

No. _____

No. 25-3096

**IN THE
SUPREME COURT OF THE UNITED STATES**

Office of the Clerk

MARK T STINSON, Reg # 29908-076

PETITIONER,

VS.

UNITED STATES OF AMERICA

RESPONDENTS.

ON PETITION FOR A WRIT OF CERTIORARI

MOTION FOR LEAVE TO PROCEED AS A VETERAN

Mark T. Stinson
Reg # 29908-076
777 NW 155th Lane, Apt. 911
Miami, FL 33169-6180
Ph: (786) 299-7499
Email: mstinson1@bellsouth.net
Pro Se

I. Statement of Veteran Status and Background

COMES NOW, the Plaintiff-Appellant Mark T. Stinson respectfully moves this Honorable Court to allow this motion for leave to proceed as a **veteran**. This Petition is filed by Mark T. Stinson, a veteran of the United States Army, seeking review of a denied habeas action by the Eighth Circuit Court of Appeals Circuit Judge's,. Pursuant to Supreme Court Rule 40, and relevant statutes, the Petitioner respectfully requests leave to proceed *in forma pauperis* (IFP) as a veteran, thereby waiving the requirement for prepayment of fees and costs.

I. Argument for Leave to Proceed IFP

- I am a veteran of the U.S. Army, I have served my country honorably from February 14, 1984, to February 15, 1988, also a tour of duty to the Gulf War, from 12/10/1990 to 06/04/1991, where I was awarded the National Defense Service Metal, Southwest Asia Service Metal with Three Bronze Stars and an Overseas Service Ribbon. Attached hereto is a copy of my form DD-214, which verifies my status as a veteran.
- I am a 100 % total and permanent disable veteran that has been diagnosed with **Post-Traumatic Stress Disorder [PTSD]**. My service has instilled in me a profound respect for the rule of law and the judicial system. This motion seeks permission from this esteemed court to allow my case to be processed with consideration given to my status as a

veteran. Attached hereto is a copy of my VA letter of Benefit Information, which verifies my status as a veteran.

This veteran status entitles the Petitioner to certain benefits and protections under the law, including the right to proceed without prepayment of fees in certain legal actions. This is supported by Congress's intent under 38 U.S.C. § 4323(h) and Supreme Court Rule 40 which extends this privilege to veterans seeking to establish reemployment rights or under any other provision of law exempting veterans from the payment of fees or court costs. Under Sup. Ct. R. 40, veterans are entitled to certain considerations in legal proceedings due to their service and sacrifices made for our country. Arellano v. McDonough, (Supreme Court Case); Brown v. Board of Bar Examiners, 623 F.2d 605 (9th Cir. 1980).

Petitioner is seeking review of the Eighth Circuit unreasonable prolonged delay. Petitioners believe that this case presents a significant question of the violation of constitutional rights and warrants review by this Court. Arevalo v. United States, 590 U.S. __ (2020) (Cert. denied); United States v. Oregon, 366 U.S. 643 (1961).

In Henderson v. Shinseki, 562 U.S. 428 (2011), the Court noted that "the VA's adjudicative process is not comparable to adversarial litigation" and that "veterans are entitled to a liberal construction of their filings." For example, in Skaar v. McDonough, the Federal Circuit considered a class-action lawsuit brought by veterans exposed to ionizing radiation during the cleanup of a nuclear accident. The court's decision highlights the importance of affording veteran access to judicial

review.

The totality of Mr. Stinson's financial situation reflects significant limitations on his ability to pay filing fees, and other associated costs of litigation without jeopardizing his basic needs such as housing, food, insurance, and auto payments.

Petitioner "as a pro se veteran diagnosed with **PTSD** and suffering from service – connected disabilities, I respectfully request that this Honorable Court **grant** leave to proceed under Rule 40. My filings are made in good faith, and in line with Haines v. Kerner, they should be liberally construed. Furthermore, in light of my status as a veteran, the Court may consider Congress's intent under 38 U.S.C. § 4323(h) to remove procedural barriers to justice for veterans."

II. Basis for Relief Argument

Petitioner relies on the reasoning that veterans' benefits and privileges should be construed liberally in favor of the veteran. As supported by Rudisil v. McDonough, 601 U.S. __ (2024); King v. St. Vincent's Hospital, 502 U.S. 215 (1991), where the Supreme Court interpreted veterans' educational benefits in a manner favorable to veterans, this Court should consider a similar liberal construction in evaluating motions for leave to proceed as a veteran.

Furthermore, 28 U.S.C. § 1651(a) grants this Court the authority to issue writs necessary or appropriate in aid of its jurisdiction.

Chambers v. NASCO, Inc., 501 U.S. 32 (1991); Petitioner argues that granting leave to proceed as a veteran fall within this authority, especially when considering the historical and statutory context favoring veterans.

Petitioner also requests that the Court consider the need for reasonable procedural accommodations pursuant to the Americans with Disabilities Act (42 U.S.C § 12131 *et seq.*). The right to habeas corpus is a fundamental constitutional right, enshrined in the Suspension Clause of the U.S. Constitution, Article I, Section 9, Clause 2, and affirmed by the Supreme Court as “the fundamental instrument for safeguarding individual liberty against unlawful state action.” Harris v. Nelson, 394 U.S. 286, 290 (1969).

III. Relief Sought

- I respectfully request that this Court grant me leave to proceed as a veteran (*IFP*) in this matter.
- This request is made in good faith and is not intended to cause delay or prejudice against any party involved.

IV. Conclusion

WHEREFORE, for the foregoing reasons stated above, Mr. Stinson respectfully prays that this Honorable Court **should grant** this Motion for Leave to Proceed as a Veteran and allows the Petitioner to proceed in forma pauperis (*IFP*) in this action.

Respectfully submitted,



Mark T. Stinson
Reg # 29908-076
777 NW 155th Ln. Apt. 911
Miami, FL 33169-6180
Ph: (786) 299-7499
Email: mstinson1@bellsouth.net
November 21, 2025
Pro Se

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATION,
TYPEFACE REQUIREMENTS, AND TYPE STYLE REQUIREMENTS**

As required by Supreme Court Rule 33.1(h), I certify that the petition for leave to proceed as a veteran contains 909 words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

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

Executed on November 21, 2025.



Mark T. Stinson

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, first, middle) TINSON, MARK TYRONE		2. DEPARTMENT, COMPONENT AND BRANCH ARMY/USAR		3. SOCIAL SECURITY NO [REDACTED]																																					
4.a. GRADE, RATE OR RANK T	4.b. PAY GRADE E-5	5. DATE OF BIRTH (YYMMDD) [REDACTED]		6. RESERVE/UNIT TERM DATE Year: 01 Mon: 0 Day: 0																																					
7.a. PLACE OF ENTRY INTO ACTIVE DUTY [REDACTED]		7.b. HOME OF RECORD AT TIME OF ENTRY (City and state or complete address if known) 2063 WHITNEY MEMPHIS, TN 38127																																							
8.a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 27TH CON W/DUTY AT FT BRAGG NC		8.b. STATION WHERE SEPARATED FT BRAGG, NC 28307-3000																																							
9. COMMAND TO WHICH TRANSFERRED [REDACTED]		10. SBU COVERAGE Amount: \$0,000.00		None																																					
11. EMPLOY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) 1020 PRACTICAL NURSE OYRS 06MS// 1820 LIGHT WHEEL VEHICLE POWER GENERATOR OYRS 06MS// THING FOLLOWS//		12. RECORD OF SERVICE																																							
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g. Sea Service	00	00																																							
h. Effective Date of Pay Grade	97	10																																							
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14. MILITARY EDUCATION (Course title, number, weeks and month and year completed) [REDACTED]//NOTHING FOLLOWS//																																									
15.a. MEMBER COMMITTED TO POST-SEPARATION BENEFITS EDUCATIONAL ASSISTANCE PROGRAM		Yes	No	15.b. MEMBER REQUESTS COPY 4 OF THIS FORM																																					
				15.c. DAYS ACCRUED LEAVE PAID																																					
16. REMARKS SUBJECT TO ACTIVE DUTY RECALL AND/OR ANNUAL SCREENING//INDIVIDUAL COMPLETED FOR WHICH ORDERED TO ACTIVE DUTY FOR PURPOSE OF POST-SERVICE BENEFITS AND ENTITLE- MENT//ORDERED TO ACTIVE DUTY IN SUPPORT OF OPERATION DESERT SHIELD/DESERT STORM IAW 10 4736//ITEM 120 ABOVE DOES NOT ACCOUNT FOR ANNUAL AND/OR WEEKEND TRAINING THIS SOLDIER MAY HAVE ACCOMPLISHED PRIOR TO DATE ENTERED IN ITEM 124//SERVICE IN SWA FROM 10109-910508//CONT FROM ITEM 8A: AT FT BRAGG//NOTHING FOLLOWS//																																									
19.a. MAILING ADDRESS AFTER SEPARATION 609 KING APT 8		19.b. NEAREST RELATIVE (Name and address - include Zip Code) BERALDINE D. PERRY 3063 WHITNEY RD, [REDACTED]																																							
20. MEMBER REQUESTS COPY 4 BE SENT TO [REDACTED]		21. OFFICIAL AUTHORIZED TO SIGN (Name, grade, title and signature) [Signature]																																							
22. SIGNATURE OF MEMBER BEING SEPARATED SOLDIER NOT AVAILABLE FOR SIGNATURE																																									

23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY			24. CHARACTER OF SERVICE (include upgrades) HONORABLE		
25. SEPARATION AUTHORITY AR 635-200 CHAPTER 4			26. SEPARATION CODE LBN		27. REENTRY CODE NA
28. NARRATIVE REASON FOR SEPARATION EXPIRATION TERM OF SERVICE					
29. DATES OF TIME LOST DURING THIS PERIOD NONE				30. MEMBER REQUESTS COPY 4 (YES/NO)	

DD FORM 1 JUL 70 214 THIS EDITIONS OF THIS FORM ARE OBSOLETE
STATE OF RELEASE OR DISCHARGE
ACTIVE DUTY1 NAME (Last, first, middle)
STINSON, MARK TYRONE
2 DEPARTMENT, BRANCH AND GRADE
ARMY/NA
3 SOCIAL SECURITY NO
[REDACTED]4A GRADE, RATE OR RANK
SP4
4B PAY GRADE
E-4
5 DATE OF BIRTH
[REDACTED]
6 PLACE OF ENTRY AND ACTIVE DUTY
Memphis, TN7A AS-101 AND MAJOR COMMAND FORSCOM FC 84E
Evac Hosp
7B LOCATION WHERE SEPARATED
Port Campbell, KY8 COMMAND TO WHICH RETURNED 330 HOSP (GEN) (10005), 350 W.
California Ave., Memphis, TN 38106
9 SSB COVERAGE
AMOUNT \$ 50.00 NONE11 PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND
MONTHS IN SPECIALTY (Additional specialty numbers and titles
include periods of one or more years)
63810 Light Wheel Vehicle
Mechanic//3 Years and 7
Months//NOTHING FOLLOWS//
12 RECORD OF SERVICE
YEAR(S) MONTH(S) DAY(S)
a. Date Entered AD This Period 84 02 15
b. Separation Date This Period 88 02 14
c. Not Active Service This Period 84 00 00
d. Initial Prior Active Service 85 00 00
e. Initial Prior Inactive Service 00 01 04
f. Foreign Service 02 02 17
g. Sea Service 00 00 00
h. Effective Date of Pay Grade 87 05 01
i. Reserve Duty from then 88 01 1013 DECORATIONS, MEDALS, BADGES, CREATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)
Army Service Ribbon//Overseas Service Ribbon//Good Conduct Medal//Army
Lapel Button//Expert Badge M16 Rifle//Drivers Mechanic Badge-W//NOTHING
FOLLOWS//14 MILITARY EDUCATION (Course title, number weeks, and month and year completed)
Light Wheel Vehicle and Power Generator Mechanic Course, 11 Weeks, (Jul
84)//NOTHING FOLLOWS//15 MEMBER OF THE U.S. ARMY RESERVE
MEMBER OF THE U.S. ARMY RESERVE
16 HIGH SCHOOL GRADUATE OR EQUIVALENT
YES NO
17 DAYS ACCRUAL
LEAVE PAID 1518 MEMBER OF THE U.S. ARMY RESERVE
MEMBER OF THE U.S. ARMY RESERVE
19 MEMBER OF THE U.S. ARMY RESERVE
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MEMBER OF THE U.S. ARMY RESERVE



DEPARTMENT OF VETERANS AFFAIRS

February 17, 2025

Mark Tyrone Stinson
777 Nw 155th Ln Apt 911
Miami, FL 33169

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

Dear Mr. Stinson:

This letter certifies that Mark Tyrone Stinson is receiving service-connected disability compensation from the Department of Veterans Affairs.

The current benefit paid is as follows:

Gross Benefit Amount	[REDACTED]
Net Amount Paid	[REDACTED]
Effective Date	December 1, 2024
Combined Evaluation	100 percent

How You Can Contact Us

- If you need general information about benefits and eligibility, please visit us at <https://www.ebenefits.va.gov> or <https://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