

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

No. 25-3096

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

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*In Re:* MARK T STINSON,  
PETITIONER,

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ON PETITION FOR A WRIT OF MANDAMUS  
AND/OR PROHIBITION

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PETITION FOR LEAVE TO PROCEED AS A VETERAN

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Mark T. Stinson  
777 NW 155<sup>th</sup> Lane, Apt. 911  
Miami, FL 33169-6180  
Ph: (786) 299-7499  
Email: [mstinson1@bellsouth.net](mailto: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 non-decision by the Eighth Circuit Court of Appeals Circuit Judge's, decision regarding the refusal to respond. 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 (9<sup>th</sup> 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 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  
777 NW 155<sup>th</sup> Ln. Apt. 911  
Miami, FL 33169-6180  
Ph: (786) 299-7499  
Email: [mstinson1@bellsouth.net](mailto:mstinson1@bellsouth.net)  
November 11, 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 11, 2025.



Mark T. Stinson



# CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) **TINSON, MARK TYRONE** 2. DEPARTMENT, COMPONENT, BRANCH **ARMY/USAR** 3. SOCIAL SECURITY NO. **138 22**

4a. GRADE, RATE OR RANK **SET** 4b. PAY GRADE **E-5** 5. DATE OF BIRTH (YYMMDD) **1** 6. RESERVE OR TERM DATE Year **93** Month **1** Day **1**

7a. DATE OF ENTRY INTO ACTIVE DUTY **18, 78** 7b. HOME OF RECORD AT TIME OF ENTRY (City and state or complete address if known) **2063 WHITNEY MEMPHIS, TN 38127**

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND **77TH CSH W/DUTY AT FT BRAGG NC** 8b. STATION WHERE SEPARATED **FT BRAGG, NC 28307-5000**

9. COMMAND TO WHICH TRANSFERRED **APCON 443 ONE ECH PINE NASHVILLE TN 37241-3555** 10. SGLI COVERAGE ☐ None Amount **\$0,000.00**

11. BY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) **SIC20 PRACTICAL NURSE DOYRS CANOS// 3620 LIGHT WHEEL VEHICLE POWER 3620 TOR DOYRS CANOS// 3620 WING FOLLOWS//** 12. RECORD OF SERVICE

|                                   | Year(s) | Month(s) | Day(s) |
|-----------------------------------|---------|----------|--------|
| a. Date Entered AD This Period    | 90      | 12       | 1      |
| b. Separation Date This Period    | 91      | 05       | 04     |
| c. Not Active Service This Period | 00      | 05       | 4      |
| d. Total Prior Active Service     | 02      | 02       | 23     |
| e. Total Prior Inactive Service   | 02      | 05       | 1      |
| f. Foreign Service                | 00      | 04       | 00     |
| g. Sea Service                    | 00      | 1        | 0      |
| h. Effective Date of Pay Grade    | 90      | 10       | 0      |

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) **SERVICE RIBBON//NATIONAL DEFENSE SERVICE MEDAL//ARMY LAPEL BUTTON//EXPERT M-16 BADGE// WEISSAG SERVICE RIBBON//DRIVERS-MECHANIC BADGE//NOTHING FOLLOWS//**

14. MILITARY EDUCATION (Course title, number or weeks, and month and year completed) **//NOTHING FOLLOWS//**

15a. MEMBER CONTRIBUTED TO VOLUNTARY OR VETERANS EDUCATIONAL ASSISTANCE PROGRAM ☐ YES ☐ NO 15b. MEMBER PERIOD USAR/USAR OF EQUIVALENT ☐ YES ☐ NO 15c. DAYS ACCRUED LEAVE PAID **1000**

16. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION ☐ YES ☐ NO

18. REMARKS SUBJECT TO ACTIVE DUTY RECALL AND/OR ANNUAL SCREENING//INDIVIDUAL COMPLETED PERIOD FOR WHICH ORDERED TO ACTIVE DUTY FOR PURPOSE OF POST-SERVICE BENEFITS AND ENTITLE-// "ORDERED TO ACTIVE DUTY IN SUPPORT OF OPERATION DESERT SHIELD/DESERT STORM 1AM 10 USC 4736"// "ITEM 129 ABOVE DOES NOT ACCOUNT FOR ANNUAL AND/OR WEEKEND TRAINING THIS SOLDIER MAY HAVE ACCOMPLISHED PRIOR TO DATE ENTERED IN ITEM 124"//SERVICE IN SNA FROM 910109-910508//CONT FROM ITEM 8A: AT FT BRAGG//NOTHING FOLLOWS//

19a. MAILING ADDRESS AFTER SEPARATION (Use ZIP Code) **NINA APT 8** 19b. NEXT OF KIN (Name and address - include ZIP Code) **BERALDINE D. PERRY 2063 WHITNEY RD.**

20. MEMBER REQUESTS COPY 3 BE SENT TO ☐ YES ☐ NO 21. SIGNATURE OF MEMBER BEING SEPARATED **[Signature]** 22. SIGNATURE OF AUTHORITY TO SIGN **[Signature]** name, grade and **[Name, Grade]**

| SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)     |  |                               |
|--|--|-------------------------------|
| 23. TYPE OF SEPARATION<br><b>RELEASE FROM ACTIVE DUTY</b>                | 24. CHARACTER OF SERVICE (Include upgrades)<br><b>HONORABLE</b>                        |                               |
| 25. SEPARATION AUTHORITY<br><b>AR 635-200 CHAPTER 4</b>                  | 26. SEPARATION CODE<br><b>LEK</b>  | 27. REENTRY CODE<br><b>NA</b> |
| 28. NARRATIVE REASON FOR SEPARATION<br><b>EXPIRATION TERM OF SERVICE</b> |  |                               |
| 29. DATES OF TIME LOST DURING THIS PERIOD<br><b>NONE</b>                 | 30. MEMBER REQUESTS COPY 4<br><input type="checkbox"/> YES <input type="checkbox"/> NO |                               |

CAUTION: NOT TO BE USED FOR  
IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD  
SAFEGUARD IT

ANY ALTERATIONS IN SHADED  
AREAS RENDER FORM VOID

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THIS EDITIONS OF THIS  
FORM ARE OBSOLETE

STATE OF RELEASE OR DISCHARGE  
IN ACTIVE DUTY

NAME (Last, first, middle) STINSON, MARK TYRONE  
DEPARTMENT, BRANCH, AND SERVICE ARMY/RA  
1. SOCIAL SECURITY NO.

14. GRADE, RATE OR RANK SP4  
15. PAY GRADE E-4  
16. DATE OF BIRTH 2-1-44  
17. PLACE OF ENTRY INTO ACTIVE DUTY Memphis, TN

18. MAJOR COMMAND AND MAJOR COMMAND FORSUN TC BEEN  
19. LOCATION WHERE SEPARATED  
Evac Hosp Port Campbell, KY

20. COMMAND TO WHICH ASSIGNED 350 Hosp (Gen) (TODOS), 350 W.  
California Ave., Memphis, TN 38106  
21. SUBCATEGORIES AMOUNT \$ 50.00 NONE

22. PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND MONTHS IN SPECIALTY (Additional specialty numbers and titles preceding periods of one or more years)  
63B10 Light Wheel Vehicle  
Mechanic//3 Years and 7  
Months//NOTHING FOLLOWS//

| 17. 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. Net Active Service This Period | 00      | 00       | 00     |
| d. Initial Prior Active Service   | 00      | 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    | 8       | 05       | 01     |
| i. Reserve Oblig Term (Years)     | 00      | 01       | 10     |

23. DECORATIONS, MEDALS, BADGES, CAMPAIGN 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//

24. 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//

25. MILITARY EDUCATION IN POST-VETERAN ERA  
VETERAN EDUCATIONAL ASSISTANCE PROGRAM ☐ YES ☒ NO  
26. HIGH SCHOOL GRADUATE OR EQUIVALENT ☐ YES ☒ NO  
27. DAYS ACCRUED LEAVE PAID 1

28. CARE WAS NO PROVIDED WITHIN 90 DAYS PRIOR TO SEPARATION  
NOTHING FOLLOWS//

29. MAILING ADDRESS AFTER SEPARATION  
2863 Whitney Road  
Memphis, TN 38127  
30. MEMBER REQUESTS COPY 4 BE SENT TO: ☒ TN ☐ DR. OF VET AFFAIRS ☐ YES ☒ NO

31. TYPE OF SEPARATION  
32. TYPE OF NAME, GRADE, TITLE AND SPECIAL  
33. SEPARATION CODE  
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31. TYPE OF SEPARATION  
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32. SEPARATION AUTHORITY  
CHAPTER 4, AR 615-210  
33. NARRATIVE REASON FOR SEPARATION  
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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-  
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

### Net Amount Paid

**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**