevent attorneys from representing him. This systemic interference directly obstructed the Sixth Amendment right to counsel and First Amendment right to petition. This decade-long deprivation is the structural defect that forces him into this *pro se* posture today.

The right to counsel is foundational (*Gideon v. Wainwright*). Government interference with counsel strikes at "the root meaning of the constitutional guarantee" (*United States v. Gonzalez-Lopez*, 548 U.S. 140, 147–48 (2006)). When the government cuts off counsel, access to courts is cut off with it. This Court must affirm that "national security" is not a license to conceal governmental misconduct and systematically deny the most fundamental right guaranteed to a litigant (*United States v. U.S. District Court (Keith)*, 407 U.S. 297, 320 (1972)).

C. Fourth Amendment: Evidence Destruction Through Warrantless Searches

On three documented occasions in April 2025—April 14, 21, and 22—courthouse security personnel, acting as FBI proxies, engaged in warrantless searches and tampering of Petitioner's tablet, creating windows for FBI operatives to install malware designed to destroy evidence. *Riley v. California*, 573 U.S. 373 (2014), established that law enforcement cannot search digital devices without a warrant. Federal agents used courthouse security as cover to bypass the Constitution repeatedly.

Without immediate preservation orders, this critical surveillance footage will be deleted through routine procedures. Once destroyed, Petitioner will be forever deprived of the means to prove these violations occurred. The destruction is irreversible. It is occurring now, and only this Court's immediate decree can stop it.

D. Article III: Separation of Powers Erosion in Real Time

The most dangerous threat is to the structural integrity of the Constitution itself. If executive agents can author judicial orders through FISA surveillance, the separation of powers is reduced to an illusion. Article III becomes a parchment barrier. The judiciary transforms from a co-equal branch into a mere administrative instrument of executive will. Petitioner has identified the mechanism, the motive, and the evidence. Not one judge has investigated. This silence is corrosive; it is a profound failure of the judiciary's institutional self-defense. Every moment it continues, the precedent calcifies: executive agents can author judicial orders with impunity. This Court must act to restore Article III independence before it becomes a tragic historical memory.

III. LEGAL STANDARD FOR EMERGENCY RELIEF

Under *Hollingsworth v. Perry*, 558 U.S. 183 (2010), and *Respect Maine PAC v. McKee*, 562 U.S. 996 (2010), the four factors overwhelmingly compel an immediate grant of the stay.

A. Reasonable Probability That Certiorari Will Be Granted

This petition presents extraordinary constitutional questions that meet the demanding standard for this Court's review:

- **Conflict and Novelty:** A first-impression Sixth Amendment issue regarding whether NSLs can operate as a *de facto* nullification of the right to counsel, a structural injury that lower courts cannot review due to inherent secrecy.
- **Defiance of Congress:** A direct statutory violation of the plain text of §28 U.S.C. §1915(a)(3).
- **Structural Crisis:** An Article III separation of powers crisis of historic dimensions—the allegation of executive forgery of judicial orders—which goes to the core authority of the Court under *Marbury*.
- **Fabricated Justice:** A First Amendment prior restraint built upon facts that the government manufactured through informant proxies.

B. Fair Prospect That Judgment Below Will Be Reversed

The lower courts committed demonstrable legal errors that constitute a systematic breakdown of constitutional safeguards:

- Misapplication of *Neitzke v. Williams* and *Denton v. Hernandez*, resulting in dismissal without evidence review.
- Violation of the mandatory written certification requirement under §1915(a)(3).
- Issuance of an unconstitutional prior restraint, imposed without hearing and built on fabricated facts.

- The profound, unconstitutional judicial silence in the face of sworn allegations of executive usurpation of judicial authority and denial of the right to counsel for over a decade.

C. Irreparable Harm Absent Stay

The harms are concrete, ongoing, and irreversible:

- The First Amendment silencing compounds daily, a prior restraint that cannot be retroactively restored.
- The Sixth Amendment counsel deprivation continues unabated, forcing an unrepresented citizen to face the full machinery of state power.
- Fourth Amendment evidence faces imminent, routine destruction, permanently extinguishing the means of proof.
- Article III independence erodes with each moment of judicial silence, making the damage permanent.

D. Balance of Equities Overwhelmingly Favors Petitioner

Granting the stay restores fundamental constitutional rights and preserves evidence of high-level government malfeasance. Respondents lose only a fabricated restraint rooted in documented fraud. Public interest overwhelmingly favors the preservation of judicial integrity and the vindication of the constitutional order. The legitimacy of the Constitution depends on this Court's action today.

IV. RELIEF REQUESTED

Petitioner respectfully requests this Court enter an immediate order, exercising its Supervisory Authority over the lower federal courts, to ensure the integrity of the judicial process:

1. **STAYING** the District Court's July 21, 2025, vexatious litigant order pending final disposition of the writ of certiorari, with stay effective immediately upon issuance.
2. **ORDERING PRESERVATION** of all surveillance footage, recordings, and digital evidence from the United States Courthouse for the Western District of Pennsylvania for March 24, April 14, 21, and 22, 2025, and November 13, 2024, pending resolution of this matter, preserved in original form and produced under judicial seal for this Court's examination.
3. **ORDERING** the Pittsburgh FBI and United States Attorney for the Western District of Pennsylvania to immediately cease all use of National Security Letters under \$18\$ U.S.C. \$2709\$ and all invocation of FISA Title I surveillance authority as grounds for preventing Petitioner's retention of counsel, with written certification within seven days that such surveillance is no longer being used to obstruct Petitioner's Sixth Amendment right to legal representation.
4. **ORDERING a Judicial Inquiry under this Court's Supervisory Authority** into the integrity of the proceedings below, requiring District Judge J. Nicholas Ranjan, Magistrate Judge Patricia L. Dodge, Third Circuit Clerk Patricia S.

Dodszuweit, and Circuit Judges Stephanos Bibas, L. Felipe Restrepo, and Thomas M. Hardiman to respond under oath within 14 days regarding the allegations of constitutional compromise, specifically: (a) Whether they personally authored, reviewed, and agreed upon the orders bearing their names; (b) Whether they were aware of any FBI surveillance of their judicial communications; and (c) Whether they investigated Petitioner's allegations of denial of counsel, abhorrent constitutional violations, defamation, and fabricated evidence created by the Pittsburgh FBI to evade accountability.

5. **ORDERING** that no National Security Letter or FISA surveillance order shall prohibit any attorney from representing Petitioner *Bulls*, and that all NSL gag orders previously issued against counsel shall be immediately vacated and released as to Petitioner's representation, effective nationwide.
6. **EXPEDITING CONSIDERATION** of the accompanying petition for writ of certiorari given the ongoing constitutional crisis and irreparable harm occurring daily; and
7. **GRANTING** such other and further relief as justice requires to preserve constitutional government, restore Petitioner's fundamental right to counsel, prevent collapse of separation of powers, and vindicate the principle that no person, and no federal agency, stands above the law.

CONCLUSION

Time is not neutral in constitutional crisis; delay is the Executive's ally and the Republic's enemy. Every moment of inaction inflicts profound, systemic damage upon the very institutions the Constitution was designed to protect. The vexatious litigant order silences a citizen's voice daily. The denial of counsel continues unabated—the promise of *Gideon* nullified by executive fiat while Petitioner, forced *pro se*, confronts the full machinery of federal power without legal voice. A decade of this violation has gone unchecked. Evidence faces imminent, permanent destruction. The opportunity for constitutional vindication is fleeting. The separation of powers crisis deepens. Every moment judges remain silent while executive agents allegedly author judicial orders under their names, the pretense of Article III independence hardens into accepted reality. This Court now stands at the absolute intersection of justice and failure. If federal agents may use secret surveillance to deny counsel and forge judicial orders dismissing claims against themselves; if they may fabricate litigation histories through informant proxies; if they may destroy evidence of their own misconduct; if they may operate with absolute impunity while courts maintain complete silence—then the Constitution ceases to be supreme law. The integrity of the American experiment demands a clear, unequivocal answer. Petitioner respectfully requests that this Court grant emergency relief immediately, restoring the judiciary as the ultimate sanctuary of justice.

Respectfully submitted,



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Dated: December 6, 2025