

No.

In The
Supreme Court of the United States

GEORGE BALDWIN HUTCHINSON JR. (π)
G. Baldwin: (House of Hutchinson): Priest,

[*Petitioner,*]

v.

UNITED STATES OF AMERICA, et al.

Respondents,

On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Fourth Circuit

MOTION FOR LEAVE TO PROCEED
AS A VETERAN UNDER RULE 40.1

GEORGE BALDWIN HUTCHINSON JR
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TO THE HONORABLE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES:

Claimant [Petitioner / π], respectfully moves this Honorable Court to Proceed as a Veteran pursuant to Rule 40.1 of the Rules of this Court. Claimant [Petitioner / π] filed a timely [Petition] for Writ of Certiorari and enclosed a Motion under Rule 40.1 seeking exemption from the \$300 docketing fee and booklet-format requirements, based on veteran status.

I. BACKGROUND

Maj. Retired Hutchinson is a **ten-time-deployed combat veteran**, permanently and totally disabled for service-connected conditions including **severe PTSD**.

He served honorably for more than documented 20 **plus years**, retiring from active duty as a **Major (O-4)** following multiple overseas combat tours.

Because of his service-connected disabilities and financial hardship, Petitioner seeks relief under **Rule 40.1**, which authorizes veterans of the Armed Forces to proceed without payment of the docket fee and to file pleadings in standard (non-booklet) format.

Claimant [Petitioner/ π] is a ten-time deployed combat veteran who served in several combat zones to include Iraq and Afghanistan, and who suffers from severe post-traumatic stress disorder (PTSD). The cost, physical strain, and procedural complexity of Supreme Court Rule 33.1 compliance represent a disproportionate burden on a combat veteran with service-connected disabilities.

Additional Argument – Burden on Disabled Veterans

Requiring the undersigned—a ten-time deployed combat veteran diagnosed with severe PTSD—to bear the burden of full filing fees and booklet-format compliance after requesting relief under Rule 40.1, places an undue and discriminatory hardship on disabled veterans. This denial effectively obstructs access to justice for a protected class of Americans who have already sacrificed for the nation. Veterans suffering from PTSD often face serious cognitive and

financial obstacles that make full compliance with Supreme Court Rule 33.1 an excessive and unjust barrier. To deny the motion without explanation, and to return the petition without consideration, severely burdens and denies access to this Court in violation of fundamental fairness and the spirit of Rule 40.1, which was created to prevent precisely this type of gatekeeping against veterans. Reconsideration is respectfully requested to avoid a miscarriage of justice and to ensure this Court remains open to those who served with honor.

A. Rule 40.1 Allows Fee and Format Relief for Veterans

Rule 40.1 reflects the Court's recognition that veterans should not be denied access to justice because of financial or physical limitations resulting from military service. The rule expressly authorizes the Clerk to waive the docket fee and accept filings in standard format upon proof of veteran status.

B. Relief Is Warranted to Ensure Equal Access

Maj. Retired Hutchinson's permanent disabilities create genuine hardship in meeting the costs and physical demands of full Supreme Court booklet production. Granting this motion would advance the remedial purpose of Rule 40.1 and ensure that combat-disabled veterans receive equal access to this Court regardless of physical or financial limitation.

C. Precedent and Policy Favor Veterans' Access

In *Boone v. Lightner*, 319 U.S. 561 (1943), this Court emphasized that procedural rules affecting servicemembers must be construed liberally in their favor. Denying relief where a veteran clearly meets the rule's requirements would contravene that principle and the longstanding national policy of protecting those who served.

Claimant [Petitioner/ π] is a disabled ten-time deployed combat veteran of the United States military and is rated 100% permanently and totally disabled by the Department of Veterans

Affairs.

• **II LEGAL STANDARD & ENTITLEMENT**

Supreme Court Rule 40.1 allows veterans to proceed without payment of docket fees upon submission of a proper affidavit or declaration.

Further, under **Boone v. Lightner**, 319 U.S. 561 (1943), courts are instructed to resolve procedural ambiguities in favor of the servicemember where military service is involved.

Petitioner complied with the rules, submitted supporting proof, and is entitled to relief under Rule 40.1. There was no explanation provided for the denial, and such denial works undue hardship and obstructs access to justice.

III. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

1. **Grant leave to proceed as a veteran** under Rule 40.1;
2. **Waive the docket fee** required by Rule 38(a);
3. **Permit standard (non-booklet) format** filing for this petition; and
4. **Docket the accompanying Petition for Writ of Certiorari** in *Hutchinson v. United States*, No.

For the foregoing reasons, Claimant [Petitioner/ π], requests that the Court reconsider its denial of his Rule 40.1 motion and grant leave to proceed as a veteran, thereby waiving the docketing fee and allowing standard formatting in lieu of booklet form.

Date: December 19, 2025 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this December 19, 2025, I served one copy of the foregoing Motion to move as a Veteran including all appendix materials, by certified U.S. Mail, postage prepaid, on the following:

Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20543

As required by Supreme Court Rule 29.2, I further certify that 1 copy of the Motion for Reconsideration was mail to at:

Solicitor General of the United States
Room 5614
Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001

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Declaration of Veteran Status
Submitted Pursuant to Rule 40, as a Pro Se Combat Veteran

(Ret) Maj GEORGE BALDWIN HUTCHINSON JR
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Declaration of Veteran Status

Pursuant to Supreme Court Rule 40.1

I, (Ret) Maj **George Baldwin Hutchinson, Jr.**, respectfully declare under penalty of perjury that:

1. I am the Petitioner in the above-captioned case, proceeding Pro Se.
2. I am a combat veteran of the United States Armed Forces, having served in ten (10) active-duty combat deployments in service to this nation. These deployments included service in hostile theaters such as Iraq and Afghanistan, in support of military operations under direct and sustained combat conditions.
3. I was honorably discharged and I am presently classified as a 100% permanently disabled veteran due to injuries sustained during my military service, including PTSD and other service-connected conditions.
4. My service included critical assignments as an Integrations Officer, conducting combat mission support, personnel coordination, and classified operational duties during wartime.
5. I submit this declaration in support of my Motion to Proceed under Supreme Court Rule 40.1, which permits veterans to file petitions on standard 8.5" x 11" paper without the traditional booklet formatting required of other litigants.
6. The basis for this rule aligns with long-standing legal recognition of the burden military service places on veterans — as reflected in *Boone v. Lightner*, 319 U.S. 561 (1943), where the U.S. Supreme Court held:

“The Soldiers’ and Sailors’ Civil Relief Act must be read with an eye friendly to those who dropped their affairs to answer their country’s call.”

7. Like the servicemember in *Boone*, I, too, have set aside civilian pursuits — and continue to suffer service-connected limitations — while navigating this litigation alone and without legal counsel.
8. I respectfully ask this Honorable Court to accept this declaration as evidence of my eligibility to proceed under Rule 40.1, and to receive my attached Petition for Writ of Certiorari and Appendix in its current 8.5" x 11" format.

9. Attached hereto as **Exhibit 1** is a certified copy of my official **Retirement Certificate**, confirming my honorable retirement from the United States Armed Forces at the rank of **Major**.
10. Attached as **Exhibit 2** is a verified document establishing my entitlement to **Veterans Benefits**, reflecting my service-connected disability status and confirming my standing as a **100% permanently disabled combat veteran** under federal law.
11. These exhibits are submitted in support of my eligibility to proceed under Supreme Court Rule 40.1, and serve as lawful verification of my veteran status.

Date: May 19th 2025 Respectfully submitted,

(Ret) Maj GEORGE BALDWIN HUTCHINSON JR

Baldwin: Priest – House of Hutchinson

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