

No. 26-5189

IN THE
SUPREME COURT OF THE UNITED STATES

RUBEN SANTOYO,
Petitioner,

v.

SUPREME COURT OF THE UNITED STATES,
Respondent.

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

PETITION FOR REHEARING

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PETITION FOR REHEARING

Under Rule 44.2, Petitioner Ruben Santoyo respectfully petitions for rehearing of the Court's October 5, 2026 order denying his petition for a writ of certiorari. The petition is limited to an intervening circumstance: the D.C. Circuit's judgment of September 18, 2026, in *Santoyo v. United States*, No. 26-5174 (App. A). That judgment issued after the petition was distributed for the Conference of September 28, 2026. Petitioner, proceeding pro se, did not file a supplemental brief under Rule 15.8, and the judgment has therefore never been before the Court.

GROUND FOR REHEARING

I. The intervening judgment.

The petition asked whether the D.C. Circuit may rely on *In re Marin*, 956 F.2d 339 (D.C. Cir. 1992) (per curiam) — a mandamus decision holding that a lower court may not supervise this Court's Clerk — to dismiss a constitutional claim challenging the Clerk's completed administrative act. Pet. i, 8–10.

Eleven months after the judgment below, a different panel of the D.C. Circuit invoked *Marin* again, in a different setting. In No. 26-5174, the court held that the district court lacked jurisdiction to review a sanctions order of the Northern District of Illinois, and that Petitioner had “not shown that the district court had jurisdiction to review the subsequent order issued by that other court's Executive Committee.” App. A, at 1. For that proposition it cited “*Cf. In re Marin*, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam) (explaining that the Supreme Court has exclusive authority to supervise its Clerk).” *Ibid.*

Petitioner does not overstate the citation. It is a “cf.” citation, offered by analogy, in an unpublished judgment. Its significance lies in what the analogy shows about how *Marin* is now being read.

II. The intervening judgment is substantial.

First, the judgment applies *Marin* outside the mandamus setting in which it arose and outside the context of this Court's Clerk. The parenthetical says nothing of mandamus. It describes a rule of exclusive supervisory authority and extends that rule, by analogy, to an administrative body of a different court. The petition's central contention was that *Marin* had been carried beyond its mandamus setting. Pet. 8–10. The September 18 judgment provides a second instance, by a second panel, in which the D.C. Circuit invoked *Marin* outside the setting in which it arose. The question presented is recurring, not confined to one case.

Second, the judgment sharpens the consequence the petition identified. Read as a rule of exclusive supervisory authority, *Marin* allocates review to the court that supervises the official in question. For a district court's administrative orders, that leaves review within the ordinary appellate hierarchy — as the Seventh Circuit showed when it construed the Northern District of Illinois Executive Committee's order and directed that court's Clerk's Office “to accept Santoyo's filings on the district court docket in this case.” *Santoyo v. City of Chicago*, No. 24-2352, slip op. at 2 n.1 (7th Cir. July 7, 2025) (nonprecedential). For this Court's Clerk, there is no such hierarchy. And the judgment below read *Marin* to mean that no lower court may interfere with this Court's Clerk “by mandamus or otherwise.” Pet. 1, 7. On that reading, no court but this one can hear the constitutional question presented. See Pet. 11.

Third, the question continues to be decided without adversarial presentation. Like No. 25-5012, No. 26-5174 was decided “on the brief filed by appellant” alone. App. A, at 1. No party has briefed the reach of *Marin* in either case, and the docket in this Court reflects no response from the Federal Respondents.

III. Related proceedings.

On October 6, 2026, Petitioner filed a petition for panel rehearing in No. 26-5174 (Doc. #2196459), asking the D.C. Circuit to delete or clarify its *Marin* citation without disturbing its judgment. That petition is pending.

CONCLUSION

Rule 44.3 provides that the Court will not grant rehearing without first requesting a response. Petitioner therefore respectfully requests that the Court (1) request a response from the Solicitor General, so that the reach of *In re Marin* is addressed in an adversarial filing for the first time; and thereafter (2) grant rehearing, vacate the order of October 5, 2026, and hold the petition pending the D.C. Circuit's disposition of Petitioner's petition for panel rehearing in No. 26-5174. In the alternative, Petitioner requests that the Court grant rehearing, vacate the October 5 order, and grant the petition.

Dated: October 6, 2026

Respectfully submitted,



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CERTIFICATE OF PETITIONER UNREPRESENTED BY COUNSEL

As required by Supreme Court Rule 44.2, I, Ruben Santoyo, a party unrepresented by counsel, certify that this petition for rehearing is restricted to the grounds specified in that paragraph — intervening circumstances of a substantial or controlling effect and other substantial grounds not previously presented — and that it is presented in good faith and not for delay.



Ruben Santoyo
Dated: October 6, 2026

CERTIFICATE OF COMPLIANCE

This petition for rehearing is prepared on 8½ by 11 inch paper under Rule 33.2, double-spaced in 12-point proportionally spaced serif type, and does not exceed 15 pages, excluding the parts exempted by Rule 33.1(d).



Ruben Santoyo

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Appendix A — Judgment of the United States Court of Appeals for the District of Columbia Circuit, *Santoyo v. United States*, No. 26-5174 (Sept. 18, 2026) (per curiam) (Doc. #2193809) App. A-1

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-5174**September Term, 2026****1:26-cv-00251-UNA****Filed On: September 18, 2026**

Ruben Santoyo,

Appellant

v.

United States of America, et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Wilkins, Walker, and Garcia, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order filed April 24, 2026, be affirmed. The district court lacked jurisdiction to review the sanctions order issued by the United States District Court for the Northern District of Illinois. See Klayman v. Rao, 49 F.4th 550, 552–53 (D.C. Cir. 2022) (per curiam). Furthermore, appellant has not shown that the district court had jurisdiction to review the subsequent order issued by that other court's Executive Committee. Cf. In re Marin, 956 F.2d 339, 340 (D.C. Cir. 1992) (per curiam) (explaining that the Supreme Court has exclusive authority to supervise its Clerk). And because that Executive Committee order directed the revocation of appellant's e-filing credentials, the district court could not undo that revocation without reviewing the Executive Committee's order.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-5174

September Term, 2026

of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

No. 26-5189

IN THE
SUPREME COURT OF THE UNITED STATES

RUBEN SANTOYO, *Petitioner*,
v.
SUPREME COURT OF THE UNITED STATES, *Respondent*.

PROOF OF SERVICE

I, Ruben Santoyo, declare that on October 6, 2026, as required by Supreme Court Rule 29, I served the enclosed PETITION FOR REHEARING on each party to the above proceeding, or that party's counsel, by depositing an envelope containing the document with Estafeta, a third-party commercial carrier, using its Global Expres service for delivery within 3 calendar days, addressed as follows:

D. John Sauer, Solicitor General of the United States
Counsel of Record for Federal Respondents
Room 5616, Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001
(202) 514-2217

I also transmitted an electronic copy to SUPREMECTBRIEFS@USDOJ.GOV on the same date. All parties required to be served have been served. Estafeta tracking number (guía):
301999999993C810000291

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Executed on October 6, 2026.



Ruben Santoyo