

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) JINSON, MARK TYRONE	2. DEPARTMENT, COMPONENT ARMY/USAR	3. SOCIAL SECURITY NO. [REDACTED]	
4a. GRADE DATE OF RANK T	4b. PAY GRADE E-5	5. DATE OF BIRTH (YYMMDD) [REDACTED]	6. RES. STATE TERM DATE [REDACTED] 1 Mon 00/00
7a. PLACE OF ENTRY INTO ACTIVE DUTY 19. 19		7b. HOME OF RECORD AT TIME OF ENTRY INTO ACTIVE DUTY AND STATE OR COMPLETE ADDRESS IF KNOWN 28663 WHITNEY MEMPHIS, TN 38127	
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 27TH CSM BATTALION AT FT BRAGG NC		8b. STATION WHERE SEPARATED FT BRAGG, NC 28307-5000	
9. COMMAND TO WHICH TRANSFERRED 10. ASSTIN 432 DIVISION PINE NASHVILLE TN 37221-3268		10. SEU COVERAGE AMOUNT \$30,000.00	
11. PAY SPECIALTY (use number, life and years and months to specify list additional specialty numbers and times involving period of one or more years) 1C20 PRACTICAL NURSE DOYRIS GOMES// 1C20 LIGHT VEHICLE MECHANIC POWER DEPARTMENT (TYRONE GOMES// NOTHING FOLLOWS//		12. RECORD OF SERVICE a. Date Entering AND This Period b. Separation Date This Period c. Net Actual Service This Period d. Total Prior Active Service e. Total Prior inactive Service f. Foreign Service g. Sea Service h. Effective Date of Pay Grade	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) 14. SERVICE RIBBON//NATIONAL DEFENSE SERVICE MEDAL//ARMY LAPEL BUTTON//EXPERT M-16 BADGE// 15. SERVICE RIBBON//DRIVERS-MECHANIC BADGE//NOTHING FOLLOWS//		16. DAYS ACCRUED LEAVE PAID 17. MEMBER COMPLETED TO DATE FROM THE REMAINING EDUCATIONAL ASSISTANCE ALLOWANCE	
18. REMARKS SUBJECT TO ACTIVE DUTY RECALL AND/OR ANNUAL TRAINING//INDIVIDUAL COMPLETED TOO 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/DECENT STORM LIA TO 1C20 173B//ITEM 12b ABOVE DOES NOT ACCOUNT FOR ANNUAL AND/OR WEEKEND TRAINING THIS SOLIDER MAY HAVE ACCOMPLISHED PRIOR TO DATE ENTERED IN ITEM 12a//SERVICE IN USA FROM 10109-910508//CONT FROM ITEM 8a AT FT BRAGG//NOTHING FOLLOWS//		19. MAILING ADDRESS AFTER SEPARATION 609 KING APT 8	
20. MEMBER REQUESTS COPY SENT TO ONE OF VETERAN		21. OFFICIAL AUTHORITY TO SIGN IN NAME OF BEVOLINE D. PERRY 3863 WHITNEY RD,	
22. SIGNATURE OF MEMBER (NAME OF SEPARATING SOLDIER NOT AVAILABLE FOR SIGNATURE)		23. SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)	
23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY		24. CHARACTER OF SERVICE (Indicate upgrade) HONORABLE	
25. SEPARATION AUTHORITY AR 630-200 CHAPTER 4		26. SEPARATION CODE LBM	
27. NARRATIVE REASON FOR SEPARATION EXPIRATION TERM OF SERVICE		28. MEMBER REQUESTS COPY SENT TO [REDACTED]	
29. DATES OF TIME LOST DURING THIS PERIOD NONE		30. MEMBER REQUESTS COPY SENT TO [REDACTED]	

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSESTHIS IS AN IMPORTANT RECORD
SAFEGUARD ITAND ALLEGEDLY IN SHADED
AREAS UNDER FORM VOID

DD FORM 1 JUN 79 214

THIS EDITION OF THIS
FORM IS OBSOLETECERTIFICATE OF RELEASE OR DISCHARGE
ACTIVE DUTY1. NAME *Mark Tyrone Stinson*2. DEPARTMENT
ARMY/RA

3. SOCIAL SECURITY NO.

4A. GRADE, RANK OR RATE

4B. PAY GRADE

4C. DATE OF BIRTH

4D. PLACE OF ENTERING ACTIVE DUTY

SP4

E-4

Memphis, TN

5. MAJOR COMMAND FORSCOM TO BE USED

Evac Hosp

6. PLACE WHERE SEPARATED

7. PLACE WHERE SEPARATED
California Ave., Memphis, TN 38106

Fort Campbell, KY

8. SOC COVERAGE

AMOUNT 50.00 NONE

11. PRIMARY SPECIALTY NUMBER, EDS AND YEARS AND
MONTHS IN SPECIALTY (Additional specialty numbers and times
including periods of one or more years)
63810 Light Wheel Vehicle
Mechanic//3 Years and 7
Months//NOTHING FOLLOWS//

12. RECORD OF SERVICE	YEARS(S)	MONTH(S)	DAY(S)
a. Date Entered AD This Period	04	02	15
b. Separation Date This Period	08	02	18
c. Not Active Service This Period	04	00	00
d. Total Prior Active Service	02	00	00
e. Total Prior Inactive Service	00	01	04
f. Foreign Service	02	02	17
g. Pay Grade	00	00	00
h. Effective Date of Pay Grade	07	05	01
i. Reserve Duty Term Date	00	01	10

13. DECORATIONS, MEDALS, BADGES, CLOTHES 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 VIETNAM ERA
VETERANS EDUCATIONAL ASSISTANCE PROGRAM YES NO

16. FROM SCHOOL GRADUATE OR EQUIVALENT

17. DAYS ACCRUED

GAVE PAID

18. MEMBER CARE WAS NOT PROVIDED WITHIN 90 DAYS prior to separation//
NOTHING FOLLOWS//

19. MAILING ADDRESS AFTER SEPARATION

3883 Whitney Road

20. MEMBER REQUESTED COPY OF

SEND TO PM DA OF THEAPPROVED YES NO

21. SIGNATURE OF

22. NAME, GRADE, RANK AND SIGNATURE OF OFFICIAL
APPROVED *Mark Tyrone Stinson*

SPECIAL ADDITIONAL INFORMATION (This can be numbered sequentially)

23. INFO OF SEPARATION

RELEASE FROM ACTIVE DUTY

24. SEPARATION AUTHORITY

CHAPTER 14, 32 E. 335-200

25. NARRATIVE REASON FOR SEPARATION

HONORABLE

SEPARATION CODE

26. SEPARATION CODE

T-1

P-1A

27. APPROVAL TERM OF SERVICE

28. MEMBER REQUESTED COPY

INITIALS

SERVICE-3



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-[REDACTED]
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 <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