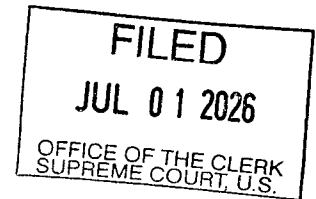


26-5226
Case No. _____

ORIGINAL

In the Supreme Court of the United States



ERIC J. MAPES,
Petitioner,

v.

STATE OF INDIANA, et al.,
Respondents.

On Petition for a Writ of Certiorari

to the United States Court of Appeals for the Seventh Circuit 26-1034

Mr. Eric J. Mapes

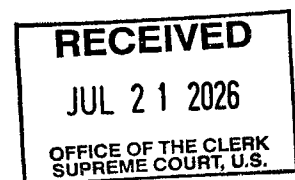
Petitioner pro se

P.O. Box 4026

Lafayette, IN 47903

(765) 400-9732

mr.e.mapes@gmail.com



I. QUESTIONS PRESENTED

1. Whether a federal court of appeals may, consistent with the First Amendment right to petition and the Fifth Amendment guarantee of due process, effectively bar an indigent, disabled litigant from all appellate review of substantial constitutional claims by denying in forma pauperis status and requiring full prepayment of fees—where the litigant cannot pay without sacrificing basic necessities including food, housing, utilities, transportation to chemotherapy, and prescription medications—and in conflict with this Court's decisions in *Griffin v. Illinois*, 351 U.S. 12 (1956), *Boddie v. Connecticut*, 401 U.S. 371 (1971), and *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996).
2. Whether Indiana may, consistent with the Full Faith and Credit Clause, impose lifetime registration as a "serious sex offender" based on a Texas conviction under Tex. Penal Code § 22.011(a)(1)—an adult-only offense without age-based elements or SVP designation—when Indiana's "serious sex offender" classification under Ind. Code § 35-42-4-14 requires either age-based elements or SVP status, thereby altering the fundamental nature of the Texas conviction.
3. Whether Indiana may, consistent with the Ex Post Facto Clause and Due Process Clause, impose lifetime registration requirements when: (a) Indiana's own statutory scheme under Ind. Code § 11-8-8-19(a) establishes a default ten-year registration period; (b) the Indiana Supreme Court in *Peters v. Quakenbush*, __ N.E.3d __, 2025 WL 3087540 (Ind. June 19, 2025) held that registration obligations apply only when a person "is"—present tense—required to register in another jurisdiction; and (c) both the convicting state (Texas) and the state of last residence (Alaska) have determined Petitioner has no current registration duty.
4. Whether Indiana may, consistent with the constitutional right to travel, create a "registration orphan" status by imposing lifetime burdens based on a conviction for which no current registration duty exists in any jurisdiction—where Texas (convicting state) imposes no duty because Petitioner does not reside there, and Alaska (state of last residence) affirmatively removed Petitioner's registration duty on January 18, 2023 review.
5. Whether Indiana courts may violate the Americans with Disabilities Act and Rehabilitation Act by: (a) refusing disability accommodations for Petitioner's neurological voice disorder; (b) characterizing Petitioner as "alleging to be disabled" despite possessing official Social Security Administration disability records; and (c) using Petitioner's disability status to justify mistreatment and denial of meaningful access to the courts.
6. Whether Indiana courts may retaliate against a litigant's First Amendment right to petition for redress of grievances by labeling protected constitutional litigation as "frivolous," "abusive," and "vexatious" solely because the litigant exercises the right to challenge ongoing constitutional violations.

QUESTIONS PRESENTED CONT.

7. Whether a federal court of appeals may deny in forma pauperis status and foreclose review by claiming a petitioner's constitutional claims have 'no arguable basis in law' when the Seventh Circuit's own precedent recognizes the exact constitutional injuries alleged and the decision below thereby departs from that precedent.

III. Parties to the Proceeding

Petitioner

Mr. Eric J. Mapes

P.O. Box 4026

Lafayette, In 47903

Respondents

State of Indiana

Tony Liggett

Brent Myers

Courtney Baldwin

David A. Atthur

Atty of Record for Respondents:

Abigail Recker

Deputy Attorney General III

Indiana Attorney General's Office

302 W. Washington Street, IGCS - 5th Floor

Indianapolis, IN 46204

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- A. Order of the United States Court of Appeals for the Seventh Circuit denying motion to proceed IFP entered June 9, 2026 and Motion to reconsider denial of leave to proceed in forma pauperis, entered June 16, 2026, No. 26-1034, Doc. 33.
- B. Order of the United States Court of Appeals for the Seventh Circuit denying rehearing en banc, entered June 18, 2026, No. 26-1034, Doc. 36.
- C. Order of the United States Court of Appeals for the Seventh Circuit denying disability based hardship entered June 22, 2026, No. 26-1034, Doc. 38.
- D. Alaska Department of Public Safety Letter (January 18, 2023) - removal from registration.
- E. Indiana Department of Correction Letter (April 27, 2017) - serious sex offender classification.
- F. Texas Conviction Records (Case C-27,442) - conviction under 22.011(a)(1).
- G. Indiana Supreme Court Opinion in *Peters v. Quakenbush* (June 19, 2025).

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VI. PETITION FOR WRIT OF CERTIORARI

Eric J. Mapes, Petitioner pro se, a disabled litigant undergoing active chemotherapy whose sole income consists of SSI/SSDI benefits, respectfully petitions this Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Seventh Circuit denying leave to proceed in forma pauperis and foreclosing all appellate review of substantial constitutional claims under the First Amendment (right to petition for redress of grievances; retaliation for protected petitioning activity), the Fifth Amendment (procedural and substantive due process; protection against retroactive punishment), the Full Faith and Credit Clause (Article IV, Section 1), the Ex Post Facto Clause (Article I, Section 10), the constitutional right to travel, and violations of the Americans with Disabilities Act and Rehabilitation Act, as well as Article III questions regarding the independent duty of federal courts to adjudicate federal constitutional claims.

VII. OPINIONS AND ORDERS BELOW

The order of the United States Court of Appeals for the Seventh Circuit denying Petitioner's motion to reconsider denial of leave to proceed in forma pauperis was entered on June 16, 2026, in No. 26-1034, Doc. 33. The order denying rehearing en banc was entered on June 18, 2026, in No. 26-1034, Doc. 36. These orders are unreported. The order denying hardship filing and reasonable accommodations to preserve meaningful access to the court as 'repetitious' without addressing the substance of my disability based hardship was entered June 22, in No. 26-1034 ,

VIII. JURISDICTION

To the extent the petition seeks review of the order dated June 9, 2026. Petitioner timely sought reconsideration of the IFP Denail on June 9, 2026. To the extent the petition seeks review of the order dated June 16, 2026. This Court has jurisdiction under 28 U.S.C. § 1254(1). *See Sup. Ct. R. 13.*

IX. CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- U.S. Const. amend. I.
- U.S. Const. amend. V.
- U.S. Const. art. IV, § 1.
- 28 U.S.C. § 1254(1).
- 28 U.S.C. § 1915.
- Ind. Code § 11-8-8-4.5.
- Ind. Code § 11-8-8-19.
- Ind. Code § 35-42-4-14.
- Tex. Health & Safety Code Ch. 841.
- Tex. Penal Code § 22.011.]

X. STATEMENT OF THE CASE

This case arises from ongoing, active constitutional violations that continue at this moment. For nearly a decade, Indiana has imposed a "serious sex offender" classification on Petitioner in violation of the Full Faith and Credit Clause, the Ex Post Facto Clause, the right to travel, the Americans with Disabilities Act, and the First Amendment. When Petitioner sought federal review, the district court abdicated its Article III duty by deferring to state court procedural labels, and the Seventh Circuit foreclosed all appellate review by denying leave to proceed in forma pauperis. The Seventh Circuit's refusal to permit review does not merely postpone adjudication of a past wrong—it actively permits ongoing constitutional injuries to continue uncorrected.

The core facts are simple: Petitioner was convicted in 1999 in Texas of sexual assault under § 22.011(a)(1)—an adult-only offense lacking age-based elements or SVP designation. In January 2023, Alaska (Petitioner's last state of residence) affirmatively removed his registration duty. Texas imposes no duty because Petitioner has not resided there since 2015. Indiana alone insists on lifetime registration, making Petitioner a 'registration orphan' with a duty that exists nowhere in the nation.

1. The Nearly Decade-Long Constitutional Violation

In April 2017, the Indiana Department of Correction classified Petitioner as a "Serious Sex Offender" requiring lifetime registration under Ind. Code § 35-42-4-14. This classification was based on a 1999 Texas conviction under Tex. Penal Code § 22.011(a)(1)—the "adult-only" sexual assault provision based on lack of consent, which is legally distinct from § 22.011(a)(2), the provision involving a "child" under 17. The Texas conviction records explicitly confirm the charge as "SEXUAL ASSLT 22.011(a)(1) PC," proving the offense was adjudicated as an adult offense without age-based elements.

Critically, Indiana's "serious sex offender" classification requires either: (a) a "sexually violent predator" (SVP) designation under Tex. Health & Safety Code Ch. 841 (requiring civil commitment for repeat offenders with behavioral abnormalities), or (b) an "offense against a child" with age-based elements. Petitioner's Texas conviction satisfies neither predicate without SVP designation. Neither predicate required by Indiana Code § 35-42-4-14 is present: the Texas conviction contains no 'offense against a child' because § 22.011(a)(1) applies only to adult victims based on lack of consent, not age; and Texas never designated Petitioner an SVP, which under Texas Health & Safety Code Chapter 841 requires civil commitment for repeat offenders with behavioral abnormalities.

2. Alaska's Removal and the "Orphan Duty"

On January 18, 2023, the Alaska Department of Public Safety affirmatively removed Petitioner from registration, stating in an official letter: "Based on that review, you are no longer required to register for your Texas conviction." Alaska, with stricter registration laws than Indiana, conducted a thorough review and determined Petitioner's duty had expired.

Thus, Petitioner currently has no registration duty in any jurisdiction:

- **Texas (convicting state):** No duty because Petitioner has not resided there since 2015.
- **Alaska (state of last residence):** Duty affirmatively removed on January 18, 2023.
- **Indiana:** Attempting to impose a lifetime duty that exists nowhere else.

Indiana has created an unconstitutional "registration orphan" status—imposing lifetime burdens for a conviction that carries no current registration obligation in any state.

3. Indiana's Own Statutory Violation

Under Ind. Code § 11-8-8-19(a), Indiana establishes a default ten-year registration period. Lifetime registration applies only under specific exceptions in subsections (b)-(f). The Indiana Supreme Court's decision in *Peters v. Quakenbush*, __ N.E.3d __, 2025 WL 3087540 (Ind. June 19, 2025), confirms that the statute's use of "is required" (present tense) means registration obligations apply only when a person *currently* has a duty in another jurisdiction. Because Petitioner has no current duty in Texas or Alaska, Indiana's lifetime classification violates its own statute as interpreted by its highest court.

4. The ADA Violations

Indiana courts have systematically violated the Americans with Disabilities Act by: (a) refusing disability accommodations for Petitioner's neurological voice disorder and using the disorder, the same one as RFK Jr, to call the Petitioner abusive in proceedings from 2017 through 2023, including failing to provide assistive technology or modified hearing procedures; (b) characterizing Petitioner as 'alleging to be disabled' despite his submission of official Social Security Administration disability records and medical documentation confirming his neurological condition; (c) imposing sanctions and dismissing claims based on Petitioner's inability to orally argue when such inability stemmed from his documented disability; and (d) using Petitioner's disability status to justify labeling his litigation 'frivolous' and denying meaningful access to the courts.

5. First Amendment Retaliation

When Petitioner exercised the right to petition for redress of grievances, exercising disability rights and SSDI and SSI income protections, and asking for accommodations Indiana courts labeled the litigation "frivolous," "abusive," and "vexatious"—retaliating against protected constitutional activity.

6. Federal Court Abdication

The U.S. District Court for the Northern District of Indiana adopted Indiana's procedural labels without adjudicating Petitioner's federal constitutional claims. The Seventh Circuit compounded this error by denying in forma pauperis status and claiming Petitioner's claims have "no arguable basis"—despite the Seventh Circuit's own precedent in *Schepers*, *Lacy*, and *Hope* recognizing identical constitutional

injuries.

7. Ongoing and Active Violations

These constitutional injuries are not historical—they are continuing violations producing new harm each day. As the Indiana Supreme Court held in *Peters v. Quakenbush*, __ N.E.3d __, 2025 WL 3087540 (Ind. June 19, 2025), Indiana's registration obligations apply only when a person 'is required to register'—present tense—in another jurisdiction. Because Petitioner has no present registration duty in Texas or Alaska, Indiana's imposition of lifetime registration 'directly contradicts' the present-tense requirement. *See also Nichols v. United States*, 578 U.S. 104, 109 (2016) (interpreting statutory 'resides' in present tense to exclude former states of residence). The "serious sex offender" classification is an active legal status currently restricting Petitioner's liberty. Every day Indiana maintains this classification, it violates the Full Faith and Credit Clause (by refusing to honor Texas and Alaska's determinations), the Ex Post Facto Clause (by imposing punishment beyond statutory limits), and the right to travel (by creating an obligation that exists nowhere else).

XI. REASONS FOR GRANTING THE PETITION

This petition warrants review under Rule 10 because the decision below: (1) conflicts with this Court's decisions holding that indigent litigants cannot be denied access to appellate review of substantial constitutional claims solely because of inability to pay filing fees; (2) presents an important and recurring federal question regarding whether states may create 'registration orphan' status by imposing obligations untethered from any current duty in any jurisdiction; (3) departs from the Seventh Circuit's own precedent recognizing constitutional limits on registry classifications; and (4) raises the novel but important question whether federal courts may abdicate their Article III role by importing state procedural labels to deny a forum for colorable federal constitutional claims.

I. The Seventh Circuit's Fee Barrier Conflicts with This Court's Precedents on Access to Justice

The decision below conflicts with this Court's cases holding that indigent litigants cannot be denied access to appellate review of substantial constitutional claims solely because of inability to pay filing fees. In *Griffin v. Illinois*, 351 U.S. 12 (1956), this Court held that destitute defendants must be afforded as adequate appellate review as those who can pay; in *Boddie v. Connecticut*, 401 U.S. 371 (1971), the Court held that due process prohibits conditioning access to the only available forum on fees indigent litigants cannot pay; and in *M.L.B. v. S.L.J.*, 519 U.S. 102 (1996), the Court held that a State may not deny appellate review of a fundamental right solely due to inability to pay record preparation fees.

This case extends that principle to civil constitutional claims involving ongoing, severe liberty restraints. Petitioner submitted sworn evidence that prepaying the full appellate fee would deprive him of food, housing, utilities, transportation to chemotherapy, and prescription medications. The Seventh

Circuit provided no meaningful reasoning for its denial—it did not question Petitioner’s indigency or dispute the severity of the hardship. Instead, the court imposed a categorical denial of access despite Petitioner’s offer of reasonable installment payments that would have satisfied the fee over time without jeopardizing basic survival needs. This is not a harsh application of § 1915; it is a complete barrier to review of substantial constitutional claims.

II. The Case Presents Substantial Full Faith and Credit, Ex Post Facto, and Right-to-Travel Questions

The decision below presents an important and recurring federal question regarding interstate registration schemes and Full Faith and Credit limits. The Indiana Supreme Court’s construction of SORA—tying registration to a present, not past, obligation in another state—is now in direct tension with how the Seventh Circuit permits Indiana to treat Petitioner. In *Peters v. Quakenbush*, __ N.E.3d __, 2025 WL 3087540 (Ind. June 19, 2025), the Indiana Supreme Court held that the statute’s use of ‘is required to register’ (present tense) means registration obligations apply only when a person currently has a duty in another jurisdiction. The Court expressly rejected Indiana’s argument that a former state’s continued website listing created an ongoing duty, holding that once a person leaves a jurisdiction, the duty to ‘reregister’ lapses.

Yet Indiana continues to impose lifetime registration on Petitioner despite Alaska’s affirmative removal of his duty and Texas’s imposition of no current obligation. This creates a ‘registration orphan’ status that penalizes the right to travel by imposing unique burdens on those who have exercised their right to interstate mobility. See *Saenz v. Roe*, 526 U.S. 489 (1999). Unlike *Smith v. Doe*, 538 U.S. 84 (2003), which addressed the original imposition of registration requirements for offenders with current duties, this case involves the creation of a registration obligation that exists nowhere in the nation, directly implicating Full Faith and Credit concerns and federalism principles that *Smith* did not address.

Indiana’s actions create a federalism conflict: the state disregards the determinations of sister states—Texas (the convicting state) and Alaska (the state of last residence)—thereby undermining the constitutional framework for interstate comity. The federal courts are allowing Indiana to disregard its own highest court’s reading of its statute in a way that contravenes Full Faith and Credit and the right to travel.

III. The Seventh Circuit’s Own Precedent Demonstrates Petitioner’s Claims Are Not Frivolous

The decision below departs from the Seventh Circuit’s own precedents recognizing that erroneous registry classifications implicate significant liberty interests and require meaningful process. The Seventh Circuit cannot plausibly maintain that Petitioner’s claims have ‘no arguable basis in law’ when its own decisions recognize identical constitutional injuries.

In *Schepers v. Commissioner, Indiana Department of Correction*, 691 F.3d 909, 913 (7th Cir. 2012), the court held that erroneous labeling as a 'sexually violent predator' on Indiana's registry infringes a liberty interest protected by the Due Process Clause and requires constitutionally sufficient procedures to correct errors. In *Lacy v. Butts*, 922 F.3d 371, 374 (7th Cir. 2019), the court held that Indiana's correctional burdens cannot violate the Fifth Amendment. And in *Hope v. Commissioner of Indiana Department of Correction*, 9 F.4th 501 (7th Cir. 2021), the court addressed the constitutional boundaries of Indiana's use of out-of-state obligations, confirming the substantial federal character of such disputes.

The Seventh Circuit's 'no arguable basis' finding is directly contradicted by both its own precedent and the Indiana Supreme Court's *Peters* decision, which confirms the statutory and constitutional defects in Indiana's registry scheme. The timing of the *Peters* decision makes the Seventh Circuit's error particularly stark, as it validates the very claims the Seventh Circuit deemed unreviewable.

IV. Federal Courts Cannot Adopt State Labels to Avoid Adjudicating Federal Constitutional Claims

The decision below raises the important and recurring question whether federal courts may abdicate their Article III role by importing state 'frivolous' and 'vexatious' labels to justify denying any forum for colorable federal constitutional claims. Federal courts cannot outsource constitutional adjudication to state courts. This Court has held that federal courts have a 'virtually unflagging obligation' to exercise jurisdiction over federal constitutional claims and cannot engage in the deferential adoption of state procedural labels without independent federal adjudication. *See Ex parte Young*, 209 U.S. 123 (1908); *Howlett v. Rose*, 496 U.S. 356 (1990); *Haywood v. Drown*, 556 U.S. 729 (2009).

Here, the district court adopted Indiana's procedural labels to avoid adjudicating Petitioner's federal constitutional claims under the Full Faith and Credit Clause, Ex Post Facto Clause, ADA, and First Amendment. The Seventh Circuit ratified this abdication by denying in forma pauperis status. The question is novel but critically important: may federal courts avoid their Article III duty to decide federal questions by deferring to state court procedural characterizations? If so, no federal forum exists for the vindication of federal rights against state actors.

V. The Fee Barrier Perpetuates Active Constitutional Violations

For the reasons already stated, denying review here allows continuing Full Faith and Credit, Ex Post Facto, and travel violations with no alternate forum to correct them. The Seventh Circuit's denial of review is not a neutral procedural ruling; it is a decision to allow active constitutional violations to continue indefinitely. The injuries here are prospective and continuing, producing new harm each day Petitioner remains misclassified.

Because Indiana courts have refused to correct these errors and the lower federal courts have blocked access to a federal forum, there is no alternative venue to remedy these ongoing violations. This Court is the only forum capable of stopping Indiana's active infringement of Petitioner's constitutional rights. The fee barrier, as applied here, is not merely a denial of process for a past wrong; it is the mechanism that perpetuates present and future constitutional injury.

VI. Justice Molter's Constitutional Concern

Justice Molter's concurrence in *Peters* raised the precise constitutional issue at the heart of this case. He questioned whether Indiana's statutory scheme, which treats Hoosiers differently based on whether they have traveled through other states, violates equal protection and privileges and immunities principles. See *Peters*, 2025 WL 3087540, at *14-18 (Molter, J., concurring). This concern directly parallels Petitioner's federal constitutional claims under the right to travel and equal protection. That a justice on Indiana's highest court has flagged these questions as creating constitutional problems underscores that Petitioner's claims are substantial, not frivolous, and warrant this Court's review under Rule 10.

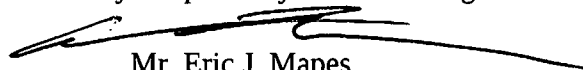
XII. CONCLUSION

Petitioner affirms under the penalty of perjury that the foregoing is true and correct, and that this filing is submitted in good faith, without prejudice, and in defense of equal protection, due process, and meaningful access to justice.

The petition for a writ of certiorari should be granted.

16, July, 2026

Very Respectfully submitted in good faith,



Mr. Eric J. Mapes
Petitioner pro se
Real Party of Interest