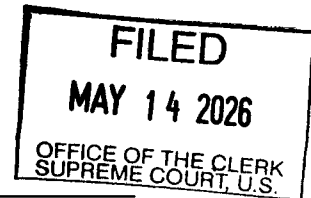


No 26-5001



IN THE
SUPREME COURT OF THE UNITED STATES

HOUHE ZENG,

Petitioner,

v.

OWNER OF 8020 QUARTZ LANE;

FIRSTKEY HOMES, L.L.C.,

Respondents.

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

PETITION FOR A WRIT OF CERTIORARI

HOUHE ZENG

Petitioner Pro Se

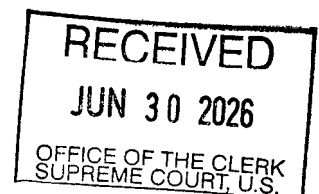
3002 Arbor Edge Crossing

La Marque, Texas 77568

Phone: (832) 523-5003

Email: Jts990616@gmail.com

Signature: HOU HE ZENG



QUESTIONS PRESENTED

1. Whether Article III permits federal procedural finality to attach through dismissal, affirmance, rehearing denial, and mandate issuance before any court adjudicates a preserved Rule 60(b)(4) challenge asserting that the judgment is void.
2. Whether Rule 60(b)(4) becomes functionally unavailable when preserved voidness challenges remain unadjudicated while procedural finality continues to accumulate through successive judicial stages.

LIST OF PARTIES

Petitioner:

Houhe Zeng

Respondents:

Owner of 8020 Quartz Lane

FirstKey Homes, L.L.C.

To Petitioner's knowledge, no respondent is a publicly traded corporation requiring disclosure under this Court's Rules.

TABLE OF AUTHORITIES

CASES

Arbaugh v. Y & H Corp., 546 U.S. 500 (2006)	34, 35, 47
Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)	17, 30, 45
Carter v. Fenner, 136 F.3d 1000 (5th Cir. 1998)	31, 46
Espinosa, United Student Aid Funds, Inc. v., 559 U.S. 260 (2010)	30, 31, 45
Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375 (1994)	35
Liljeberg v. Health Services Acquisition Corp., 486 U.S. 847 (1988)	17, 29, 44
Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950)	16, 28, 44
Murphy Bros. v. Michetti Pipe Stringing, Inc., 526 U.S. 344 (1999)	16, 28, 44
Peralta v. Heights Medical Center, Inc., 485 U.S. 80 (1988)	16, 28, 44
Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574 (1999)	35, 36
Sinochem International Co. v. Malaysia International Shipping Corp., 549 U.S. 422 (2007)	35, 36
Steel Co. v. Citizens for a Better Environment, 523 U.S. 83 (1998)	34, 35, 43

CONSTITUTIONAL PROVISIONS

U.S. Const. art. III	11, 33-38
----------------------------	-----------

U.S. Const. amend. V	12, 28-30
U.S. Const. amend. VII	12, 18, 25
STATUTES	
28 U.S.C. § 1254(1)	10
28 U.S.C. § 455(a)	12, 18, 29
RULES	
Fed. R. Civ. P. 4	12, 28
Fed. R. Civ. P. 38	12, 18
Fed. R. Civ. P. 39	12, 18
Fed. R. Civ. P. 41	18, 36
Fed. R. Civ. P. 60(b)(4)	passim
Fed. R. Civ. P. 79	18, 29

TABLE OF CONTENTS

COVER PAGE.....	i
QUESTIONS PRESENTED	ii
LIST OF PARTIES.....	ii
TABLE OF AUTHORITIES.....	iii
CONSTITUTIONAL PROVISIONS.....	iii,iv
TABLE OF CONTENTS.....	iv,v
OPINIONS BELOW	1
JURISDICTION	1
CONSTITUTIONAL AND STATUTORY PROVISIONS	
INVOLVED	2

INTRODUCTION	4
SUMMARY OF ARGUMENT	9
STATEMENT OF THE CASE	12
A. Factual Background	12
B. Preserved Validity Objections	13
C. Rule 60(b)(4) Filing	14
D. Appellate Finality	15
E. Related Proceedings	16
REASONS FOR GRANTING THE PETITION	17
I. ARTICLE III REQUIRES VALIDITY BEFORE FINALITY	17
II. RULE 60(b)(4) BECOMES FUNCTIONALLY UNAVAILABLE IF FINALITY COMPLETES FIRST	22
III. THE QUESTION RECURS AND EVADES MEANINGFUL REVIEW	28
IV. THIS CASE IS AN APPROPRIATE VEHICLE FOR REVIEW	33
CONCLUSION	39
APPENDIX EVIDENCE SUMMARY	40
APPENDIX INDEX	42
CERTIFICATE OF SERVICE	46
CERTIFICATE OF COMPLIANCE	47

OPINIONS BELOW

The judgment of the United States Court of Appeals for the Fifth Circuit was entered in Case No. 25-40449 on April 7, 2026.

The Fifth Circuit subsequently denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026.

The underlying proceedings arose in the United States District Court for the Southern District of Texas, Galveston Division, Case No. 3:25-cv-91.

The district court's dismissal order, final judgment, and related post-judgment proceedings are reproduced in the Appendix.

Relevant materials concerning Petitioner's Rule 60(b)(4) submissions, documentary delivery evidence, and related proceedings are likewise reproduced in the Appendix.

JURISDICTION

The judgment of the United States Court of Appeals for the Fifth Circuit was entered on April 7, 2026.

Rehearing was denied on May 13, 2026.

The mandate issued on May 20, 2026.

This petition seeks review of the judgment of the United States Court of Appeals for the Fifth Circuit in Case No. 25-40449.

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

The constitutional question presented concerns the relationship between Article III judicial authority, Federal Rule of Civil Procedure 60(b)(4), and the lawful attachment of federal procedural finality.

The petition is timely filed following the denial of rehearing.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Article III of the United States Constitution provides in relevant part:

“The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.”

U.S. Const. art. III, § 1.

The Fifth Amendment provides in relevant part:

“No person shall be deprived of life, liberty, or property, without due process of law.”

U.S. Const. amend. V.

The Seventh Amendment provides in relevant part:

“In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved.”

U.S. Const. amend. VII.

Federal Rule of Civil Procedure 60(b)(4) provides in relevant part:

“On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding [where] the judgment is void.”

28 U.S.C. § 455(a) provides in relevant part:

“Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.”

This petition also implicates 28 U.S.C. § 1254(1), Federal Rules of Civil Procedure 4, 38, 39, 41, 60(b)(4), and 79, insofar as those provisions relate to the validity challenges discussed herein.

INTRODUCTION

This case presents a straightforward but unresolved constitutional question concerning the relationship between Article III judicial authority, Federal Rule of Civil Procedure 60(b)(4), and the lawful attachment of federal procedural finality.

May a federal case become fully and conclusively final—through affirmance, denial of rehearing, and issuance of mandate—while a properly preserved Rule 60(b)(4) motion challenging the validity of the judgment itself remains unadjudicated?

That is precisely what occurred here.

The United States District Court for the Southern District of Texas entered final judgment in Case No. 3:25-cv-91. On January 6, 2026, Petitioner filed a motion pursuant to Rule 60(b)(4) (Dkt. 37), asserting that the judgment was constitutionally void. On that same

date, Petitioner filed an Administrative Intake Integrity Review and Ministerial Duty Attestation Request (Dkt. 38).

No substantive order adjudicating the Rule 60(b)(4) motion appears on the district court docket.

Appellate proceedings nonetheless continued. The United States Court of Appeals for the Fifth Circuit affirmed the judgment, denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026. Procedural finality thereby became complete.

The sequence reflected in the record is therefore:

Final Judgment

↓

Rule 60(b)(4) Motion Filed (Dkt. 37)

↓

Affirmance and Rehearing Denial

↓

Mandate Issued

↓

Case Fully Closed

↓

No Adjudication of Rule 60(b)(4)

This petition does not seek ordinary error correction and does not ask this Court to resolve the merits of Petitioner's underlying claims.

The question presented is antecedent to those issues.

The constitutional question is whether Article III permits procedural finality to attach conclusively before a preserved challenge directed to the lawful existence of the judgment itself has been substantively adjudicated.

This issue arises against the backdrop of a longer factual and procedural history extending from a 2021 residential protein-smoke fire at 7919 Quartz Lane in Texas City, Texas, through multiple administrative proceedings, federal litigation, Fifth Circuit appeals, and a prior petition for certiorari. Petitioner contends that the fire caused extensive contamination and serious health effects, including near-complete loss of olfactory function, and that no tribunal substantively adjudicated those concerns.

Following the sale of that residence and relocation to 8020 Quartz Lane, Petitioner initiated the litigation underlying this petition,

asserting claims related to subsequent environmental exposure.

Throughout those proceedings, Petitioner repeatedly raised threshold objections directed toward the lawful existence of any resulting judgment, including challenges concerning notice, service, jurisdiction, recusal, record integrity, and Rule 60(b)(4) voidness.

After entry of judgment, Petitioner filed a Rule 60(b)(4) motion, docketed as Dkt. 37, asserting that the judgment was void.

This Court has repeatedly recognized that federal courts must resolve antecedent limitations on judicial authority before exercising the judicial power. See *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83 (1998); *Arbaugh v. Y & H Corp.*, 546 U.S. 500 (2006); *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574 (1999); *Sinochem International Co. v. Malaysia International Shipping Corp.*, 549 U.S. 422 (2007).

The Court has likewise emphasized the constitutional centrality of notice, lawful service, neutrality, and due process. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950); *Peralta v. Heights Medical Center, Inc.*, 485 U.S. 80 (1988); *Murphy Bros. v.*

Michetti Pipe Stringing, Inc., 526 U.S. 344 (1999); Liljeberg v.

Health Services Acquisition Corp., 486 U.S. 847 (1988); Caperton v.

A.T. Massey Coal Co., 556 U.S. 868 (2009).

Rule 60(b)(4) reflects a fundamental distinction: a void judgment is not merely erroneous but legally nonexistent. An erroneous judgment may bind unless reversed on appeal. A void judgment implicates the court's authority to act at all.

If procedural finality may accumulate while a preserved Rule 60(b)(4) challenge remains unresolved, the rule risks becoming formally available yet practically incapable of performing its constitutional function.

The issue presented is therefore not whether the lower courts reached the correct result. It is whether constitutional validity may remain unadjudicated while procedural finality becomes conclusive.

A lawful judgment may receive the benefit of finality.

Procedural finality may stabilize lawful judgments.

It cannot constitutionally create lawfulness where the validity of the judgment itself has never been adjudicated.

The Constitution requires adjudication before conclusiveness.

Validity must precede finality.

SUMMARY OF ARGUMENT

This case presents a narrow constitutional sequencing question.

On January 6, 2026, Petitioner filed a Rule 60(b)(4) motion in the district court, docketed as Dkt. 37, challenging the lawful existence of the judgment itself and asserting that the judgment was constitutionally void. On the same date, Petitioner filed a related Administrative Intake Integrity Review and Ministerial Duty Attestation Request, docketed as Dkt. 38.

No substantive order adjudicating Dkt. 37 appears on the district-court docket. Nevertheless, appellate finality continued to completion. The Fifth Circuit affirmed the judgment, denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026.

Thus, the record presents the precise constitutional sequence at issue: a preserved validity challenge was filed first; conclusive procedural finality followed; and no substantive adjudication of the validity challenge appears to have occurred before finality became complete.

This Court's decisions in *Steel Co.*, *Arbaugh*, *Mullane*, *Peralta*, *Espinosa*, and related cases reflect a common constitutional principle: antecedent questions bearing upon lawful judicial authority must be resolved before conclusive procedural consequences attach.

Petitioner does not ask this Court to decide whether the judgment below ultimately should be vacated. Nor does Petitioner ask this Court to resolve the underlying property, environmental, mold-related, personal-injury, or factual disputes.

The question presented is narrower: whether Article III permits procedural finality to become conclusive before a preserved Rule 60(b)(4) challenge directed toward the lawful existence of the judgment itself receives substantive adjudication.

Rule 60(b)(4) serves a constitutional function distinct from ordinary appellate review. It exists because a void judgment differs fundamentally from an erroneous judgment. If procedural finality may become complete while a preserved Rule 60(b)(4) challenge remains unresolved, the rule risks becoming formally available but practically incapable of performing that function.

Recusal-related objections further illustrate why validity required adjudication before finality became complete. Petitioner repeatedly raised objections under 28 U.S.C. §455(a) concerning judicial impartiality. Petitioner does not ask this Court to decide the merits of those recusal issues as a standalone question. Rather, the recusal history illustrates the broader constitutional sequencing problem: preserved challenges concerning notice, service, adjudicative neutrality, and the lawful exercise of judicial authority cannot be displaced by accumulated procedural finality.

A lawful judgment may receive the benefit of procedural finality. But procedural finality cannot itself create lawfulness where antecedent validity remains unresolved.

The Constitution requires adjudication before conclusiveness.

Validity must precede finality.

STATEMENT OF THE CASE

A. Factual Background

This petition arises from proceedings in Southern District of Texas Case No. 3:25-cv-91 and Fifth Circuit Case No. 25-40449.

The underlying dispute followed a longer factual chain beginning with a 2021 residential protein-smoke fire at Petitioner's former residence, 7919 Quartz Lane in Texas City, Texas. Petitioner contends that the fire caused extensive contamination and substantial health effects, including near-complete loss of olfactory function. Petitioner further contends that those concerns were never substantively adjudicated despite administrative proceedings, insurance disputes, governmental complaints, federal litigation, Fifth Circuit Case No. 24-40770, and Supreme Court Case No. 24-7514.

Following the sale of that residence, Petitioner rented residential property at 8020 Quartz Lane. Petitioner contends that the alleged loss of olfactory function materially affected his ability to detect environmental hazards and contributed to the circumstances that later gave rise to the present litigation.

Petitioner later initiated proceedings in the United States District Court for the Southern District of Texas, Galveston Division, Case No. 3:25-cv-91. The district court entered dispositive rulings and final judgment.

B. Preserved Validity Objections

Throughout the proceedings below, Petitioner raised objections directed toward the lawful existence of any resulting judgment. Those objections included concerns regarding notice, service, jury-demand records, unresolved claims, recusal-related matters, jurisdictional determinations, docket and record integrity, Rule 41-related issues, and Rule 60(b)(4) voidness.

Petitioner does not ask this Court to decide the ultimate merits of each objection. The objections are relevant here because they formed

the basis of Petitioner's preserved challenge to the validity of the judgment itself.

Petitioner further contends that repeated challenges directed toward the validity of the proceedings—including recusal requests, jury-demand objections, record-integrity concerns, and Rule 60(b)(4) issues—were uniformly rejected throughout related proceedings. Petitioner presents that history not as independent proof of bias, but as part of the broader procedural context in which the validity challenges underlying the present petition remained unresolved.

C. Rule 60(b)(4) Filing

Following entry of judgment, Petitioner filed materials seeking relief under Federal Rule of Civil Procedure 60(b)(4). On January 6, 2026, the district court docket reflected Petitioner's Motion to Vacate as Dkt. 37. On the same date, the docket reflected Petitioner's Administrative Intake Integrity Review and Ministerial Duty Attestation Request as Dkt. 38.

The Rule 60(b)(4) motion asserted that the challenged judgment was constitutionally void and incorporated Petitioner's objections

concerning notice, service, adjudicative neutrality, jury-demand irregularities, unresolved claims, record integrity, and related issues bearing upon the validity of the proceedings.

To Petitioner's knowledge, no substantive order adjudicating Dkt. 37 appears on the district-court docket.

D. Appellate Finality

Petitioner sought appellate review in Fifth Circuit Case No. 25-40449. The Fifth Circuit affirmed the judgment. Rehearing was denied on May 13, 2026. The mandate issued on May 20, 2026.

Accordingly, appellate finality became complete after the Rule 60(b)(4) motion had been filed, but before any substantive adjudication of that motion appears on the district-court docket.

The resulting sequence is the constitutional issue presented here:

Final Judgment

↓

Rule 60(b)(4) Motion Filed

↓

Affirmance

↓

Rehearing Denied

↓

Mandate Issued

↓

No Substantive Rule 60(b)(4) Adjudication

E. Related Proceedings

Petitioner contends that substantially similar procedural concerns appeared across related proceedings, including Fifth Circuit Case No. 24-40770, Supreme Court Case No. 24-7514, Fifth Circuit Case No. 25-40483, Fifth Circuit Case No. 25-40438, and subsequent civil-rights litigation.

Petitioner does not present those proceedings as independent questions for review. Rather, they illustrate that the constitutional sequencing problem presented here is not hypothetical: preserved challenges directed toward the lawful existence of judgment may remain unresolved while procedural finality continues to accumulate.

The question presented is therefore whether Article III permits procedural finality to become complete before a preserved Rule 60(b)(4) challenge directed toward the validity of the judgment itself receives substantive adjudication.

REASONS FOR GRANTING THE PETITION

I. ARTICLE III REQUIRES VALIDITY BEFORE FINALITY

This case presents a constitutional sequencing question concerning the relationship between validity and finality within Article III adjudication.

The Constitution vests federal judicial power in courts authorized to exercise that power according to law. U.S. Const. art. III.

Accordingly, constitutional legitimacy does not arise merely because a judgment exists, appellate review occurs, or procedural closure accumulates over time. Constitutional legitimacy derives from lawful adjudication.

This Court has repeatedly recognized that antecedent questions bearing upon the lawful exercise of judicial authority must be addressed before conclusive procedural consequences attach.

In *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83 (1998), the Court rejected the exercise of judicial power without first resolving threshold questions concerning judicial authority.

Likewise, *Arbaugh v. Y & H Corp.*, 546 U.S. 500 (2006), emphasized the importance of resolving antecedent limitations before procedural consequences become conclusive. *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574 (1999), and *Sinochem International Co. v. Malaysia International Shipping Corp.*, 549 U.S. 422 (2007), similarly reflect the principle that federal courts must respect constitutional and jurisdictional limits before exercising conclusive judicial power.

Together, these decisions recognize a common constitutional principle: validity must precede finality.

The procedural chronology presented here places that principle squarely at issue.

The district court entered final judgment. On January 6, 2026, Petitioner filed a Rule 60(b)(4) motion, docketed as Dkt. 37, challenging the lawful existence of the judgment itself and asserting that the judgment was constitutionally void.

To Petitioner's knowledge, no substantive order adjudicating Dkt. 37 appears on the district-court docket.

Nevertheless, appellate proceedings continued. The Fifth Circuit affirmed the judgment, denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026. Procedural finality thereby became complete.

The resulting sequence is straightforward:

Final Judgment

↓

Rule 60(b)(4) Motion Filed

↓

Affirmance

↓

Rehearing Denied

↓

Mandate Issued

↓

No Substantive Adjudication of Rule 60(b)(4)

The constitutional question is whether Article III permits that sequence.

Petitioner does not ask this Court to decide whether the Rule 60(b)(4) motion ultimately should succeed. Nor does Petitioner ask this Court to determine the merits of every objection incorporated within that motion. The question is antecedent to the merits.

Must a preserved challenge directed toward the lawful existence of judgment receive substantive adjudication before procedural finality becomes complete?

Or may procedural finality continue to accumulate while the validity challenge itself remains unresolved?

The distinction is critical because Rule 60(b)(4) concerns not merely legal error, but the lawful existence of judgment itself. A void judgment differs fundamentally from an erroneous judgment. An erroneous judgment may remain binding unless reversed through ordinary appellate review. A void judgment implicates the authority of the court to enter and maintain the judgment in the first instance.

Even if Petitioner's Rule 60(b)(4) challenge ultimately fails, Article III still requires that the challenge receive adjudication before

procedural finality becomes constitutionally conclusive. Otherwise, constitutional validity becomes secondary to procedural closure.

That result would invert the constitutional order.

Validity would no longer precede finality.

Finality would instead become the mechanism through which unresolved validity questions are progressively insulated from review.

Article III requires the opposite sequence.

Conclusive procedural consequences may follow lawful adjudication.

They may not substitute for lawful adjudication.

A lawful judgment may receive the benefit of procedural finality.

Procedural finality may stabilize lawful judgments.

It cannot constitutionally create lawful judgment where antecedent validity remains unresolved.

The Constitution requires adjudication before conclusiveness.

Validity must precede finality.

II. RULE 60(b)(4) BECOMES FUNCTIONALLY UNAVAILABLE IF FINALITY COMPLETES FIRST

Rule 60(b)(4) occupies a unique position within federal procedure because it concerns not merely legal error, but the lawful existence of judgment itself.

A void judgment differs fundamentally from an erroneous judgment.

An erroneous judgment may remain binding unless reversed through ordinary appellate review. A void judgment, by contrast, implicates the authority of the court to enter and maintain the judgment in the first instance.

For that reason, Rule 60(b)(4) serves a constitutional function distinct from ordinary appellate review. It preserves a mechanism through which litigants may challenge judgments alleged to be constitutionally void because of defects affecting the lawful exercise of judicial authority.

This Court has repeatedly recognized the constitutional significance of notice, service, due process, and adjudicative neutrality. See *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950); *Peralta v. Heights Medical Center, Inc.*, 485 U.S. 80 (1988); *Murphy Bros. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999); *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988); *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

The present petition does not require this Court to determine whether any particular objection ultimately justifies Rule 60(b)(4) relief.

The constitutional question is antecedent.

Does Rule 60(b)(4) remain a meaningful safeguard against void judgments if procedural finality may become complete before the preserved validity challenge itself receives substantive adjudication?

The procedural chronology presented here illustrates the problem.

On January 6, 2026, Petitioner filed a Rule 60(b)(4) motion, docketed as Dkt. 37, challenging the lawful existence of the judgment itself.

To Petitioner's knowledge, no substantive order adjudicating Dkt. 37 appears on the district-court docket.

Nevertheless, appellate proceedings continued. The Fifth Circuit affirmed the judgment, denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026.

Accordingly, procedural finality became complete before the preserved Rule 60(b)(4) challenge received substantive adjudication.

Under such circumstances, Rule 60(b)(4) remains formally available but becomes functionally unavailable.

The rule continues to exist on paper. Yet the judgment acquires increasing layers of procedural closure through affirmance, rehearing denial, and mandate issuance before the validity challenge itself is addressed.

Each successive stage relies upon closure generated by prior stages while the underlying validity challenge remains unresolved.

The resulting problem is not limited to this case.

Any litigant who preserves a Rule 60(b)(4) challenge may face the same sequence:

Judgment

↓

Rule 60(b)(4) Motion Filed

↓

Affirmance

↓

Rehearing Denied

↓

Mandate Issued

↓

No Substantive Adjudication

Under such a framework, the distinction between a void judgment and an erroneous judgment becomes increasingly difficult to preserve in practice.

This Court's decision in *United Student Aid Funds, Inc. v. Espinosa*, 559 U.S. 260 (2010), reaffirmed that Rule 60(b)(4) occupies a limited but constitutionally significant role. Likewise, the Fifth Circuit has

recognized that federal courts lack discretion to leave a truly void judgment in place. *Carter v. Fenner*, 136 F.3d 1000 (5th Cir. 1998).

Those principles presuppose a meaningful opportunity to determine whether the challenged judgment is void.

If procedural finality may become complete before that determination occurs, Rule 60(b)(4) risks remaining formally available while becoming practically incapable of performing its intended constitutional function.

Petitioner does not ask this Court to determine whether the judgment below is in fact void.

Petitioner asks a narrower question.

May procedural finality become complete before a preserved Rule 60(b)(4) challenge directed toward the lawful existence of judgment receives substantive adjudication?

If the answer is yes, Rule 60(b)(4) becomes a remedy that formally exists but may be rendered practically ineffective through the accumulation of procedural finality.

The Constitution does not require that result.

A lawful judgment may receive the benefit of procedural finality.

A constitutionally challenged judgment must first receive adjudication of the challenge directed toward its validity.

Otherwise, Rule 60(b)(4) remains formally available while becoming functionally unavailable.

Validity must precede finality.

III. THE QUESTION RECURS AND EVADES MEANINGFUL REVIEW

The constitutional question presented here extends beyond a single litigant, a single judgment, or a single procedural event.

The issue arises from the relationship between preserved validity challenges and the accumulation of procedural finality within the federal judicial system.

Petitioner does not contend that review procedures formally do not exist. Federal courts provide mechanisms for appellate review, rehearing, post-judgment motions, and extraordinary relief.

The constitutional concern arises from the sequence in which those procedures operate.

In the present case, Petitioner filed a Rule 60(b)(4) motion challenging the lawful existence of the judgment itself. To Petitioner's knowledge, no substantive adjudication of that motion appears on the district-court docket.

Nevertheless, appellate proceedings continued. The Fifth Circuit affirmed the judgment, denied rehearing, and issued its mandate.

As procedural finality accumulated, the preserved validity challenge remained unresolved.

The resulting problem is not merely that an alleged error remained uncorrected.

The concern is that a challenge directed toward the lawful existence of judgment may become increasingly difficult to obtain review of precisely because procedural finality has already attached.

Each successive stage relies upon closure generated by prior stages.

The district-court judgment becomes the basis for affirmance.

The affirmance becomes the basis for rehearing denial.

The denial of rehearing becomes the basis for mandate issuance.

As those layers of procedural closure accumulate, future proceedings increasingly focus upon finality rather than validity.

The unresolved validity challenge does not become more difficult to review because it was adjudicated.

It becomes more difficult to review because procedural closure increasingly becomes the premise upon which later proceedings rely.

The resulting structure creates a practical form of constitutional non-reviewability.

The constitutional issue therefore is not whether any particular court acted improperly.

Nor does the issue depend upon proving bad faith, misconduct, bias, corruption, administrative error, or improper motive.

The concern arises from the objective procedural sequence itself.

If procedural finality may become complete before preserved Rule 60(b)(4) challenges receive substantive adjudication, the distinction between validity and finality becomes increasingly difficult to preserve in practice.

The practical effect is that finality itself begins to operate as a barrier to review of the antecedent validity question.

The present case illustrates that concern in a particularly clear procedural posture.

The Rule 60(b)(4) motion was filed.

Appellate review proceeded.

Rehearing was denied.

The mandate issued.

To Petitioner's knowledge, no substantive adjudication of the Rule 60(b)(4) challenge occurred before finality became complete.

The constitutional concern extends beyond this case.

Petitioner contends that substantially similar procedural concerns appeared in related proceedings, including Fifth Circuit Case Nos. 24-40770, 25-40483, and 25-40438, as well as Supreme Court Case No. 24-7514 and subsequent civil-rights litigation arising from the same factual chain.

Petitioner does not present those proceedings as independent questions requiring review.

Rather, they illustrate that the constitutional sequencing problem is not hypothetical. The issue may recur whenever a preserved challenge directed toward the lawful existence of judgment remains unresolved while procedural finality continues to accumulate.

Rule 60(b)(4) exists because federal law recognizes that validity and finality are distinct concepts.

A judgment is not lawful because procedural closure has accumulated around it.

A judgment is lawful because it was lawfully entered.

Finality may preserve lawfulness.

Finality cannot create lawfulness.

If procedural finality may become complete before preserved validity challenges receive substantive adjudication, the distinction between validity and finality risks becoming increasingly difficult to preserve.

Without clarification from this Court, the question presented may repeatedly evade meaningful review through the operation of the very procedural mechanisms whose constitutional limits are at issue.

The Constitution requires a different sequence.

Validity must first be adjudicated.

Only then may finality become conclusive.

Validity must precede finality.

IV. THIS CASE IS AN APPROPRIATE VEHICLE FOR REVIEW

This case presents a clean and appropriate vehicle through which this Court may resolve the constitutional question presented.

First, the material procedural chronology is fixed and readily identifiable from the record.

The district court entered final judgment.

On January 6, 2026, Petitioner filed a Rule 60(b)(4) motion challenging the lawful existence of the judgment itself, docketed as Dkt. 37.

On the same date, Petitioner filed an Administrative Intake Integrity Review and Ministerial Duty Attestation Request, docketed as Dkt. 38.

To Petitioner's knowledge, no substantive order adjudicating Dkt. 37 appears on the district-court docket. Nevertheless, appellate proceedings continued. The Fifth Circuit affirmed the judgment, denied rehearing on May 13, 2026, and issued its mandate on May 20, 2026.

The relevant chronology is therefore not disputed.

The constitutional question arises directly from the sequence reflected in the record.

Second, the issue presented is purely legal.

This Court need not determine whether Petitioner's Rule 60(b)(4) motion ultimately should succeed.

Nor must the Court resolve the underlying disputes concerning property conditions, environmental contamination, mold exposure, personal injury, insurance matters, or any other factual controversy.

The question presented is narrower.

May procedural finality become complete before a preserved Rule 60(b)(4) challenge directed toward the lawful existence of judgment receives substantive adjudication?

That question may be resolved without addressing the merits of the underlying litigation.

Third, the issue is exceptionally important.

The petition concerns the relationship between Article III judicial authority, Rule 60(b)(4), due process, and federal procedural finality.

The answer affects not merely this litigant, but any litigant who preserves a challenge directed toward the lawful existence of judgment itself.

Rule 60(b)(4) exists because federal law recognizes that some challenges concern not ordinary legal error, but the lawful existence of judgment itself.

Whether such challenges may remain unresolved while procedural finality becomes complete is a question of recurring institutional significance.

Fourth, the question presented is not ordinary error correction.

Petitioner does not seek review because the lower courts merely reached an incorrect result.

Nor does Petitioner seek review of routine factual findings, evidentiary determinations, or ordinary applications of federal procedural rules.

The petition instead presents a structural constitutional question concerning the order in which validity and finality may arise within federal adjudication.

The issue therefore extends beyond the particulars of the underlying dispute.

Finally, this case presents the issue in an unusually clear procedural posture.

The Rule 60(b)(4) motion was filed.

Appellate review proceeded.

Rehearing was denied.

The mandate issued.

To Petitioner's knowledge, no substantive adjudication of the Rule 60(b)(4) motion occurred before procedural finality became complete.

Thus, the constitutional sequencing question is presented directly and without the need for additional factual development.

This Court need not decide whether the judgment below ultimately should be vacated.

The Court need only determine whether Article III permits procedural finality to become complete before a preserved Rule 60(b)(4) challenge directed toward the lawful existence of judgment itself receives substantive adjudication.

That question is cleanly presented.

The record is established.

The chronology is fixed.

The issue is purely legal.

And the consequences extend far beyond a single litigant or a single judgment.

Accordingly, this case presents an appropriate vehicle through which the Court may clarify the constitutional relationship between validity and finality.

A lawful judgment may receive the benefit of procedural finality.

Procedural finality may stabilize lawful judgments.

It cannot constitutionally create lawful judgment where antecedent validity remains unresolved.

The Constitution requires adjudication before conclusiveness.

Validity must precede finality.

CONCLUSION

This petition presents a narrow constitutional question concerning the relationship between validity and finality within Article III adjudication.

Petitioner filed a Rule 60(b)(4) motion challenging the lawful existence of the judgment itself, docketed as Dkt. 37. To Petitioner's knowledge, no substantive adjudication of that motion occurred before the Fifth Circuit affirmed the judgment, denied rehearing, and issued its mandate.

Petitioner does not ask this Court to resolve the underlying property, environmental, mold-related, personal-injury, insurance, or factual

disputes. Nor does Petitioner ask this Court to determine whether the judgment below ultimately should be vacated.

The question is antecedent: whether Article III permits procedural finality to become complete before a preserved Rule 60(b)(4) challenge directed toward the validity of the judgment receives substantive adjudication.

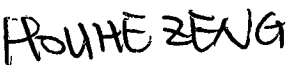
A lawful judgment may receive the benefit of procedural finality. But procedural finality cannot create lawfulness where antecedent validity remains unresolved.

The Constitution requires adjudication before conclusiveness.

Validity must precede finality.

For the foregoing reasons, the Petition for a Writ of Certiorari should be granted.

Respectfully submitted,

/s/ Houhe Zeng 

HOUHE ZENG, Petitioner Pro Se

3002 Arbor Edge Crossing