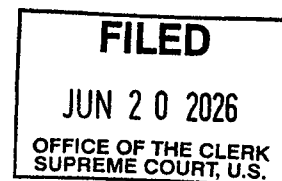


26-5180
No. _____



IN THE
SUPREME COURT OF THE UNITED STATES

SHANNON IRONS,
Petitioner,

v.

CHARTER COMMUNICATIONS, INC.,
Respondent.

On Petition for a Writ of Certiorari to the Court of Appeal of California, Second Appellate
District, Division Five, Following Denial of Review by the Supreme Court of California

PETITION FOR A WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether the Communications Act of 1934 and subsequent federal telecommunications regulations completely preempt state civil rights and consumer protection statutes when an internet service provider engages in deceptive trade practices, predatory billing, and discriminatory infrastructure maintenance.

2. Whether the judicial vacatur of FCC Report and Order 23-100 (Digital Discrimination Rules) creates a regulatory vacuum that establishes an urgent national necessity for this Court to clarify whether federal administrative oversight strips states of their sovereign authority to enforce core civil rights and consumer protections under 47 U.S.C. § 414.

3. Whether a state court's expansive application of federal preemption doctrine to sustain a demurrer and dismiss statutory civil rights and consumer fraud claims violates the Due Process and Equal Protection Clauses of the Fourteenth Amendment by denying a litigant any judicial forum to remedy direct economic and discriminatory harms.

PARTIES TO THE PROCEEDING

Petitioner: Shannon Irons, an individual residing in California. Petitioner was the Plaintiff-Appellant in the lower courts.

The respondent is Charter Communications, Inc. (doing business as Spectrum), a publicly traded Delaware corporation.

RELATED CASES

Pursuant to Supreme Court Rule 14.1(b)(iii), the following related proceedings occurred in state and federal courts:

1. *Shannon Irons v. Charter Communications.*, Supreme Court of California, Case No. S295014 (Denial of review entered March 25, 2026).
2. *Shannon Irons v. Charter Communications, Inc.*, California Court of Appeal, Second Appellate District, Division Five, Case No. B336763.
3. *Shannon Irons v. Charter Communications, Inc.*, vs. Branded As Spectrum, Los Angeles County Superior Court, Case No. 23SMCV01882.
4. *Shannon Irons v. Charter Communications*, U.S. District Court for the Central District of California, Case No. 2:22-cv-06762-GW-JEM.

CORPORATE DISCLOSURE STATEMENT

Pursuant to Supreme Court Rule 29.6, Petitioner Shannon Irons provides the following corporate disclosure statement for the Respondent:

Respondent Charter Communications, Inc. is a publicly traded corporation. It has no parent corporation, and no publicly held company owns 10% or more of its stock.

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<i>Wyeth v. Levine</i> , 555 U.S. 555 (2009)	3

Constitutional Provisions:

U.S. Const. amend. XIV, § 1 (<i>Due Process and Equal Protection Clauses</i>)	1, 2, 4
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OPINIONS BELOW

The opinion of the California Court of Appeal, Second Appellate District, Division Five, is not reported but is attached hereto as Appendix A.

The order of the Supreme Court of California denying review is attached hereto as Appendix B.

The order of the Los Angeles County Superior Court sustaining the demurrer without leave to amend and dismissing the action is unreported and attached hereto as Appendix C.

The underlying order of the United States District Court for the Central District of California is attached hereto as Appendix D.

JURISDICTION

The final judgment of the California Court of Appeal, Second Appellate District, Division Five, was entered on December 31, 2025. A timely petition for review was denied by the Supreme Court of California on March 25, 2026, and a copy of that order is attached hereto as Appendix B. This Petition for a Writ of Certiorari was timely submitted to this Court, subsequently returned by the Clerk for correction of noncompliance pursuant to Rule 14.5, and is re-submitted within the 60-day correction period provided by the Clerk. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

47 U.S.C. § 414

"Nothing in this chapter contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this chapter are in addition to such remedies."

United States Constitution, Amendment XIV, Section 1

"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."

STATEMENT OF THE CASE

This case presents a fundamental challenge to the growing judicial practice of using federal telecommunications regulations as an absolute shield to immunize internet service providers from state-level civil rights laws and consumer fraud liabilities.

A. Establishment of Verified Account Status via Email Confirmation

Petitioner is a past consumer and account holder of respondent Charter Communications (Spectrum). Petitioner's historical consumer standing—which forms the foundation of their reliance, subsequent economic harms, and the binding nature of the agreement—is conclusively verified by the formal customer data record attached hereto as Appendix E.

B. The Out-of-Home Wi-Fi Contractual Obligations

By establishing this verified relationship, Petitioner was explicitly granted performance rights under respondent's standardized national "Out-of-Home Wi-Fi" network profile terms, as conclusively documented in Appendix F. Respondent failed to provide these services uniformly, deploying predatory billing strategies and discriminatory infrastructure maintenance across low-income corridors.

C. Exhaustion of Administrative Remedies and Procedural Posture

Petitioner filed suit in the Los Angeles County Superior Court alleging explicit statutory violations of the Unruh Civil Rights Act (Cal. Civ. Code § 51(b)) and the Unfair Competition Law (Cal. Bus. & Prof. Code § 17200), targeting predatory billing architectures and discriminatory infrastructure maintenance. On July 7, 2023, respondent's retained counsel, Seyfarth Shaw LLP, served and filed a formal Notice of Demurrer, asserting that the federal Communications Act of 1934 completely preempted all state-level claims.

The Superior Court sustained respondent's demurrer without leave to amend [Nader v. Allegheny Airlines, Inc., 426 U.S. 290 (1976)]. The state trial court accepted respondent's preemption insulation theory in its entirety, completely dismissing Petitioner's actions as a matter of law before any factual discovery or trial could commence. The California Court of Appeal affirmed, and the Supreme Court of California subsequently denied review on March 25, 2026.

Prior to and concurrent with this litigation, due to the widespread nature of respondent's corporate practices, Petitioner comprehensively exhausted and logged these core operational conflicts with all relevant state and federal regulatory enforcement systems. These formal law enforcement and administrative escalations are documented under the following active official files:

Securities and Exchange Commission Escalation: SEC Submission Number: 17801-747-831-925

California Public Utilities Commission State Record: CPUC Record No. 226746

Federal Trade Commission Law Enforcement Report: FTC Report No.: 200456542

Federal Communications Commission Consumer Ticket: FCC Ticket No.: 8595696

United States Department of Justice Record: U.S. DOJ Record No. 759855-QTL

Because the lower courts applied federal preemption so broadly as to ignore this extensive regulatory history, sustain a demurrer on pleadings alone, and shut the courthouse doors entirely, leaving Petitioner with zero judicial forums to address direct economic and civil rights injuries, this petition follows.

REASONS FOR GRANTING THE PETITION

I. This Case is the Perfect Vehicle to Resolve the National Gridlock Following the Vacatur of FCC Report and Order 23-100

This Petition offers the Court an ideal, urgent vehicle to resolve the profound regulatory vacuum created by the United States Court of Appeals for the Eighth Circuit's recent decision vacating FCC Report and Order 23-100 in its entirety. Following the total invalidation of the federal digital discrimination framework, national carriers continue to claim total immunity from local liability based on federal preemption. Because this case was dismissed at the demurrer stage prompted by Seyfarth Shaw LLP's July 7, 2023 filings, the record presents a pure question of law [*Wyeth v. Levine*, 555 U.S. 555 (2009)]. This Court must intervene to clarify that the absence of a federal administrative rule preserves a State's historic sovereign authority to enforce its own civil rights and consumer protection laws under 47 U.S.C. § 414, completely unencumbered by factual or evidentiary disputes.

II. There is an Express Split of Authority Between Federal Circuits and State Courts of Last Resort on Broadband Fraud Actions

A deep, intractable conflict exists among lower jurisdictions regarding the survival of state common law and statutory consumer claims under 47 U.S.C. § 414. Multiple appellate circuits interpret the plain language of the Communications Act's Savings Clause to allow consumers to target corporate deception in local courts [*AT&T Mobility LLC v. Concepcion*,

563 U.S. 333 (2011)]. Conversely, the court below joined an over-expansive, minority faction that grants sweeping immunity to internet providers, treating localized billing disputes and civil rights offenses as if they were technical broadcast standards, expanding implied preemption far beyond this Court's boundaries.

III. The Lower Court's Over-Expansion of Preemption Violates the Fourteenth Amendment

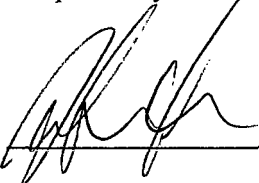
By extending federal preemption to sustain a demurrer against basic state consumer protection (Unfair Competition Law) and anti-discrimination laws (Unruh Civil Rights Act), the lower court did more than misread federal statute—it caused an unconstitutional deprivation of rights. Under the Fourteenth Amendment's Due Process and Equal Protection Clauses, a litigant cannot be stripped of their day in court unless an alternative, adequate federal forum is provided [*Boddie v. Connecticut*, 401 U.S. 371 (1971)]. By slamming the state court doors shut at the pleading stage without offering any federal judicial remedy, the lower court insulated respondent from all liability, undermining core constitutional guarantees.

CONCLUSION

For the foregoing reasons, the petition for a writ of certiorari should be granted.

Dated: July 22, 2026

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shannon Irons', is written over a horizontal line.

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