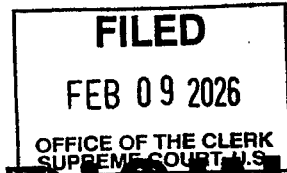


26-5203
No. - - -



ORIGINAL

In The
SUPREME COURT OF THE UNITED STATES

RALPH JACOB AGUIRRE,
Petitioner,

v.

TEXAS OFFICE OF THE ATTORNEY GENERAL,
Respondent.

On Petition for Writ of Certiorari to the Second Court of Appeals of Texas,
Fort Worth

PETITION FOR WRIT OF CERTIORARI

Ralph Jacob Aguirre
3200 NW 24 St.
Fort Worth Tx. 76106
Pro Se

QUESTIONS PRESENTED

1. Whether a state court violates the Due Process Clause of the Fourteenth Amendment by entering and enforcing a judgment without first determining that it has personal jurisdiction over the defendant.
2. Whether a judgment entered in the absence of personal jurisdiction, where a properly raised jurisdictional objection was never adjudicated is constitutionally void and incapable of being cured by appellate affirmance.
3. Whether due process is denied when appellate courts dismiss preserved jurisdictional objections as “frivolous” and affirm a judgment despite an incomplete record omitting critical jurisdictional filings.

LIST OF PARTIES

Pursuant to Rule 14.1(b) of the Rules of the Supreme Court of the United States, the following is a complete list of all parties to the proceedings in the court whose judgment is the subject of this petition:

Petitioner:

Ralph Jacob Aguirre
3200 NW 24 St.
Fort Worth Tx. 76106
Pro Se

Respondent:

State of Texas
Office of the Attorney General
Child Support Division
5500 East Oltorf
Austin, TX 78741

COUNSEL

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OPINIONS BELOW

The opinion of the Second Court of Appeals of Texas, Fort Worth, was issued on July 17, 2025, and is unpublished. It is reproduced in the Appendix to this Petition.

The judgment of the Second Court of Appeals was entered on July 17, 2025, and is reproduced in the Appendix.

The Supreme Court of Texas denied Petitioner's Petition for Review on November 21, 2025. The order denying review is reproduced in the Appendix.

Petitioner's motions for rehearing and rehearing en banc were denied by the Second Court of Appeals on August 14, 2025, and August 28, 2025, respectively. Those orders are also reproduced in the Appendix.

JURISDICTIONAL STATEMENT

This Court has jurisdiction under 28 U.S.C. § 1257(a) to review the final judgment of the Court of Texas denying discretionary review in this case.

The judgment of the Second Court of Appeals of Texas was entered on July 17, 2025. Petitioner timely filed motions for rehearing and rehearing en banc, which were denied on August 14, 2025, and August 28, 2025, respectively. The Supreme Court of Texas denied the Petition for Review on November 21, 2025.

This Petition for Writ of Certiorari is timely filed within 90 days of the Texas Supreme Court's denial, as required by Supreme Court Rule 13.

This case presents substantial federal constitutional questions arising under the Due Process Clause of the Fourteenth Amendment. Specifically, Petitioner challenges the entry and enforcement of a state-court judgment entered without a determination of personal jurisdiction, the failure of the trial court to adjudicate a properly raised jurisdictional objection, and the subsequent appellate affirmance of that judgment notwithstanding these defects.

The federal issues were raised, pressed, and passed upon in the state courts. Petitioner consistently asserted that the trial court lacked personal jurisdiction and that any judgment entered without resolving that challenge was void. The Texas appellate courts rejected these arguments, characterizing them as “frivolous” and affirming the judgment despite the absence of a jurisdictional determination and an incomplete appellate record.

Accordingly, this Court has jurisdiction to review the final judgment below.

CONSTITUTIONAL PROVISIONS INVOLVED

This case arises under the Due Process Clause of the Fourteenth Amendment to the United States Constitution. The Fourteenth Amendment provides, in relevant part, that “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.”

Petitioner contends that the judgment entered and enforced by the courts below violates the Due Process Clause because it was rendered without a determination that the state court possessed personal jurisdiction over Petitioner, notwithstanding a properly raised and preserved jurisdictional objection. Due process requires that a court establish its authority over a party before adjudicating the merits and entering a binding judgment.

Petitioner further contends that due process is violated when a state court proceeds to judgment without resolving a challenge to personal jurisdiction and when appellate courts affirm such a judgment while characterizing jurisdictional objections as frivolous and disregarding material omissions from the record. A judgment entered under these circumstances is constitutionally infirm because it deprives a litigant of liberty and property interests without the fundamental procedural protections required by the Fourteenth Amendment.

STATEMENT OF THE CASE

This case arises from a Title IV-D child-support proceeding in which a Texas trial court entered and enforced a judgment without first determining that it possessed personal jurisdiction over Petitioner. From the outset of the proceedings, Petitioner consistently and expressly challenged the court's jurisdiction, asserting that he had not been properly served and that the court lacked authority to adjudicate the matter. Petitioner timely filed a verified challenge to personal

jurisdiction in accordance with Texas procedural rules. The trial court, however, never conducted a hearing on that challenge, never ruled on it, and never determined that jurisdiction existed.

Despite the unresolved jurisdictional objection, the trial court proceeded to adjudicate the merits and ultimately entered a final judgment against Petitioner. At no point did the court make findings regarding service, waiver, or any other basis for exercising personal jurisdiction. The judgment was entered first, and jurisdiction was assumed rather than established.

Petitioner appealed, again asserting that the judgment was void for lack of personal jurisdiction and that due process required dismissal or vacatur absent a jurisdictional determination. On July 17, 2025, the Second Court of Appeals of Texas affirmed the judgment. Rather than address whether the trial court possessed jurisdiction or whether it erred by proceeding without resolving the jurisdictional challenge, the appellate court dismissed Petitioner's jurisdictional arguments as "frivolous." The court affirmed the judgment notwithstanding the absence of a jurisdictional ruling and notwithstanding omissions from the appellate record of filings directly bearing on jurisdiction.

Petitioner timely sought rehearing and rehearing en banc, reiterating that personal jurisdiction is a constitutional prerequisite to judgment and that a court may not proceed to the merits while a properly raised jurisdictional challenge

remains undecided. Those motions were denied on August 14, 2025, and August 28, 2025, respectively.

Petitioner then sought discretionary review in the Supreme Court of Texas, again raising federal due process objections grounded in the absence of personal jurisdiction and the entry of a void judgment. On November 21, 2025, the Supreme Court of Texas denied the Petition for Review without opinion. That denial rendered the judgment of the Texas courts final and left standing a judgment entered and affirmed without a determination of personal jurisdiction.

This Petition follows. Petitioner seeks review of a state-court judgment that was entered and insulated from correction despite the absence of a jurisdictional determination, in direct conflict with this Court's long-standing precedent holding that personal jurisdiction is a constitutional prerequisite to the exercise of judicial power.

REASONS FOR GRANTING THE WRIT

I. The Decision Below Conflicts with This Court's Settled Jurisdictional Due Process Precedent

This Court has long held that personal jurisdiction is a constitutional prerequisite to the exercise of judicial power. A judgment entered without personal jurisdiction violates the Due Process Clause and is void. *Pennoyer v. Neff*, 95 U.S. 714 (1878); *World-Wide Volkswagen Corp. v. Woodson*, 444 U.S. 286 (1980). Jurisdiction must be established before a court may proceed to the merits.

Insurance Corp. of Ireland v. Compagnie des Bauxites de Guinée, 456 U.S. 694 (1982).

The judgment below cannot be reconciled with these principles. Here, the trial court entered and enforced a final judgment without ever determining that it had personal jurisdiction over Petitioner, despite a properly raised and preserved jurisdictional objection. The appellate court affirmed that judgment while dismissing jurisdictional arguments as “frivolous,” thereby insulating a constitutionally void judgment from correction. This inversion judgment first, jurisdiction never, directly conflicts with this Court’s precedent and warrants review.

II. The Case Presents an Important and Recurring Federal Question Concerning Due Process in State Courts

This case presents an important federal question: whether state courts may bypass jurisdictional determinations and nonetheless enter binding judgments, particularly in high-volume Title IV-D family-law proceedings. Across the country, child-support enforcement courts operate under significant docket pressure, and jurisdictional shortcuts are increasingly tolerated. If allowed to stand, the decision below signals that personal jurisdiction is optional in such cases.

This Court has never recognized a “family-law exception” to the Due Process Clause. To the contrary, proceedings affecting parental rights and financial liberty implicate fundamental interests that demand strict adherence to

constitutional safeguards. *Troxel v. Granville*, 530 U.S. 57 (2000). Clarification from this Court is urgently needed to reaffirm that jurisdictional due process applies fully and uniformly in state family-law courts.

III. Appellate Characterization of Jurisdictional Objections as “Frivolous” Raises a Serious Constitutional Concern

The appellate court’s decision to label preserved jurisdictional objections as “frivolous” raises a grave constitutional concern with national implications. Personal jurisdiction is not a discretionary doctrine; it is a constitutional limitation on judicial power. When appellate courts dismiss jurisdictional challenges as frivolous rather than addressing them on the merits, they effectively convert a constitutional safeguard into a matter of judicial grace.

If allowed to stand, the decision below invites appellate courts to avoid jurisdictional analysis altogether, undermining meaningful appellate review and chilling litigants, particularly self-represented parties from asserting fundamental constitutional rights. This Court’s intervention is necessary to ensure that jurisdictional objections receive the serious constitutional consideration they require.

IV. This Case Is an Ideal Vehicle for Resolving the Questions Presented

This case is an excellent vehicle for review. The jurisdictional defect is clear, preserved, and dispositive. The material facts are undisputed and appear on the

face of the record: Petitioner raised a challenge to personal jurisdiction; the trial court never ruled on it; judgment was entered anyway; and the appellate courts affirmed without addressing jurisdiction. No further factual development is required.

Review in this case would allow this Court to reaffirm core due process principles, clarify that jurisdiction must be determined before judgment, and prevent the normalization of constitutionally void judgments in state courts nationwide.

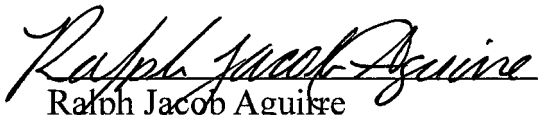
V. Summary

This case presents a straightforward but profound constitutional failure: a judgment entered and enforced without personal jurisdiction, affirmed on appeal, and insulated from review. That result conflicts with this Court's precedent, threatens the uniform application of due process, and carries significant implications beyond this case. The Petition should be granted.

CONCLUSION

The judgment below was entered and affirmed without a determination that the state court possessed personal jurisdiction, in direct violation of the Due Process Clause of the Fourteenth Amendment and this Court's settled precedent. If allowed to stand, the decision permits state courts to exercise judicial power without constitutional authority and allows appellate courts to insulate void

judgments from review by dismissing jurisdictional objections as frivolous. The Constitution does not tolerate such a result. Because this case presents a clear conflict with this Court's precedent, raises an important and recurring federal question, and provides an ideal vehicle for resolving it, the Petition for Writ of Certiorari should be granted.


Ralph Jacob Aguirre