

**SUPREME COURT OF THE UNITED STATES**

**MARGARET J. LOWERY,  
RONALD D. WILKINSON,  
LOWERY WILKINSON LOWERY LLC,**

**Petitioners,**

**v.**

**UNITED STATES COURT OF APPEALS,  
FOR THE TENTH CIRCUIT,  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA,  
STATE OF ILLINOIS,  
ILLINOIS ATTORNEY GENERAL,  
ST. CLAIR COUNTY, ILLINOIS,**

**Respondents.**

**No. \_\_\_\_\_**

**EMERGENCY APPLICATION FOR STAY  
OF EXECUTION AND ENFORCEMENT**

Applicants respectfully move for an immediate stay prohibiting execution, enforcement, collection efforts, or collateral reliance upon the December 31, 2025, Order and Judgment entered by the United States District Court for the Eastern District of Oklahoma, pending appellate and mandamus review.

1. The December 31, 2025, Judgment purports to impose monetary sanctions and award affirmative relief in favor of St. Clair County, Illinois. At the time the judgment was entered, St. Clair County was not a party to the action, had

never been served with process, had expressly refused waiver of service, and had been dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). The district court therefore lacked personal jurisdiction over the County and lacked authority to award sanctions or any affirmative relief in its favor.

2. The judgment was entered following the denial of reasonable disability accommodations requested by Ms. Lowery under the Americans with Disabilities Act.
3. On May 12, 2025, Ms. Lowery filed a Notice of Non-Appearance based on the absence of ADA-compliant access. That same day, the court conducted a telephone communication and entered multiple-minute orders, including an order denying all requested disability accommodation for court access.
4. By contrast, the United States District Court for the Southern District of Illinois subsequently granted the identical accommodation request without difficulty. Ms. Lowery is an admitted attorney who practiced in federal district court.
5. The sanctions award further rest on authority cited by the district court that does not exist or does not support the proposition for which it was invoked. The judgment relies on a mischaracterized citation that provides no legal basis

for the relief awarded, rendering the sanctions order legally unsupported on its face.

6. The Eastern District of Oklahoma dismissed Ms. Lowery's ADA action for lack of jurisdiction and thereafter entered a sanctions judgment exceeding \$100,000 in favor of a dismissed, never-served entity. Public records obtained through a Freedom of Information Act request confirm that St. Clair County never paid the firm for which relief was awarded and was never served with process.
7. Orders entered without jurisdiction are void ab initio. Enforcement of such orders is not merely erroneous but ultra vires. Any attempt to execute on, enforce, or rely upon the December 31, 2025, Judgment would compound the jurisdictional defect and give operative effect to an order the court lacked power to enter.
8. Applicants have sought appellate and mandamus relief to address these jurisdictional defects. Absent a stay, execution efforts and collateral reliance on the void judgment are imminent, creating irreversible consequences that cannot be cured through later review.
9. Because the judgment is void for lack of jurisdiction, no showing of likelihood of success on the merits is required. A court may not permit enforcement of

an order it lacked authority to issue. A stay is therefore necessary to preserve the status quo and to prevent enforcement of an ultra vires act pending review.

WHEREFORE, Applicants respectfully request that the Court enter an immediate stay prohibiting execution, enforcement, collection efforts, or collateral reliance upon the December 31, 2025 Order and Judgment pending resolution of appellate and mandamus proceedings, and grant such further relief as justice requires.

Respectfully submitted,

Ss// Ronald D. Wilkinson

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