

No. 23 - \_\_\_\_\_

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In The  
Supreme Court of the United States

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DONALD WENGER, Pro Se  
*Petitioner*  
V.

JUDGE JAMES T. WARREN  
*Respondent*

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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**PETITIONER'S MOTION TO PROCEED  
AS A VETERAN**

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Donald Wenger, Pro Se  
CW04 USMCR  
22080 Old Paint Way  
Canyon Lake, CA. 92587  
(951)531-7898  
donwenger@gmail.com

RECEIVED

AUG 26 2025

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

I, DONALD WENGER, am the 100% disabled veteran Petitioner in the case entitled above and this is a Motion to proceed under Rule 40 exempting me from payment of fees or costs, and under Rule 33.2 for preparation of documents.

A true copy of my Summary of Benefits letter from the Department of Veterans Affairs is enclosed.

I believe I am entitled to redress because my questions are clear, simple and appropriate.

This is the only Court that can resolve this matter once and for all because it involves questions about federal supremacy which the lower courts have not answered.

A copy of this motion shall precede and be attached to each copy of my Petition for Writ of Certiorari or other substantive document filed.

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



Donald C. Wenger

Executed on: August 15, 2025



## DEPARTMENT OF VETERANS AFFAIRS

January 29, 2024

Donald C Wenger  
22080 Old Paint Way  
Canyon Lake, CA 92587

In Reply Refer to:  
xxx-xx-0625  
27/eBenefits

Dear Mr. Wenger:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

### Personal Claim Information

Your VA claim number is: xxx-xx-0625

You are the Veteran.

### Military Information

Your most recent, verified periods of service (up to three) include:

Branch of Service	Character of Service	Entered Active Duty	Released/Discharged
Marine Corps	Honorable	June 26, 2002	December 21, 2002
Marine Corps	Honorable	August 21, 2006	March 31, 2007

(There may be additional periods of service not listed above.)

### VA Benefit Information

<b>You have one or more service-connected disabilities:</b>	Yes
<b>Your combined service-connected evaluation is:</b>	100%
<b>Your current monthly award amount is:</b>	\$3737.85
<b>The effective date of the last change to your current award was:</b>	December 01, 2023
<b>You are considered to be totally and permanently disabled due solely to your service-connected disabilities:</b>	Yes
<b>The effective date of when you became totally and permanently disabled due to your service-connected disabilities:</b>	December 29, 2016

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at <http://www.va.gov/statedva.htm>.

## How You Can Contact Us

- If you need general information about benefits and eligibility, please visit us at <https://www.ebenefits.va.gov> or <http://www.va.gov>.
- Call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 1-800-829-4833.
- Ask a question on the Internet at <https://www.va.gov/contact-us>.

Sincerely Yours,

**Regional Office Director**

