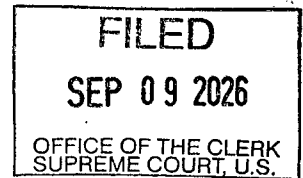


ORIGINAL

No. _____ 26-390

IN THE
Supreme Court of the United States



(1) WILLIAM EDGAR LEWIS, JR, a.k.a. *LEWDO*,
and
(2) MONIQUE NATÉ HOLMES, a.k.a. *MOBETTA*
Petitioners, Pro Se
v.
TRACEY L. CHANCE, et al.
Respondents

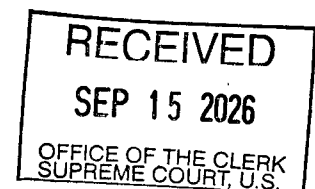
On Petition for a Writ of Certiorari
to the United States Court of Appeals
for the Third Circuit

PETITION FOR A WRIT OF CERTIORARI

(1) William Edgar Lewis, Jr., a.k.a. *Lewdo*
(2) Monique Naté Holmes, a.k.a. *MoBetta*
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Certiorari



QUESTIONS PRESENTED

Whether a federal court may dismiss verified civil-rights claims at Rule 12 by treating judicially noticed state-court paperwork as conclusive proof of notice, service, access, and due process, where the plaintiffs allege that private parties and their counsel jointly used state judicial, police, and sheriff processes to cause constitutional injuries, and that the proceedings could not be verified, accessed, appeared in, or defended through the court system that later treated them as valid.

**PARTIES TO THE PROCEEDING AND
RELATED PROCEEDINGS**

Parties to the Proceeding:

Petitioners:

(1) **William Edgar Lewis, Jr.**, a.k.a. *Lewdo*, and

(2) **Monique Naté Holmes**, a.k.a. *MoBetta*,

who were Appellants in the United States Court of Appeals for the Third Circuit and Plaintiffs in the United States District Court for the Middle District of Pennsylvania.

Respondents:

(1) **Tracey L. Chance**;

(2) **Wayne Chance**;

(3) **A.J.O.**, *a minor*;

(4) **Nautica D. Chance**, *in her individual capacity and official capacity as paralegal for MPL Law Firm*;

(5) **Suzanne H. Griest**, *in her individual capacity and official capacity as attorney for MPL Law Firm*;

(6) **MPL Law Firm LLP**, *a professional legal entity*.

Petitioners are natural persons. No corporate disclosure statement is required for Petitioners.

Related Proceedings

This case arises from the following proceedings:

1. **United States District Court for the Middle District of Pennsylvania:**
Lewis, et al. v. Chance, et al., Civil Action No. **1:25-cv-00446**. Judgment was entered dismissing the action.
2. **United States Court of Appeals for the Third Circuit:**
Lewis, et al. v. Chance, et al., No. **26-1138**. The Court of Appeals affirmed the District Court's judgment on **June 26, 2026**.
3. **United States Court of Appeals for the Third Circuit:**
Lewis, et al. v. Chance, et al., No. **26-1138**. Petitioners filed a combined petition for panel rehearing and rehearing en banc, which was denied on **July 24, 2026**.

There are no other proceedings in this Court directly related to this petition.

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Certiorari



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OPINIONS BELOW

The opinion of the United States Court of Appeals for the Third Circuit was entered on **June 26, 2026**, and is designated **not precedential**. It is reproduced at **Appendix A**.

The judgment of the United States Court of Appeals for the Third Circuit was entered on **June 26, 2026**, and is reproduced at **Appendix B**.

The order of the United States Court of Appeals for the Third Circuit denying Petitioners' combined petition for panel rehearing and rehearing en banc was entered on **July 24, 2026**, and is reproduced at **Appendix C**. The order states that the petition was submitted to the panel judges and the available active circuit judges, that no judge who concurred in the decision requested rehearing, and that a majority of active judges did not vote for rehearing en banc.

The order of the United States District Court for the Middle District of Pennsylvania dismissing Petitioners' action was entered on **December 8, 2025**, and is reproduced at **Appendix D**.

The order of the United States District Court for the Middle District of Pennsylvania denying Petitioners' motion to declare proceedings void and imposing a docket-specific filing restriction was entered on **December 29, 2025**, and is reproduced at **Appendix E**.

The Report and Recommendation recommending dismissal of Petitioners' complaint was entered on **October 21, 2025**, and is reproduced at **Appendix F**.

The Report and Recommendation addressing Petitioners' default motions was entered on **October 21, 2025**, and is reproduced at **Appendix G**.

JURISDICTION

The United States Court of Appeals for the Third Circuit entered its opinion and judgment on **June 26, 2026**. Petitioners timely filed a combined petition for panel rehearing and rehearing en banc. The Court of Appeals denied rehearing on **July 24, 2026**.

This petition is timely under Supreme Court Rules 13.1 and 13.3 because it is being mailed by the United States Postal Service Priority Mail Express, within **90 days** of the **July 24, 2026** order denying rehearing.

This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The **Fourteenth Amendment** to the United States Constitution provides, in relevant part:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42 U.S.C. § 1983 provides, in relevant part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured.

Federal Rule of Civil Procedure 12(b)(6) provides:

Every defense to a claim for relief in any pleading must be asserted in the responsive pleading if one is required. But a party may assert the following defense by motion:

...

(6) failure to state a claim upon which relief can be granted.

Federal Rule of Evidence 201(b) provides:

The court may judicially notice a fact that is not subject to reasonable dispute because it:

- (1) is generally known within the trial court's territorial jurisdiction; or
- (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.

Federal Rule of Civil Procedure 15(a)(2) provides:

In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.

STATEMENT OF THE CASE

I. Petitioners Alleged that Private Parties and Counsel Used State Judicial, Police, and Sheriff Processes to Cause Concrete Constitutional Injuries.

Petitioners, William Edgar Lewis, Jr. a.k.a. Lewdo and Monique Naté Holmes a.k.a. MoBetta, appearing pro se, filed a verified civil-rights complaint in the United States District Court for the Middle District of Pennsylvania.

The complaint arose from a sequence of events beginning on **December 25, 2024**, when a **York County** emergency protection matter, **No. 2024-MI-000581**, allegedly reflected a Christmas evening entry denying emergency relief. Petitioners alleged that, despite that denial, additional protection-from-abuse paperwork and enforcement consequences followed the following morning and thereafter.

The complaint did not allege only private family conflict or ordinary legal representation. It alleged that private parties, private counsel, law-firm personnel, judicial-center personnel, police, and sheriff-related actors *jointly* used state processes to impose *concrete* consequences. Petitioners alleged that those consequences included the permanent removal of Holmes' child from her home, interference with parental rights, confiscation of Lewis' firearms and firearms license, financial enforcement, and continuing legal disabilities.

The record includes filings alleging permanent removal of Holmes' minor child, interference with parental rights through a disputed custody-stipulation packet, confiscation of Lewis' firearms and license, Second Amendment and due-process interests, financial penalties, support enforcement, and other consequences allegedly imposed under color of law.

Petitioners alleged that the role of private counsel and law-firm personnel was not limited to *passive* representation. They alleged that counsel and a law-firm paralegal transmitted custody-stipulation materials, invoked the disputed protection process, and continued pressing consequences against Holmes even though Petitioners alleged that Holmes had **NO RESTRICTIONS** against her.

The record further reflects Petitioners' allegation that the custody-stipulation packet was crafted by MPL's attorney and paralegal, that the paralegal was related to the private parties involved, and that the packet was later used to permanently remove the child and affect custodial rights.

Petitioners alleged that this sequence caused injuries to both Petitioners in different ways. As to **Holmes**, Petitioners alleged that she had no operative restrictions against her, yet her parental relationship was affected through the same disputed process and a custody-stipulation packet she did not accept. As to **Lewis**, Petitioners alleged that firearms and a firearms license were confiscated based on the challenged protection process. Petitioners alleged that the challenged paperwork did not merely result in temporary confiscation, but produced continuing

firearm-related disabilities affecting Lewis's ability to lawfully possess, recover, or purchase firearms.

Petitioners further alleged that these consequences were not merely temporary. By the time this matter reaches this Court, the child whose removal was at issue is approaching or has reached adulthood, and the parent-child time allegedly lost cannot be restored by later correction *alone*.

This case is procedural only in form. In **substance**, it concerns whether a mother can lose irreplaceable time with her child, whether a citizen can lose lawfully owned firearms, a firearms license, and related Second Amendment and due-process interests, and whether self-represented litigants can be denied a federal forum because the very state-court paperwork they challenge is treated as conclusive *before* discovery, hearing, or factfinding.

The judgment below also taxed costs against Petitioners, adding a further legal and financial consequence to a case in which Petitioners allege they were never afforded a meaningful forum to test the process used against them, then were taxed costs for seeking one.

II. Petitioners Alleged that the Underlying Proceedings Could Not be Verified, Accessed, Appeared In, or Defended through the Court System.

Petitioners alleged that the central defect was not merely an unfavorable state-court result. They alleged that the proceedings *themselves* could not be verified or accessed in a meaningful way when they attempted to appear and defend.

According to the complaint and related filings, the first emergency matter reflected a **December 25, 2024** entry denying relief. Petitioners alleged that, the following day, additional official-looking paperwork was served at their home. Petitioners further alleged that officers stated that **the matter involving Holmes had been denied and that she was subject to no restrictions**. Petitioners claimed that nevertheless, custody-related consequences were pressed against Holmes through a proposed stipulation and related communications.

The paperwork allegedly served on Petitioners listed a **January 6, 2025 hearing date**. When the court was closed due to inclement weather, Petitioners alleged that they **appeared at the York County Judicial Center on January 7, 2025** to verify the matters, reschedule, and protect their rights. Petitioners alleged that **court staff informed them that** the referenced matters could not be found or accessed in the system in a manner that would allow them to appear, defend, or obtain relief.

Petitioners preserved this point throughout the litigation. Their appellate briefing argued that the existence of later paperwork did not establish valid, verifiable, and constitutionally adequate process, because they had alleged that they attempted to verify, appear, defend, and access ordinary judicial channels but could not do so because the proceedings were not reflected in a verifiable way when they allegedly occurred.

Petitioners also alleged, **and the record further reflects**, that they informed counsel and law-firm personnel that the matters could not be verified, yet the challenged process continued. They alleged that counsel and law-firm personnel stated they were submitting paperwork to court, while Petitioners maintained that the referenced cases could not be found or accessed.

Petitioners further alleged that the state-court paperwork contained irregularities, including missing hearing times, signed and stamped under the penalty of perjury, altered or inconsistent identifying information, whiteout and duplicated case-number issues, while still being used to support enforcement.

Petitioners did not solicit the federal courts to sit as appellate tribunals over state-court judgments. Their claim was that the state process *itself* was inaccessible, unverifiable, and then treated as conclusive proof against them when they attempted to seek federal civil-rights relief.

III. Petitioners Filed a Verified Complaint and Attempted to Preserve the Record, but the District Court Dismissed at Rule 12 by Treating State-Court Paperwork as Conclusive.

On **March 11, 2025**, Petitioners filed their federal complaint. The complaint was **verified** and supported by **extensive materials**. Petitioners maintained that they submitted **hundreds of exhibits** from the beginning of the case, including materials they contend revealed the disputed paperwork, communications, service events, inability to verify proceedings, and enforcement consequences.

Respondents **Suzanne H. Griest, Nautica D. Chance**, and **MPL Law Firm LLP** moved to dismiss under Rules 12(b)(1) and 12(b)(6). They argued, among other things, that the claims were barred by *Rooker-Feldman*, failed to plead state action, and failed to state any cognizable federal claim. They also attached or relied on state-court docket materials and paperwork as public records.

The District Court adopted Reports and Recommendations and dismissed the action. In doing so, the District Court treated the state-court docket sheets and related materials as dispositive of Petitioners' allegations. The District Court reasoned that the state-court materials showed that one matter had been denied, another had been granted, and that Petitioners' narrative therefore "**falls apart**." It dismissed the federal claims and declined to allow amendment.

Petitioners also sought default relief against nonappearing private defendants. The filings alleged that those defendants were served by **certified mail** and later re-served through **court-issued summonses by the United States Marshals Service**, yet failed to answer, appear, or otherwise defend. Petitioners further alleged that the same defendants failed to respond to a **court-issued show-cause order**, but were still permitted to avoid ordinary default consequences.

Petitioners argued that the nonappearing parties were allowed to disregard service, Marshal re-service, and court direction, while Petitioners, as pro se civil-rights plaintiffs, were held to strict procedural standards. The District Court denied default relief on the ground that the complaint failed to state a viable claim.

Petitioners further alleged in the verified complaint that, after being unable to obtain a meaningful hearing through ordinary judicial channels, they began preserving their own accounts through written works addressing the same events:

The complaint identified Holmes' work, *Gift of Custody: A Mother's Reckoning With a System That Takes Children and Calls It Protection*, as copyrighted with the U.S. Copyright Office, Lewis' work, *The LOUDEST Silence: Pennsylvania on Trial: A Field Manual For Survival/Endurance*, as likewise copyrighted with the U.S. Copyright Office.

Petitioners do not raise those particular writings as publicity materials, but as part of the access-to-courts and speech context: when litigants allege that they were unable to be heard in court, their protected effort to document and preserve their narratives should not later be treated as misconduct or silenced by the procedural consequences of the very case in which that speech was disclosed.

Petitioners' current Library of Congress identifiers for those works are 2026919021 for *Gift Of Custody* and 2026916145 for *The LOUDEST Silence*.

Taken together, these allegations show why this petition is not a request to relitigate an ordinary domestic-relations dispute. Petitioners alleged that no court held an evidentiary hearing or otherwise tested the disputed facts concerning access, notice, service, verifiability, and due process. Yet those same disputed issues were resolved at Rule 12 by presuming the regularity of the state-court paperwork Petitioners challenged.

That procedural posture matters beyond this case: when the alleged constitutional injury is the inability to access, verify, appear in, or defend the underlying proceedings.

IV. The Court of Appeals Affirmed on Judicial-Notice and State-Action Grounds.

The United States Court of Appeals for the Third Circuit affirmed. The Court of Appeals agreed with Petitioners that Rooker-Feldman is narrow and stated that the doctrine would not apply insofar as Petitioners did not invite the federal court to sit as a state appellate tribunal. It further recognized that Rooker-Feldman does not apply when the source of injury is the defendants' actions rather than state-court judgments.

The Court of Appeals *nevertheless* held that any Rooker-Feldman error was *harmless* because Petitioners failed to plead federal civil-rights claims against what the panel described as “**exclusively non-state actors**.” It further held that the complaint lacked plausible allegations of conspiracy between any defendant and a state actor.

The Court of Appeals also rejected Petitioners' Rule 12 argument by holding that courts need not accept factual allegations contradicted by matters subject to judicial notice, including records of state-court proceedings. The panel *therefore* allowed judicially noticed state-court paperwork to defeat Petitioners' *verified* allegations concerning service, notice, access, verifiability, state action, and due process.

The Court of Appeals further acknowledged that entry of default against the nonappearing defendants was proper, but held that default judgment could not be entered unless the unchallenged facts stated a legitimate cause of action. *Finally*, the panel affirmed the denial of leave to amend.

Petitioners timely filed a combined petition for panel rehearing and rehearing en banc. That petition was denied on **July 24, 2026** after being submitted to the panel judges and the available active judges of the Third Circuit. This petition follows. It asks whether a federal court may dismiss verified civil-rights claims at Rule 12 by treating state-court docket entries and paperwork as conclusive proof of notice, service, access, and due process, where the plaintiffs alleged that private parties and counsel *jointly* used state judicial, police, and sheriff processes to cause constitutional injuries, and that the underlying proceedings could not be verified, accessed, appeared in, or defended through a court system, later treated as valid.

REASONS FOR GRANTING THE PETITION

This case presents an important federal question concerning the limits of judicial notice, the pleading standard for civil-rights claims, and the ability of federal courts to dismiss verified allegations of constitutional injury by treating disputed state-court paperwork as conclusive at Rule 12.

The Court of Appeals recognized that the Rooker-Feldman doctrine is narrow and would not apply insofar as Petitioners did not ask the District Court to sit as an appellate tribunal over a state-court judgment. Yet the court affirmed dismissal on the ground that Petitioners failed to plead federal claims against state actors and that their factual allegations were contradicted by matters subject to judicial notice.

That ruling warrants review. It permits judicial notice to become factual adjudication. It permits state-court paperwork to *conclusively* defeat allegations that the underlying proceedings could not be verified, accessed, appeared in, or defended. And it permits private parties and counsel to be treated as categorically private actors even where the alleged injuries depended on the joint use of state judicial, police, and sheriff processes.

That combination presents a serious departure from ordinary pleading-stage procedure which warrants this Court's review: the courts below did not merely apply Rule 12 to insufficient allegations; they treated the challenged paperwork as the answer to the constitutional defect alleged.

This petition does not seek ordinary error correction. It asks this Court to resolve an important federal question concerning the boundary between judicial notice and factual adjudication, and to correct a serious departure from accepted pleading-stage procedure.

When verified allegations that state proceedings were inaccessible, unverifiable, and constitutionally defective are defeated by presuming the validity of the very paperwork challenged, then federal forums promised by civil-rights law becomes a locked door – sealed shut by the same paperwork the citizen came to challenge.

I. The Decision Below Permits Judicial Notice to Become Factual Adjudication at the Pleading Stage.

A Rule 12 dismissal is supposed to test the legal sufficiency of the complaint. It is not supposed to resolve disputed facts, weigh evidence, or decide whether the defendants' version of events is more credible than the plaintiffs' verified allegations. See *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555–56 (2007); *Ashcroft v. Iqbal*, 556 U.S. 662, 678–79 (2009). At the pleading stage, well-pleaded factual allegations must be accepted as true and reasonable inferences drawn in the plaintiff's favor. That principle carries special force where pro se civil-rights plaintiffs file verified allegations concerning access, notice, and due process. See *Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972).

The decision below departed from that rule. Petitioners alleged that the proceedings used against them could not be meaningfully verified, accessed, appeared in, or defended through the court system at the time they attempted to protect their rights. They further alleged that disputed protection-from-abuse paperwork, custody materials, police involvement, and sheriff-related enforcement were used to cause concrete constitutional injuries, including separation of mother and child, interference with parental rights, seizure of firearms and a firearms license, financial enforcement, and continuing legal consequences.

Rather than accept those allegations as true for pleading purposes, the courts below treated state-court docket entries and related paperwork as conclusive. The Court of Appeals held that district courts need not accept factual allegations contradicted by matters subject to judicial notice, including state-court records. But a court cannot treat disputed paperwork as proof of due process when the complaint alleges that the paperwork is the very instrument through which due process was denied.

Judicial notice has limits. Federal Rule of Evidence 201(b) permits notice only of facts not subject to reasonable dispute. Judicial notice can establish only that a record exists; it cannot establish that the process reflected in that record provided constitutionally adequate notice, allowed meaningful access to appear, was verifiable through the court's system, or gave Petitioners an opportunity to defend before family, property, or liberty interests were affected. It therefore could not be used at the Rule 12 stage to prove notice, access, service, and due process before Petitioners had discovery, an evidentiary hearing, or other factual development.

This case is *therefore* not about whether courts may ever consider public records at the pleading stage. They may. The question is whether courts may treat those records as conclusive proof against verified allegations where the plaintiffs allege that the state process itself was inaccessible, unverifiable, and used to cause constitutional injury. The answer given, *here*, was "yes."

II. The Decision Below Conflicts with this Court's State-Action Principles by Separating Private Conduct from the State Enforcement Machinery Allegedly Used to Cause the Injuries.

The Court of Appeals also affirmed dismissal because it viewed Respondents as "exclusively non-state actors" and concluded that Petitioners failed to plead a plausible conspiracy with state actors. That analysis *improperly* separates private conduct from the state authority allegedly used to accomplish the constitutional injuries.

This Court has long recognized that private parties act under color of law when they jointly participate with state officials or invoke state procedures to deprive another person of constitutional rights.

In *Lugar v. Edmondson Oil Co.*, 457 U.S. 922, 941-42 (1982), this Court held that private participation in a state-created seizure process constitutes state action.

In *Dennis v. Sparks*, 449 U.S. 24, 27-28 (1980), this Court held that private parties who are *jointly* engaged with state officials act under color of law even when the state official is immune.

And in *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 152 (1970), this Court recognized that a private party may be liable under § 1983 where there is joint participation with state authority.

Petitioners' allegations fit within that framework at the pleading stage. Petitioners alleged that private parties, private counsel, and law-firm personnel did not merely speak, advise, or litigate in a traditional private capacity. They alleged that Respondents used, invoked, and coordinated with state judicial, police, and sheriff processes to produce consequences that private persons could not impose on their own: removal of a child from her mother, alteration of parental access, seizure of firearms and a firearms license, financial enforcement, and continuing legal disabilities.

The alleged injuries required state machinery. Private parties cannot *themselves* create court orders, command sheriff enforcement, generate official custody consequences, or impose firearm disabilities through private preference *alone*. Petitioners alleged that those results occurred through the combined use of private conduct and state authority. At Rule 12, the question was not whether Petitioners had already proven the full chain of coordination. The question was whether the verified complaint plausibly alleged that the challenged injuries were caused through joint use of state process.

The Court of Appeals' contrary approach creates a dangerous pleading-stage rule. It allows a defendant to be treated as categorically private even when the alleged harm depends on state enforcement, so long as the plaintiff cannot prove the internal mechanics of the state-private coordination *before* discovery. Which

is backwards. Joint-action allegations *often* require discovery because the communications, submissions, internal routing, and official decisions are controlled by the defendants or government offices.

A plaintiff who alleges concrete injuries caused by private actors using state enforcement processes should not be dismissed simply because the proof of coordination is hidden behind the very process being challenged.

Nor does the attorney status of some Respondents resolve the question. Petitioners do not claim that attorneys become state actors merely because they are officers of the court. Petitioners allege something narrower and more serious: that private counsel and law-firm personnel used disputed state-court paperwork and state enforcement channels to help impose consequences without meaningful notice, access, or opportunity to defend. **That is a joint-use-of-state-process allegation**, not a claim based solely on a lawyer's professional title.

The decision below therefore conflicts with the basic principle that § 1983 focuses on function and conduct, not labels. A private actor who merely advocates is different from a private actor who allegedly helps set state machinery in motion to deprive another person of liberty, family, or property interests without due process.

Petitioners are entitled to have that distinction tested under the correct pleading standard.

III. The Question Presented is Nationally Important because State-Court Records Control Family, Property, and Liberty Interests.

This case is important beyond Petitioners. State-court paperwork is often the gateway to immediate and serious deprivations. Protection orders, custody papers, sheriff returns, firearm restrictions, support obligations, and related enforcement materials can affect where a child lives, whether a parent may communicate with a child, whether property may be seized, whether firearms may be retained, and whether a person faces financial, legal, civil or criminal penalties.

Those consequences may be lawful when imposed through constitutionally adequate process. But when the alleged injury is that the process, *itself*, was not accessible, verifiable, or meaningfully contestable, courts must be careful not to presume the very thing in dispute. Due process requires notice and an opportunity to be heard at a meaningful time and in a meaningful manner. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). **Family integrity and parental rights** are among the most serious interests protected by the **Constitution**. See *Troxel v. Granville*, 530 U.S. 57, 65–66 (2000); *Santosky v. Kramer*, 455 U.S. 745, 753 (1982). **Property seizures** also require meaningful process. See *Fuentes v. Shevin*, 407 U.S. 67, 80–82 (1972).

Petitioners alleged that those interests were affected without meaningful access to the proceedings allegedly used against them. The complaint and related filings alleged that **state-issued records, custody materials, audio and video evidence, receipts, marshal certifications, and procedural**

logs supported their claims that private parties and counsel coordinated with public authority to impose consequences **under color of law**. The filings further alleged that the disputed process resulted in removal of Holmes' child, interference with parental rights through a custody-stipulation packet, confiscation of Lewis' firearms and license, financial penalties, and other consequences.

Petitioners also attempted to alert the appropriate judicial authorities by submitting two formal complaints regarding these proceedings to the **Judicial Conference of the United States Executive Committee**. The *first* complaint was submitted on **June 10, 2025**, sent by United States Postal Service tracking number **9589 0710 5270 0104 9681 42**, and received on **June 13, 2025**. The *second* complaint was submitted on **June 17, 2025**, sent by United States Postal Service tracking number **9589 0710 5270 0104 9683 33**, and received on **June 23, 2025**.

Those efforts *further* reflect that Petitioners sought institutional review *during* the litigation, but the federal case was dismissed at the pleading stage without resolving the disputed access, notice, service, and due-process questions.

That posture should alarm *this* Court. If the decision below stands – an American mother and veteran who alleges a state-court process was inaccessible or defective can be defeated by the later production of state-court paperwork *itself* – creates a record that becomes both the accusation and the answer, while the citizen is left locked outside the courthouse doors, bearing permanent consequences of the process they were never meaningfully allowed to enter.

Due process cannot operate that way.

The danger is especially acute for self-represented litigants and families drawn into emergency proceedings. A person who is told that a case cannot be found, accessed, or defended, may later face life-altering consequences from papers appearing official but were never meaningfully contestable.

Federal civil-rights law exists to provide a forum when state processes are alleged to have caused federal injury. Otherwise, the search for justice, *itself*, becomes another enforceable consequence of the disputed process.

IV. This Case is a Suitable Vehicle because the Dispositive Issues were Decided at the Pleading Stage without Factual Development.

This case cleanly presents the question. The Court of Appeals did not affirm after discovery, summary judgment, trial, or credibility findings. It affirmed at Rule 12. The verified allegations were never tested through discovery or an evidentiary hearing. No factfinder resolved whether Petitioners had meaningful notice, whether the proceedings could be verified, whether the custody-stipulation materials were validly accepted, whether Petitioners could appear and defend, or whether private actors jointly used state enforcement channels.

The Court of Appeals' opinion makes the vehicle especially clear. *First*, it recognized that Rooker-Feldman is narrow and not applicable insofar as Petitioners did not ask the federal courts to sit as appellate tribunals over state-court judgments.

That removes a potential jurisdictional obstacle and focuses the petition on Rule 12, judicial notice, state action, and due process.

The Court of Appeals therefore confirmed the central premise of this petition: **Petitioners were not seeking federal appellate review of a state judgment, but relief for independent constitutional injuries** allegedly caused by the use of state process *itself*.

Second, the Court of Appeals *expressly* relied on judicial notice to reject Petitioners' factual allegations. It held that courts need not accept allegations contradicted by judicially noticed matters, including state-court records.

That is the **core question presented**: whether state-court paperwork may be used in that manner when the plaintiffs allege that the proceedings reflected in that paperwork could not be verified, accessed, appeared in, or defended.

The record posture reinforces the need for review. The Court of Appeals denied Appellees' motion to file a supplemental appendix, which it also construed as a motion to expand the record. Yet the court still affirmed at Rule 12 by relying on judicially noticed state-court materials to defeat Petitioners' verified allegations.

That posture underscores the procedural problem: the case turned on the meaning, accessibility, and constitutional sufficiency of records that were never tested through discovery, hearing, or factfinding.

Third, the Court of Appeals' state-action holding is squarely presented. The panel concluded that Petitioners failed to plead claims against state actors or plausible conspiracy with state actors. But Petitioners alleged injuries that depended on state judicial, police, and sheriff authority.

This Court can clarify whether allegations of private parties and counsel jointly using state enforcement processes must be analyzed under *Lugar, Dennis*, and related state-action principles rather than rejected as ordinary private conduct.

Fourth, the default and amendment rulings demonstrate the consequences of the same error. The Court of Appeals acknowledged that entry of default against nonappearing defendants was proper, but held that Petitioners could not obtain default judgment unless the unchallenged facts stated a legitimate cause of action. The panel also affirmed denial of leave to amend.

Those rulings rise or fall with the pleading-stage analysis. If the complaint was dismissed under an improper judicial-notice or state-action standard, then the default and amendment consequences cannot stand.

This case therefore does not require the Court to decide the ultimate truth of Petitioners' allegations. It requires only a rule about procedure: whether verified civil-rights allegations concerning notice, access, service, and due process may be dismissed at Rule 12 by treating disputed state-court paperwork as conclusive.

V. At Minimum, the Judgment Should be Vacated and the Case Remanded for Application of the Proper Pleading Standard.

The remedy Petitioners seek is narrow. They do not ask this Court to decide custody, decide the validity of any state order, award damages, or make factual findings. They ask this Court to **grant certiorari, vacate the judgment below, and remand for application** of the correct federal pleading standard.

On remand, the lower courts would apply ordinary pleading-stage rules to the verified complaint: accept well-pleaded factual allegations as true, draw reasonable inferences in Petitioners' favor, and distinguish the existence of court records from the truth of disputed constitutional facts those records purport to prove. Questions of state action, amendment, immunity, defenses, discovery, and any evidentiary hearing would be decided from that proper starting point.

The Constitution does not require federal courts to accept every allegation as true *forever*. However, Rule 12 requires courts to accept well-pleaded factual allegations as true *before* discovery. **Judicial notice cannot be used to bypass that rule** where the allegations challenge the accessibility, reliability, and constitutional sufficiency of the noticed records *themselves*.

This Court should grant this petition, vacate the judgment of the Court of Appeals, and remand for further proceedings consistent with the proper Rule 12, judicial-notice, state-action, and due-process standards.

CONCLUSION

For the foregoing reasons, Petitioners *respectfully* request that this Court **grant the petition for a writ of certiorari, vacate the judgment** of the United States Court of Appeals for the Third Circuit, **remand this case** for further proceedings under the proper Rule 12, judicial-notice, state-action, and due-process standards, and **grant such other relief** as may be just and proper.

**VERIFICATION UNDER PENALTY OF
PERJURY**

Petitioners, William Edgar Lewis, Jr. a.k.a. Lewdo and Monique Naté Holmes a.k.a. MoBetta, appearing pro se, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the factual statements contained herein are true and correct to the best of our knowledge, information, and belief, supported by official records and sworn filings on the U.S. District Court Middle District of Pennsylvania docket in Case Nos. 1:25-cv-00446 & 1:25-cv-00447, and the U.S. Court of Appeals for the 3rd Circuit in Case Nos. 25-2160, 25-2432, 26-1138 & 26-1167.

*"Let Freedom Ring." – Commonwealth of PA
"Committed to Excellence." – County of York*

s/William Edgar Lewis Jr | s/Monique Naté Holmes
William Edgar Lewis Jr | Monique Naté Holmes
(*Lewdo*) Petitioners, Pro Se (*MoBetta*)





Certiorari



