

ORIGINAL

No **26-5032**

ORIGINAL

FILED

JUN 30 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE SUPREME COURT
OF THE UNITED STATES

Susan Lloyd, Petitioner

V

Veterinary Orthopaedic Specialists, etal
Respondents

ON PETITION FOR A WRIT OF CERTIORARI
TO PENNSYLVANIA SUPREME COURT

Susan Lloyd *me*

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SUPREME COURT, U.S.

QUESTION PRESENTED

1. Is Pennsylvania certificate of merit
unconstitutional

LIST OF PARTIES

PETITIONER

Susan Lloyd

RESPONDENTS

Exton Vet Clinic and Shannon Stanek

The only interested parties are Petitioner Susan Lloyd and
Respondents Shannon Stanek and Exton Vet Clinic
No other party was part of appeals and the rest settled several
years ago

RELATED CASES

Susan Lloyd v Veterinary Orthopaedic Services, Chester County
PA Court of Common Pleas 22-04071

Susan lloyd v Veterinary Orthopaedic Services, Superior Court of
Pennsylvania, 456EDA2024

Susan Lloyd v Veterinary Orthopaedic Services, Supreme Court of
Pennsylvania, 482MAL2025

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INTERESTED PARTIES

The only interested parties are Petitioner Susan Lloyd and Respondents Exton Vet Clinic and Shannon Stanek.

All other parties settled with Lloyd several years ago and were never part of any appeal.

INDEX TO APPENDICES

APPENDIX A- Superior court of Pennsylvania affirming dismissal

APPENDIX B- Chester County PA dismissing case

APPENDIX C- Supreme Court of Pennsylvania denying appeal

APPENDIX D - Supreme Court of Pennsylvania denying rehearing

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

Commonwealth v Abu-Jamal 521 Pa 188,200, 555 A 2d 846, 852(1989)

Court of common pleas of Philadelphia County, 071101589 (holding

non pros applies to claims requiring a certificate of merit, but

contract/unjust enrichment stand) • J-S13012-22 (Pa. Super. Ct.

2022)

Gutman v. Giordano, 384 Pa. Super. 78, 557 A.2d 403 (1989)

Id. at 780, 819 P.2d 370

John V Saint Francis Hospital 405 P 3d 681, 691 (2017)

John Doe v. Puget Sound Blood Ctr., 117 Wash.2d 772, 780, 819

P.2d 370 (1991)

Marbury v. Madison, 5 U.S. (1 Cranch) 137, 163, 2 L.Ed. 60

(1803)

Putnam v. Wenatchee Valley Med. Center 216 P 3d 374, 166 Wn 2d

974 (Washington 2009)

Rodriguez v kravco simon company A 2d 2015 PA super 41 (2015)

Summerville V Thrower No. 06-501, (Ark. S. C. March 15, 2007)

Vega V Jordan Valley Medical Center 2019-UT 35 . 51

STATUES

1st Amendment of the US Constitution

7th Amendment of the US Constitution

14th Amendment of the US constitution

Rule 1042.1

Rule 1042.3

Rule 1042.6

Article VI, Clause 2 of the US Constitution

Pa. R. Pro. Conduct 8.4(c)

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IN THE SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

OPINIONS BELOW

1. Petitioner prays that a writ of certiorari issues to review the judgments below.
2. The opinion of the Superior court of Pennsylvania is attached as Appendix A. It is dated July 2 2025 and entered on July 2 2025
3. The orders of the Chester County PA court of common pleas are dated June 19 2023 and January 11 2024 and entered on the same dates. Appendix B.
4. The order of the Supreme Court of Pennsylvania dated April 6 2026. Appendix C
5. Lloyd filed a petition for rehearing that was denied and entered on June 16 2026. Appendix D.

JURISDICTION

6. The Supreme Court of PA denied appeal on April 6 2026. It was entered on April 6 2026. Appendix C
 7. Lloyd filed timely rehearing that was denied June 16 2026 and entered on the same date. Appendix D
 8. The jurisdiction of this court is invoked under 28 USC 1254.
- 1

9. This case involves a question that must be answered and that is whether Pennsylvania certificate of merit is unconstitutional
10. Lloyds case has garnered much public interest due to Lloyd trying to abolish Pennsylvania's certificate of merit and articles were even published in regards to Lloyds case as a direct result (APPENDIX E)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

11. 1st Amendment right of access to the courts
12. 14th Amendment Due Process right
13. Pennsylvania certificate of merit is unconstitutional

STATEMENT OF THE CASE

15. This case was originally filed Chester county PA on June 9 2022
16. Orders were made dismissing case on June 19 2023 and January 11 2024
17. Lloyd appealed dismissal of Shannon Stanek and Exton Vet clinic to Superior court of Pennsylvania on January 26 2024 and it was assigned 456EDA2024
18. They affirmed on July 2 2025
19. Lloyd filed for reargument on July 3 2025.
20. It was denied on August 28 2025

20. Lloyd filed for allowance of appeal to the Supreme court of Pennsylvania on September 2 2025. It was assigned case 482MAL2025

21. It was denied on April 6 2026

22. Lloyd filed for reconsideration on April 6 2026

23. It was denied on June 16 2026

24. Lloyd now filed this writ of certiorari.

25. Pennsylvania certificate of merit is unconstitutional

26. Many states have already abolished it for the very reasons that occurred in this matter as it violates the 1st amendment right of access to the courts and 14th amendment due process rights

27. This unconstitutional certificate of merit is used in Pennsylvania to dismiss meritorious human and veterinarian medical malpractice cases

28. Despite Lloyd having a filed expert report at all relevant times that Stanek is grossly negligent in Dominos death, Lloyds case was still dismissed (APPENDIX F)

29. Pennsylvania certificate of merit is even more unconstitutional as it forces a pro se litigant to attach an expert report to the certificate of merit and an attorney is not required to do so and under the law an attorney and pro se litigant must be treated equally. In Commonwealth v Abu-Jamal

521 Pa 188,200, 555 A 2d 846, 852(1989), A pro se litigant is subject to the same rules of procedure as an attorney

30. Oklahoma has banned the certificate of merit in John v Saint Francis Hospital 2017 OK 81 as it "is an impermissible barrier to court access and an unconstitutional special law."

31. Washington banned the certificate of merit in Putnam v. Wenatchee Valley Med. Center 216 P 3d 374, 166 Wn 2d 974 (Washington 2009), because it was "unconstitutional because it unduly burdens the right of access to courts and violates the separation of powers."

32. Lloyd also has many other claims including but not limited to FRAUD AND/OR FRAUDULENT CONCEALMENT, DISABILITY DISCRIMINATION, DEFAMATION PER SE, RES IPSA LOQUITUR, INTENTIONAL AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS, in which a certificate of merit is never needed

33. Non pros entered on related, non-negligence claims (such as breach of contract or unjust enrichment) does not occur automatically; those claims stand unless specifically subject to such dismissal Court of common pleas of Philadelphia County, 071101589, J-S13012-22 (Pa. Super. Ct. 2022) and yet Chester county court entered non pros for all of Lloyds claims.

34. Furthermore, The Supreme Court of Pennsylvania has amended Rule 1042.1 et seq. governing the certificate of merit.

Currently, the rules of civil procedure provide for dismissal of

a complaint for failure to file a certificate of merit. However, they are silent as to procedure when a certificate of merit is filed, but does not comply with the rules.

35. Lloyd filed 4 certificates of merit for Stanek and Exton vet and said an expert is not needed and they are unconstitutional

36. They are unconstitutional for the reasons of what occurred in this case

37. Lloyd requested all of Dominos records in December 2021

38. Stanek admits through her attorney Sara Gray to not giving Lloyd Dominos xray until July 2023 (APPENDIX G), NINETEEN MONTHS after Lloyds first request and NINE MONTHS after filing non pros

39. Despite a court order for discovery deadline being in place, Gray refused to participate the entire case due to her non pros

40. Gray knew at the time she filed non pros that she refused to give Lloyd the records she needed to obtain an expert (later admitting to this) and Gray knew that Stanek intentionally killed Lloyds service dog and that toxicology was pending at UC Davis

41. Rule 1042.6 only states when non pros can be entered when no certificate of merit has been filed.

42. Pennsylvania refers back to Rule 126 which states Rule 126. Liberal Construction and Application of Rules. The rules shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which they are applicable. The court at every stage of any such action or proceeding may disregard any error or defect of procedure which does not affect the substantial rights of the parties.

43. All of the underlying judges in this matter, falsely state in their orders that Lloyd has no expert report despite Lloyds expert report being filed at all relevant times in every single case.

44. Lloyd repeatedly told all of the judges that she has a filed expert report that Stanek is grossly negligent in Dominos death

45. They never read a single thing Lloyd wrote which is a manifest injustice that hopefully this court corrects

46. The underlying judges allowed Sara Gray to repeatedly tell false statements over 60 times including just some of the following: Lloyd had all of Dominos records by December 2021 despite later admitting she refused to give Lloyd Dominos xray until July 2023. Lloyd has no expert despite Gray having a copy at all relevant times. Domino and Lloyd left Stanek office at 139 pm despite her own clients medical records showing she took Dominos vitals between 156 and 202 pm. (EXHIBIT H) Lloyd had

Dominos dead body in her house for 9 months despite knowing he was at Penn vet the entire time

47. Lloyds meritorious case against Stanek was dismissed not on the merits, but based on the unconstitutional certificate of merit and Sara Gray intentional false statements to mislead the court

48. As officers of the court, lawyers must be candid and forthright. Lawyers are officers of the court. They must be completely truthful. Pennsylvania's ethics rules forbid "dishonesty, fraud, deceit or misrepresentation." Pa. R. Pro. Conduct 8.4(c).

49. Sara Gray intentionally deceived the underlying judges over 60 times

50. When Lloyd sued her for abuse of process, her only defense was it is zealous representation of her clients to intentionally lie to judges

51. Not at any time did Sara Gray ever address Lloyds expert report that Stanek is grossly negligent in Dominos death and instead continued to lie that Lloyd has no expert

52. Gray refused to attend any deposition and refused to allow Lloyd to send any subpoenas the entire case in violation of court discovery deadlines

53. All Gray did was intentionally be dishonest to Binder, Lazarus and the PA superior court to get Lloyds meritorious case dismissed

54. The underlying judges ignored every single statement Lloyd wrote as Lloyd is pro se and could not afford an attorney

55. Lloyd had attorneys interested and one even sent Stanek a demand letter

56. But after Stanek refused to settle, Lloyd could not afford the 10,000.00 retainer to hire an attorney as Lloyd is low income disability

57. So Gray used that to her advantage to repeatedly lie over 60 times in court documents

58. As a result, Lloyd meritorious case was dismissed in a manifest injustice

59. Lloyd was never granted any hearings in Chester county and not allowed to do any depositions or send any subpoenas as a direct result of Sara Gray and the judges not reading anything that Lloyd wrote

60. It became crystal clear that the judges never read anything Lloyd wrote since they all said Lloyd has no expert and Lloyd had all of Dominos records by December 2021

61. The records clearly show Lloyd had a filed expert report that Stanek is grossly negligent in Dominos death and Gray email admits to refusing to give Lloyd Dominos xray until July 2023

62. Gray knew Lloyd needed this xray to obtain an expert as Staneks xray was normal of Domino

63. She then intentionally injected him with pentobarbital to kill him which autopsy shows caused flash pulmonary edema as per Lloyds expert report (a known side effect of pentobarbital)

64. Stanek then destroyed all video from her office and falsified and destroyed medical records to conceal the use of pentobarbital to kill Domino

65. In fact the very first motion Lloyd filed was for sanctions against Stanek for refusing to give Lloyd Dominos records

66. That motion was filed in June 2022. It was denied based on non pros despite non pros not being filed until October 2022.

67. That proves how little attention that the underlying judges paid to this matter

68. Despite Lloyd jumping up and down over 30 times asking for discovery, the judges ignored Lloyd and then lied and said Lloyd had all of Dominos records by Dec 2021

69. They even fault Lloyd for not adding pentobarbital to her claims in June 2022 despite knowing that she did not discover them until October 2022 when toxicology came back from UC davis

70. Stanek under the vet client patient relationship had a duty to disclose the pentobarbital to Lloyd but instead fraudulently concealed it and then Lloyd was never allowed to amend to add it on

71. As a direct result, to date, the pentobarbital claims have never been heard in any court

72. Despite knowing all of this, Lloyds meritorious case was dismissed based on the unconstitutional certificate of merit and Grays over 60 repeated intentional false statements to mislead the court

73. Then summary judgment was granted in favor of Stanek because lloyd did not attach any evidence (evidence they knew that Lloyd was denied as Lloyd was not allowed to complete discovery the entire case despite filing over 30 requests for discovery (depositions, subpoenas, etc)

74. "The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection." Marbury v. Madison, 5 U.S. (1 Cranch) 137, 163, 2 L.Ed. 60 (1803).

75. The people have a right of access to courts; indeed, it is "the bedrock foundation upon which rest all the people's rights and obligations." John Doe v. Puget Sound Blood Ctr., 117 Wash.2d 772, 780, 819 P.2d 370 (1991). This right of access to courts "includes the right of discovery authorized by the civil rules." Id. As we have said before, Requiring medical malpractice plaintiffs to submit a certificate prior to discovery hinders their right of access to courts. Through the discovery process,

plaintiffs uncover the evidence necessary to pursue their claims. Id. Obtaining the evidence necessary to obtain a certificate of merit may not be possible prior to discovery, when health care workers can be interviewed and procedural manuals reviewed. Requiring plaintiffs to submit evidence supporting their claims prior to the discovery process violates the plaintiffs' right of access to courts. It is the duty of the courts to administer justice by protecting the legal rights and enforcing the legal obligations of the people. Id. at 780, 819 P.2d 370. Accordingly, we must strike down this law. Putnam v. Wenatchee Med. Ctr ., 166 Wn. 2d 974, 216 P.3d 374 (2009).

76. The Utah Supreme Court held that the requirement in a medical malpractice to obtain an "affidavit of merit" is unconstitutional as it results in an impermissible delegation of judicial power. Vega V Jordan Valley Medical Center 2019 UT 35 .

77. In Oklahoma, John V Saint Francis Hospital 405 P 3d 681, 691 (2017) determined that certificates of merit are unconstitutional. In its decision dated October 24, 2017, the Supreme Court of the State of Oklahoma ("Oklahoma Supreme Court") held that "the thrice incarnated affidavit of merit requirement found in Okla. Stat. tit. 12, § 19.1 (Supp. 2013)" with regard to Oklahoma medical malpractice cases is unconstitutional because it "is an impermissible barrier to court access and an unconstitutional special law."

78. In Timothy Martin V Washington Department of Corrections (exhibit), the Washington Supreme Court determined a certificate of merit is facially invalid under its constitution. We addressed the constitutionality of the statute in Putman v. Wenatchee Valley Medical Center, PS(exhibit) [...],” Associate Chief Justice Charles W. Johnson wrote for the court. “In that case, we held that RCW 7.70.150 was unconstitutional on two separate grounds: violation of the right of access to the courts and violation of the separation of powers.”

79. Arkansas does not require a certificate of merit due to the unconstitutional nature of it. Arkansas Supreme Court partially struck down part of that state’s certificate of merit legislation: The Court ruled that the statute imposed a requirement for commencement of an action that was greater than that imposed by Rule 3 of the Arkansas Rules of Civil Procedure. The Court went on to say that “[t]he constitutional infirmity in Â§ 16-114-209(b) is the provision for dismissal if the affidavit does not accompany a complaint within thirty days. We do not hold today that the balance of 16-114-209(b), requiring a reasonable-cause affidavit, is constitutionally infirm. The case is Summerville V Thrower No. 06-501, . (Ark. S. C. March 15, 2007).

80. The First Amendment provides the right of access to the courts when an injury is suffered.

81. Article VI, Clause 2 of the US Constitution stipulates that state governments are required to obey federal law in the United States and which allow Plaintiffs access to the courts under the First Amendment when an injury occurs. The Supremacy Clause is a clause within Article VI of the U.S. Constitution (exhibit)which dictates that federal law is the "supreme law of the land." This means that judges in every state must follow the Constitution, laws, and treaties of the federal government which includes giving litigants a right to access the courts when an injury occurs.

82. By forcing litigants to obtain certificates of merits, is unconstitutional as determined in many other states. By forcing Lloyd as a pro se litigant to do something that an attorney is not even required to do is even more of a violation of Lloyds constitutional rights.

83. Lloyd is pro se for one reason only: she cannot afford an attorney

84. Lloyds case also has merit and is not frivolous.

85. Lloyd has a filed expert report that Stanek is grossly negligent in Dominos death

86. There are only 14 states which require a certificate of merit as per article written by american bar association on December 11 2020 titled Certificates of Merit: Practical Guidance to Avoid Procedural Pitfalls. . The rest do not as they

agree it at least may infringe on a litigants right to access the courts

87. Furthermore, 1042.3 is unconstitutional as it treats pro se litigants differently than an attorney. A pro se litigant must attach an opinion letter when a lawyer does not. In Commonwealth v Abu-Jamal 521 Pa 188,200, 555 A 2d 846, 852(1989), A pro se litigant is subject to the same rules of procedure as an attorney and yet Pennsylvania forces a pro se litigant to do what an attorney does not have to do.

REASONS FOR GRANTING THE PETITION

88. The US Supreme Court needs to hear this case as Pennsylvania certificate of merit is unconstitutional

89. This is a public issue which affects any person or animal harmed by a physician or veterinarian in Pennsylvania

90. Lloyds case has garnered public attention and has been published in articles including " Appellate watch: Do certificates of merit violate the remedies clause or right to a jury trial" published August 20 2025 by Francis Notarianni

91. The certificate of merit is not being used for its intended purpose to weed out frivolous cases but instead is being used such as in this matter, to abuse litigants

92. The Superior Court of Pennsylvania would not even allow Lloyd to speak on the issue at oral argument and cut Lloyd off and said since the state enacted the law, they will not even hear Lloyd. This further violated Lloyds rights

93. Pennsylvania is so intent on NOT abolishing the unconstitutional certificate of merit, that Lloyd believes this is the very reason why her case was dismissed because of Lloyds advocacy to do so

94. Lloyds case was clearly NOT dismissed based on the merits

95. Lloyds filed expert report shows that Stanek is grossly negligent in Dominos death (a report that every single judge lies and says it does not exist)

96. This case is about a service dog that was intentionally killed but also applies to all medical malpractice cases in pennsylvania, whether human or animal

97. Physicians are intentionally destroying medical records that a patient needs to pursue litigation and then using the unconstitutional certificate of merit to dismiss meritorious cases

98. Lloyd has her own case against Lancaster General Hospital for misdiagnosing lloyd when she was in the middle of a stroke.

99. To date, 2 years later, they refuse to provide Lloyd all of her medical records and have even fraudulently concealed Lloyds MRI report

100. This is the same thing Stanek did. She intentionally killed Domino and then fraudulently concealed medical records from Lloyd and then destroyed all video from her office to conceal gross negligence

101. Stanek even refused to aid Lloyd in any autopsy despite Domino dying immediately after leaving her office

102. As shown in many other states, the certificate of merit is unconstitutional as it violates 1st amendment right of access to the court, 14th amendment right to discovery and 7th amendment right to jury trial

103. Lloyds case has been published in articles as this is a public issue.

104. Due to the unconstitutional certificate of merit, Lloyd did not spend one minute in any courtroom in Chester county and was repeatedly denied discovery and then faulted by Chester County Judge Binder for not having any evidence

105. To date, in a manifest injustice, the pentobarbital claims have not been heard in any court despite Lloyd having a filed expert report at all times that Stanek is grossly negligent

CONCLUSION

106. This writ of certiorari should be granted so Pennsylvania's unconstitutional certificate of merit can be abolished

107. No other litigant should have to be abused (like Lloyd was) by the very system that was meant to protect injured parties

108. Lloyds case was dismissed even though there was an adverse inference of wrong doing against Stanek at all times for destroying video and concealing medical records Lloyd needed to pursue her claims. Rodriguez v kravco simon company A 2d 2015 PA super 41 (2015)

109. Lloyds case was dismissed based on her pro se status and the judges hatred of Lloyd trying to abolish the unconstitutional certificate of merit

110. There was a manifest injustice done

111. It is obvious the judges never read anything Lloyd ever wrote and just signed off on Grays repeated lies. .

CONCLUSION

112. The petition for a writ of certiorari should be granted.

Susan Lloyd 

/s/Susan Lloyd

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