

No. _____

No. 25-3096

IN THE

SUPREME COURT OF THE UNITED STATES

In Re: MARK T STINSON,

PETITIONER,

ON PETITION FOR A WRIT OF MANDAMUS
AND/OR PROHIBITION

PETITION FOR LEAVE TO PROCEED AS A VETERAN

Mark T. Stinson
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 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 (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 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 155th Ln. Apt. 911
Miami, FL 33169-6180
Ph: (786) 299-7499
Email: 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, WALTER TYRONE	2. DEPARTMENT, COMPONENT ARMY/USAR	3. SOCIAL SECURITY NO. 123-45-6789
4. GRADE OR RANK SFC	5. PAY GRADE E-8	6. DATE OF BIRTH (YYMMDD) 19450101
7. DATE OF ENTRY INTO ACTIVE DUTY 1971-01-01		8. REFERENCE TERM DATE Year 73 Month 03 Day 01
9. PLACE OF ENTRY INTO ACTIVE DUTY 77TH CAV B/DUTY AT FT BRAGG NC		10. HOME OF RECORD AT DATE OF ENTRY (City and state or complete address if known) 2863 WHITNEY MEMPHIS, TN 38127
11. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 77TH CAV B/DUTY AT FT BRAGG NC		12. STATION WHERE SEPARATED FT BRAGG, NC 28307-5000
13. COMMAND TO WHICH TRANSFERRED 14. ADDRESS 4425 BRIGHAM PINE NASHVILLE TN 37221-3000		14. BDU COVERAGE Amount \$0,000.00
15. BY SPECIALTY (list number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years) S1C20 PRACTICAL NURSE BOYNS CBNOS// 3620 LIGHT WHEEL VEHICLE PONCH// M24 TUR BOYNS CBNOS// KING FOLLOWS//		16. RECORD OF SERVICE a. Date Entered AGO This Period b. Separation Date This Period c. Not Active 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
17. 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// WHEELING SERVICE RIBBON//DRIVERS-MECHANIC BADGE//NOTHING FOLLOWS//		18. YEARS 19. MONTHS 20. DAYS 21. Days 22. Months 23. Days
18. MILITARY EDUCATION (Course title, number of weeks and month and year completed) NOTHING FOLLOWS//		19. DAYS ACCRUED LEAVE PAID 19.1. MEMBERS CONTRIBUTED TO VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM YES NO 19.2. MEMBERS RECEIVED GRANT IN AMOUNT 19.3. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION 19.4. MEMBER SUBJECT TO ACTIVE DUTY CALL AND/OR ANNUAL SCREENING//INDIVIDUAL COMPLETED ERTD FOR WHICH DRAINED TO ACTIVE DUTY FOR PURPOSE OF POST-SERVICE BENEFITS AND ENTITLE- MENTS//DRAINED TO ACTIVE DUTY IN SUPPORT OF OPERATION DESERT SHIELD/DESSERT STORM LAW 10 19.5. ITEM 129 ABOVE DOES NOT ACCOUNT FOR ANNUAL AND/OR WEEKEND TRAINING THIS SOLDIER MAY HAVE ACCOMPLISHED PRIOR TO DATE ENTERED IN ITEM 128//SERVICE IN USA FROM P10109-910509//CONT FROM ITEM 8A AT FT BRAGG//NOTHING FOLLOWS//
20. MAILING ADDRESS AFTER SEPARATION (Do not use box 20 for mailing address) W100 APT 8		21. ADDRESS RELATIVE (Name and address, include Zip Code) BERALDINE D. PERRY 2863 WHITNEY RD,
22. MEMBER'S COPY GOES TO SPOUSE OF VETERAN 23. SIGNATURE OF MEMBER (Name is sufficient, include Zip Code) SCHUTTER NOT AVAILABLE FOR SIGNATURE		24. MEMBER AUTHORIZED TO SIGN name gr end
25. SPECIAL ADDITIONAL INFORMATION (for use by authorized agencies only)		
26. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY		27. CHARACTER OF SERVICE (Include up to date) HONORABLE
28. SEPARATION AUTHORITY AF 633-700 CHAPTER 4		29. SEPARATION CODE L8K NA
30. NAME/DATE REASON FOR SEPARATION EXPIRATION TERM OF SERVICE		31. MEMBER REQUESTS COPY OF SERVICE
32. DATES OF TIME LOST DURING THIS PERIOD NONE		33. MEMBER REQUESTS COPY OF SERVICE

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD
SAFEGUARD IT

ANY ALTERATIONS IN SHADDED
AREAS RENDER FORM VOID

DD FORM 214
1 JUL 79

THIS EDITION OF THE
FORM IS OBSOLETE

STATEMENT OF RELEASE OF DISCHARGE
ACTIVE DUTY

NAME (Last, first, middle)

STINSON, MARK TYRONE

ARMY/RA

DATE OF BIRTH

4A. GRADE RATE OR RANK
SP4

4B. PAY GRADE
E-4

4C. DATE OF BIRTH
2-1-57

5. PLACE OF ENTRY INTO ACTIVE DUTY

Memphis, TN

6. DEPARTMENT, DIVISION, AND BRANCH
AND MAJOR COMMAND FOR WHICH YOU SERVED

Evac Hosp

7. COMMAND TO WHICH ASSIGNED
California Ave., Memphis, TN 38106

7. PLACE WHERE SEPARATED

Port Campbell, NY

8. SOC COVERAGE

AMOUNT \$0.00

9. NONE

10. RECORD OF SERVICE

YEARS (S)

MONTH (M)

DAY (D)

a. Date Entered AD This Period

84

02

15

b. Separation Date This Period

84

02

14

c. Net Active Service This Period

00

00

00

d. Total Prior Active Service

00

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

8

05

01

i. Reserve Duty Dates

00

01

10

11. DECORATIONS, MEDALS, BADGES, CRIMES AND CAMPAIGN RIBBONS AWARDED OR DISCLAIMED (All periods of service)

Army Service Ribbon//Overseas Service Ribbon//Good Conduct Medal//Army Lapel Button//Expert Badge M16 Rifle//Drivers Mechanic Badge//NOTHING FOLLOWS//

12. MILITARY EDUCATION (Enter Title, number weeks, and month and year completed)

Light Wheel Vehicle and Power Generator Mechanic Course, 11 Weeks, (Jul 84)//NOTHING FOLLOWS//

13. VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM

14. PRIOR SPECIAL OR EQUIVALENT

15. DAYS RECEIVED
HAVE PAID

16. MEDICAL CARE WAS NOT PROVIDED WITHIN 90 DAYS PRIOR TO SEPARATION//NOTHING FOLLOWS//

19 feb

17. MAKING ADDRESS AFTER SEPARATION

2863 Whitney Road

18. NUMBER REQUESTED COPY A OR

SEND TO TN DEPT OF VETS

APPEARS

YES NO

19. GRADE OR RANK

20. NAME, GRADE, RANK AND

DEPARTMENT

17 feb

21. TYPE OF SEPARATION

22. CHARGEES OF SERVICE (Check for upgrades)

RELEASE FROM ACTIVE DUTY

HONORABLE

23. SEPARATION CODE

24. SEPARATION AUTHORITY

DISCHARGE

RE-1A

25. SEPARATION DATE

19 feb

26. SEPARATION REASONS

RE-1A

27. NUMBER REQUESTED COPY A

INITIALS

28. SEPARATION REASONS

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

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 <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