No. 26-5319

# In the Supreme Court of the United States

Genay L. Amerson,

*Petitioner*,

v.

Nevada Education Corp., Et al.,

*Respondents.*

*On Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit*

## PETITIONER REPLY BRIEF

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October 23, 2026

## QUESTION PRESENTED

Whether the Clerks of the Court bypassing the "Clearinghouse" on certain filings is an unconstitutional barrier to access justice or is a "proper" application of Supreme Court Rule 1.2 – "except as authorized by the Court".

## PARTIES TO THE PROCEEDING

Petitioner is Genay L. Amerson, who is the Plaintiff-Appellant below.

Respondents are Nevada Education Corporation (encased), Peter Mikhail, and Mikhail Education Corporation (M.E.C.), who are Defendants-Appellees below.

No Party to the proceeding is a publicly held corporation, and no party has a stock ticker symbol.

## RULE 29.6 STATEMENT

Petitioner is not a corporate entity.

## STATEMEMT OF RELATED PROCEEDINGS

- Amerson v. Nevada Education Corporation, et al., No. 24-cv-01589, U.S. District Court for the Southern District of Nevada. Judgement to dismiss entered on February 11, 2026.
- Amerson v. Nevada Education Corporation, et al., No. 26-1027, U.S. Court of Appeals for the Ninth Circuit. Judgement to dismiss under 28-U.S. Code § 1915(e)(2), entered on March 23, 2026.

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## PETITIONER' REPLY BRIEF

Petitioner Genay L. Amerson asserts the Respondents' October 14, 2026 Brief in Opposition (20261014105006530_NvBio Cert BIO MAIN E FILE Oct 14 26) consists of erroneous factual findings and the misapplication of a properly stated rule of law and ergo the Petitioner must object in reply and request this Court strike the Respondents' brief from the Record *restitutio integrum* with prejudice and file and the Petitioner's August 11, 20206, submission (Unpublished August 11, 2026 Petition for Writ of Certiorari with Appendices, IOM21031959, found at *pp. 5b-123b*) *in pari materia* with Petitioner's Reply Brief; after the Clerks of the Court hid and destructed most of the August ll, 2026, submission under the original June 19, 2026, filing, IOM15137684, by bypassing the "Clearinghouse" in violation of *Sup. Ct. R. 1.2* that led to further illegal government actions (Summer Allegra Johnson-Smith activated unlawful DOJ wiretaps signed by the 9th Circuit, encased in USCA9 No. 26-1027) in prevention of this responsive pleading receiving review by this Court, after Appellate Court Justice Vincent Smith Sr. used Clerks to bypass the "Clearinghouse" to remove this Court's authority under 28 U.S.C. § 1254(1), respectfully submitted herewith with Affidavit under Jurat attached, *pp. 1b-4b*.

## OPINIONS BELOW

The Ninth Circuit's Final Judgement (9th Cir. March 23, 2026) is reproduced at App. A, found at page 1a. The Ninth Circuit's relevant Order 19 (9th. Cir. March 5,

2026) is reproduced at App. B, found at page 3a. The District Court's final Judgements are reproduced at App. D, found at page 12a, and App. E, found at page 20a, respectively (February 11, 2026).

## JURISDICTION

The Judgement of the Ninth Circuit was entered on March 23, 2026, reproduced at App A, found at *p.1a* – and the jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

## INTRODUCTION: Effective March 16, 2026.

The 48-Rules of the Supreme Court of the United States were recently made effective on March 16, 2026, to be applied without exception, unless "in the opinion of the Court, their application [Rules] to a pending matter [...] would work to an injustice".

The Respondents' Brief in Opposition submitted on October 14, 2026, without admission to this bar, or a Letter of Appearance, was untimely filed and submitted for the sole purpose of requesting a dismissal of the Petitioner's August 11, 2026, Petition for Writ of Certiorari (IOM20131959), prohibited per *Sup. Ct. R. 15.4* (see Respondents' October 14, 2026 Brief in Opposition (20261014105006530_NvBio Cert BIO MAIN E FILE Oct 14 26) and gives cause for the Petitioner to request this record stricken with prejudice in violation of *Sup. Ct. R. 1.1, Sup. Ct. R. 1.2, Sup. Ct. R. 5.1, Sup. Ct. R. 5.2, Sup. Ct. R. 5.3, Sup. Ct. R. 5.4 Sup. Ct. R. 7, Sup. Ct. R. 9.1, Sup. Ct. R. 15.3, Sup. Ct. R. 15.4, Sup. Ct. R. 15.5, Sup. Ct. R. 22.3, Sup.*

*Ct. R. 24.6, Sup. Ct. R. 29.2, Sup. Ct. R. 29.7, Sup. Ct. R. 30.1, Sup. Ct. R. 30.3* and *Sup. Ct. R. 30.4, Sup. Ct. R. 34.7(d)(e),* 18 U.S.C. § 242, 18 U.S.C. § 2071 and 28 U.S.C. § 1927.

**QUESTION PRESENTED:**

**Whether the Clerks of the Court Bypassing the "Clearinghouse" on Certain Filings is an Unconstitutional Barrier to Access Justice or is a "Proper" Application of Supreme Court Rule 1.2 – "Except as Authorized by the Court".**

On August 11, 2026, the Petitioner manually submitted a corrected Petition for Writ of Certiorari per Rule 29.2 and after submission to the Supreme Court Guard Gate, witnessed Guard# 638 (and additional Guard) remove the Applications received and walk towards the United States Supreme Court building (IOM20131959) with the following filed documentation, that hid and destructed the August 11, 2026, filing under the June 19, 2026 Docket Entry in violation of 18 U.S.C. § 2071, *Sup. Ct. R. 1.1* and *Sup. Ct. R. 1.2*, and *Sup. Ct. R. 7* and by not filing documents originally filled with the Petition, to wit: Appendix A – March 23, 2026 USCA9 No.26-107 Judgement; Appendix B-1 – March 15, 2026 Order; Appendix B-2 – March 3, 2026 Notice of Appeal; Appendix C – September 30, 2026 (precedential) Ruling 189 (District Court); Appendix D – February 11, 2026 Judgement (District Court); Appendix E – February 11, 2026 Final Order (District Court); Appendix F – March 23, 2026 USAFW/IGQ Communication; Appendix G – July 17, 2026 USAFW/IGQ Communication; Appendix

H – SPECIAL DAMAGES DISCLOSURE REQUEST; Third Amended Complaint, Appendix I – T.A.C. (ECF 217) and Appendix J – T.A.C. (ECF 219), see Unpublished August 11, 2026 Petition for Writ of Certiorari with Appendices, IOM20131959, found at *pp. 5b-123b*.

On September 21, 2026, the Petitioner attempted to file an Application to the Chief Justice under Clerks, *Sup. Ct. R. 22.3*, via USPS, that was removed upon receipt to a local Post Office, on the same day, and was picked up the following day, September 22, 2026, at a local D.C. Post Office, by L. Johnson (see USPS Track# 9510810049626261824156) and was then manually returned to the Clerk's Office on September 23, 2026, before being mailed back to the Petitioner with a September 24, 2026 Clerk Letter which read: "an emergency application to "request a change of clerk" was [... and] I regret to inform you that the Court is unable to assist you in the matter you present", in violation of 18 U.S.C. § 242, *Sup. Ct. R. 1.1, Sup. Ct. R. 1.2, and Sup. Ct. R. 7.*

On October 7, 2026, the Petitioner flew 3,000 miles to submit 2-Applications (IOM481202) to the Chief Justice on Relief from (Armed Services) Insurrection (CA, NV, TX, DMV) and Law Enforcement Warrantless Wiretaps, used to unlawfully "proxy" stalk, harass, interrupt phone service and bank funds, traffic content, use location services by insurrecting military weaponry to cause assault and battery daily) create hostile environments in public use spaces, etc.),

that are encased in lower court Emergency Motions in USCA9 No. 26-1027 and filed under Clerks, *Sup. Ct. R. 22.3,* after the Petitioner witnessed Guard# 571 remove the 2-Applications submitted minutes before directly to the United States Supreme Court building that were returned in violation of *Sup. Ct. R. 1.1, Sup. Ct. R. 1.2, Sup. Ct. R. 7* and *Sup. Ct. R. 22.3 and* with the following October 9, 2026 Clerk Letter enclosed with the 2-Applications to the Chief Justice:

> "Dear [...]: Your application that was received October 9, 2026 is herewith returned for the following reason(s): You are informed the Rules of the Court makes no provision for this type of application" and misstated 2-Applications to the Chief Justice were "[a] Motion" for leave to File" does not suspend the Rules of the Court", referencing IOM14841202, Petitioner' Application to Chief Justice under Clerks.

**OBJECTIONS: Respondent's Misstatements of Fact & Misapplication of Supreme Court Rules.**

The Respondents listed misstatements of facts and(or) misapplied "properly stated rule of law at least a dozen times within the first three pages, to wit: denial of Nevada Education Corporation having existed, an unqualified endorsement of the 9th Circuit judgement as "proper", failed to review Appellant-Petitioner' Opening Brief on Appeal in USCA9 No.26-1027

(Unpublished August 11, 2026 Petition for Writ of Certiorari with Appendices, IOM20131959, found at *pp. 5b-123b*), vexatiously and falsely stated Plaintiff-Petitioner was sanctioned for "repeated violations of the District's Court's Order without reference to violations or Order, misapplies a k-12 anti-drug statute (20 U.S.C. 7101), found at p. 2 B. in O. but fails to address the school's policy violated by the Administration in wrongfully terminating a student months after adjudication of sed test, additionally misapplies NRS 687C – Interstate Insurance Product Regulation Compact as a cannabis drug statute unrelated, misapplies 21 U.S.C. 812(b)(1), conflates OCR Case No. 10222173 as having fact-based findings when its encased in No. 24-cv-01589 the OCR suppressed 2,756-pages in relevant evidence, found at p.3 B. in O. and fails to address the school permitting the Petitioner to return to the nursing program for four months after finding the school drug policy satisfied before uncited policy changes not in writing and defames the Plaintiff-Petitioner as having a 446 Civil Rights: American with Disabilities action substantively proven dismissed as a "sanction for conduct abusing the judicial process", found at p. 1 B. in O., Opinions Below, that was untimely filed and gives cause for the Petitioner to request the Respondents' October 14, 2026 Brief in Opposition stricken from the Record *restitutio integrum* with prejudice.

On September 15, 2026, the Respondents' Counsel submitted (20260918115716361_26-5319 EOT), a letter to this Court, that was untimely filed and due

10-days before September 16, 2026, in violation of *Sup. Ct. R. 1.1, Sup. Ct. R. 1.2, by* use of an e-file account opened by the Clerk of the Court, in violation of *Sup. Ct. R. 29.7* and the Electronic Filing Guidelines (2) and evidenced by the Respondents Counselor's admission to being unlicensed, see September 17, 2026, stamped entry of Respondents' Counselor's Letter at 20260918115716361_26-5319 EOT and gives cause for this Court to consider Counsel of Record unqualified to file/e-file submissions to this Court or request extensions of time and must request all Respondents' filings stricken from the Record *restitutio integrum* with prejudice.

The Brief in Opposition, e-filed on October 14, 2026, by "proxy" of a third-party, was untimely filed and before Respondent's Counsel received admission to this Court's Bar, in violation of *Sup. Ct. R. 1.1, Sup. Ct. R. 1.2, Sup. Ct. R. 7, Sup. Ct. R. 9.1, Sup. Ct. R. 10, Sup. Ct. R. 15.3, Sup. Ct. R. 15.4, Sup. Ct. R. 15.5, Sup. Ct. R. 24.1(i), Sup. Ct. R. 24.3, Sup. Ct. R. 24.6, Sup. Ct. R.* 30.1, *Sup. Ct. R.* 30.3 and *Sup. Ct. R.34.7(d)(e)* but was filed by the Clerks of the Court with misapplied references to state encasements (A-26-958561-W, Dept. 11) not found on the August 11, 2026 Petition for Writ of Certiorari with erroneous misstatements of facts asserted and gives cause for the Petitioner to request the October 14, 2026 Brief in Opposition stricken from the Record *restitutio integrum* with prejudice and to request sanctions per 28 U.S.C. § 1927 against the Respondents.

**REASONS FOR GRANT OF PETITION: Equal Access to "Equal Justice Under Law".**

IFP Pro Se may only be denied when "the petition is frivolous or malicious" or when "the allegation of poverty is untrue." 28-U.S. Code § 1915(e)(2) does not authorize denial of "in forma pauperis status based on docket management, anticipated outcome, institutional preference, or discretionary screening untethered from its stated predicates", *Screened Before Judgment: Docketing, In Forma Pauperis, and the Supreme Court's Quiet Rewriting of Rule 39 Through the Cert Pool in Pro Se Litigation, SSRN, Walker, Steve, January 15, 2026, Edition.*

"[A]ccess to [the] judicial process was understood as a structural component of Article III adjudication rather than a discretionary indulgence", *Screened Before Judgment...*, *supra*, now codified under 28-U.S. Code § 1915, articulates the difference between a "right" and what would be classified as an indulgence, that the "Law of the Circuit Doctrine" reliant heavily upon by the United States Appellate Court Circuits, is the inherent problem with the precedential application of this "properly" stated law that has removed equal access under 28-U.S. Code § 1915(e)(2) to equal justice and directly led to the question presented:

Whether the precedent to generally dismiss appeals filed IFP Pro Se under 28-U.S. Code § 1915(e)(2) as "frivolous" is a proper application of law by the U.S. Court of Appeals or is an unconstitutional barrier to access justice.

The precedential denial of IFP Pro Se Applications in 28-U.S. Code § 1291 "as of right" Appeals, is "represent[ative] of a quiet but consequential departure from the textually grounded and historically rooted framework governing indigent access [...], and that the departure is sustained by [...] administrative processes that insulate access decisions from adjudicative articulation", Screened Before Judgment..., *supra*, and directly translates to The United States Appellate Court Circuits precedentially dismissing approximately 87-percent of all Pro Se appeals and 97-percent of IFP Pro Se appeals at the Appellate Court level in 2025 (see the "*Unjustifiable Costs of Pro Se Litigation*" Petition for Writ of Certiorari statistical hyperlinks and datasets).

It is evident that the United States Appellate Court Circuits have used the "Law of the Circuit Doctrine" precedentially and historically to remove equal access to justice and the enumerated and exclusive rights of 28-U.S. Code § 1915(e)(2) that can only be redressed by this Court on review of the August 11, 2026 "*Unjustifiable Costs of IFP Pro Se Litigation*" Petition for Writ of Certiorari (Unpublished August 11, 2026 Petition for Writ of Certiorari with Appendices, IOM20131959, found at *pp. 5b-123b*) and is requesting be transmitted to this Court for its consideration with waiver of the remainder of the 14-day waiting period, *Sup. Ct. R. 15.5.*

## CONCLUSION

The Petitioner requests the Respondents' e-filed October 14, 2026 Brief in Opposition stricken from the

Record *restitutio integrum* with prejudice, after no presentation of a Letter of Appearance of (new) Counsel or proof of admission to practice at the Supreme Court of California or Nevada where licensed and requests this Court's consideration on the precedential misapplication of 28-U.S. Code § 1915(e)(2) to restore equal access to equal justice, after "[t]he right to proceed in forma pauperis [...] not a privilege but right where the statutory conditions are met", *Adkins v. E.I. DuPont de Nemours & Co. (1948)*, has been completely removed and become a statutory barrier to equally access justice, *Sup. Ct. R. 1.2.*

Respectfully submitted,

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