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IN THE SUPREME COURT OF THE UNITED STATES

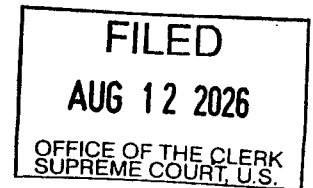
Dana Watson, et al.,

Plaintiffs-Appellants

v.

Metropolitan Enforcement Group of Southern Illinois, et al.,

Defendants-Appellee's



PETITION FOR A WRIT OF CERTIORARI

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Petitioner respectfully prays that a Writ of Certiorari issue to review the judgment of the
United States Court of Appeals for the Seventh Circuit.

On Petition for a Writ of Certiorari to the

United States Court of Appeals for the Seventh Circuit

Dana Watson

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Appellants Pro Se'

QUESTION(S) PRESENTED:

- 1. Whether a federal court violates the Supremacy Clause and the civil rights mandates of 42 U.S.C. § 1983 by applying the doctrine of res judicata (claim preclusion) to bar subsequent due process and property deprivation claims, where the operative, unconstitutional conduct—specifically, a fresh, explicit refusal to return legally owned property following the conclusion of a criminal case—occurred after the final judgment of the initial lawsuit.**
- 2. Whether the Seventh Circuit erred in directing a civil rights litigant to seek remediation exclusively in state court for ongoing, independent violations of the Second, Fourth, Fifth, Fourteenth Amendments, and Title VI of the Civil Rights Act of 1964, thereby abdicating the federal courts' primary obligation to adjudicate federal constitutional questions under 42 U.S.C. § 1983.**
- 3. Whether the statute of limitations for a § 1983 claim based on an unconstitutional continuing seizure and procedural due process failure is triggered at the conclusion of a baseline criminal matter, or whether a new injury accrues when state actors actively misrepresent retention timelines (e.g., falsely asserting retention until 2030) and subsequently refuse distinct physical compliance requests.**
 - 2nd Amendment (Right to Keep and Bear Arms): "Whether a municipality violates the Second Amendment by permanently retaining a legally purchased and possessed firearm, initially seized solely as evidence, after all criminal proceedings and appeals have concluded, and whether *res judicata* bars a distinct claim for its return when a new demand is made post-litigation."**

- **“Whether the continuous, indefinite withholding of a citizen's lawfully owned firearm by state police after the absolute conclusion of a criminal proceeding—without a formal forfeiture hearing or a showing of personal disqualification— infringes upon the Second Amendment right to keep and bear arms.”**
- **Second Amendment (Right to Keep and Bear Arms):**
- **District of Columbia v. Heller, 554 U.S. 570 (2008) and New York State Rifle & Pistol Ass'n v. Bruen, 597 U.S. 1 (2022).** These cases argue that the indefinite, non-criminal retention of a legally possessed firearm by state actors directly infringes upon an individual's core constitutional right to keep arms for self-defense.
- **4th Amendment (Unreasonable Seizure):** "Whether the continuous, indefinite retention of an innocent owner's lawfully acquired property by law enforcement—long after its evidentiary utility has expired and a court order has mandated its release—constitutes a continuing 'unreasonable seizure' that evades traditional statute of limitations bars."
- **“Whether the government’s continued, warrantless retention of personal property after its evidentiary justification has entirely ceased constitutes a distinct, ongoing 'seizure' under the Fourth Amendment.”**
- **Fourth Amendment (Seizure of Property):**
- **Manuel v. City of Joliet, 580 U.S. 357 (2017).** This case establishes that the Fourth Amendment protects against unauthorized seizures of property even after the legal process has begun. These cases argue the seizure became unreasonable the moment the legal justification for holding the evidence expired.

- **5th Amendment (Takings Clause): "Whether the government's refusal to return court-ordered forfeiture funds and personal property to an innocent owner after the conclusion of criminal proceedings constitutes a taking for public use without just compensation, creating an independent cause of action not precluded by prior dismissals of separate tort claims."**
- **Fifth Amendment (Takings Clause):**
- **Knick v. Township of Scott, 588 U.S. 180 (2019). The government cannot take or indefinitely retain private property for public use (or state custody) without just compensation. While usually applied to real estate, it applies to the conversion of funds and personal property.**
- **7th Amendment (Right to Jury Trial): "Whether a plaintiff's Seventh Amendment right to a jury trial is unconstitutionally abridged when a federal court applies claim preclusion to dismiss property-restitution claims at the pleading stage without resolving genuine disputes of material fact regarding the current location and status of the property."**
- **"Whether a court violates the Equal Protection Clause and the right to a jury trial by summarily dismissing property claims under preclusion doctrines when genuine disputes of material fact exist regarding government concealment of the property's status."**
- **Seventh Amendment (Right to Jury Trial):**
- **Dimick v. Schiedt, 293 U.S. 474 (1935). The Seventh Amendment preserves the right to have a jury determine facts and damages. . . . argue that the judge-led**

**dismissal under res judicata, despite newly arising facts (the 2024/2026 denials),
unconstitutionally deprives you of a jury evaluation.**

- **14th Amendment (Due Process & Equal Protection): "Whether procedural due process permits a state actor to indefinitely retain an innocent citizen's property without providing an ongoing post-deprivation administrative remedy, and whether relying on claim preclusion to shield continuous property deprivation violates the Equal Protection Clause."**
- **"Whether a state law enforcement agency violates the Fourteenth Amendment's Due Process Clause by permanently retaining an individual's lawfully owned property after the conclusion of a criminal trial, while systematically denying requests for a Property Disposition Letter or Destruction Order."**
- **"Does a state court violate due process by applying claim preclusion (res judicata) to a post-trial property retention claim when the property owner could not have known the property was permanently withheld or destroyed during the initial civil rights litigation?"**
- **Fourteenth Amendment (Due Process & Equal Protection):**
- **Mathews v. Eldridge, 424 U.S. 319 (1976). This defines procedural due process. The state must provide an adequate, fair procedure to return property when they no longer have a lawful right to hold it.**

LIST OF PARTIES

METROPOLITAN ENFORCEMENT GROUP OF SOUTHERN ILLINOIS,

ILLINOIS STATE POLICE,

BOB PATTERSON,

M/SGT. JOE BELIVEAU,

S/A JOSH HUNT #9905,

S/A KEVIN CROLLY,

S/A SCOTT PRITCHETT #9846,

SGT. KAREN GORDON,

S/A TONY LUTHER #9829,

S/A MATT WERNER, and

S/A MATT EVERS,

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TABLE OF AUTHORITIES CITED

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Cases:

- **Dimick v. Schiedt, 293 U.S. 474 (1935). pg. 4**
- **District of Columbia v. Heller, 554 U.S. 570 (2008) pg. 3**
- **Heck v. Humphrey, 512 U.S. 477 (1994) pg. 6**
- **Knick v. Township of Scott, 588 U.S. 180 (2019) pg. 4**
- **Lauth v. McCollum, 424 F.3d 631 (7th Cir. 2005) pg. 6**
- **Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992) pg. 6**
- **Manuel v. City of Joliet, 580 U.S. 357 (2017) pg. 3**
- **Mathews v. Eldridge, 424 U.S. 319 (1976) pg. 5**
- **Mitchum v. Foster, 407 U.S. 225 (1972) pg. 6**
- **Monell v. Department of Social Services, 436 U.S. 658 (1978) pg. 6**
- **Monroe v. Pape, 365 U.S. 167 (1961) pg. 6**
- **New York State Rifle & Pistol Ass'n, Inc. v. Bruen, 597 U.S. 1 (2022) pg. 3**
- **Taylor v. Sturgell, 553 U.S. 880 (2008) pg. 6**
- **Wallace v. Kato, 549 U.S. 384 (2007) pg. 6**

- **Lauth v. McCollum, 424 F.3d 631 (7th Cir. 2005).** For Equal Protection under a "class of one" theory, the police intentionally treated you differently from other similarly situated innocent property owners with no rational basis.

Heck v. Humphrey, 512 U.S. 477 (1994)

Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992)

Mathews v. Eldridge, 424 U.S. 319 (1976)

Mitchum v. Foster, 407 U.S. 225 (1972)

Monell v. Department of Social Services, 436 U.S. 658 (1978)

Monroe v. Pape, 365 U.S. 167 (1961)

New York State Rifle & Pistol Ass'n, Inc. v. Bruen, 597 U.S. 1 (2022)

Taylor v. Sturgell, 553 U.S. 880 (2008)

Wallace v. Kato, 549 U.S. 384 (2007)

OPINIONS AND ORDERS BELOW

The opinion of the United States Court of Appeals for the Seventh Circuit affirming the dismissal of Petitioner's claims is attached hereto in the Appendix. The subsequent order denying Petitioner's timely petition for rehearing and rehearing *en banc* is also included within the Appendix. The opinion of the District Court is reported is also included within the Appendix.

JURISDICTION

The judgment of the Court of Appeals was entered on 6/16/2026. A timely petition for rehearing was denied on 7/14/2026. This Petition is filed within 90 days of that denial, invoking this Court's jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- The relevant text of the Second, Fourth, Fifth, Seventh, and Fourteenth Amendments to the United States Constitution, alongside 42 U.S.C. § 1983 and Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), are set forth in the statutory addendum of this petition.

- U.S. Const. amend. II (Right to Keep and Bear Arms)

- U.S. Const. amend. IV (Unreasonable Seizures)

- U.S. Const. amend. V (Takings Clause)

- U.S. Const. amend. VII (Jury Trial)

- U.S. Const. amend. XIV, § 1 (Due Process and Equal Protection)

Statutes and Constitutional Provisions:

- **U.S. Const. amend. II**
- **U.S. Const. amend. IV**
- **U.S. Const. amend. V**
- **U.S. Const. amend. VII**
- **U.S. Const. amend. XIV**
- **28 U.S.C. § 1254(1)**
- **42 U.S.C. § 1983**
- **Civil Rights Act of 1964, Title VI (42 U.S.C. § 2000d)**

- 42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)

STATEMENT OF THE CASE

2014 search warrant no knock search warrant served at dark 545am (seizure of gun 40 Cal SW Serial # DVJ6899 & \$1892 Forfeiture Funds) the 2020 criminal appeal conclusion, the 2021 order releasing forfeiture funds, the distinct 2024/2026 property return demands including failure to provide documentation of status after several request, including 2 ignored FIOA request for information resulting in the PAC issuing a determination of violations, and status of the gun, clips 1 loaded and 1 not & Court Ordered & Released Forfeiture Funds (explicit 2024 and 2026 requests/denials), the 7th Circuit's dismissal based on preclusion, and the procedural history of your dismissed lawsuits, causing ongoing psychological trauma from the deprivation of property.

This case highlights a profound structural failure within the lower federal courts regarding the intersection of federal civil rights under 42 U.S.C. § 1983, state law property mechanisms, and the defensive invocation of claim preclusion (res judicata).

- **Factual Background**
- **Petitioner is the lawful owner of a store-purchased firearm, specifically a Smith & Wesson 40 VE (Serial # DVJ6899), along with two magazines (one loaded, one unloaded). Petitioner holds and maintained a valid Firearm Owner's Identification (FOID) card. The firearm in question was seized purely as evidentiary property by the Metropolitan Enforcement Group of Southern Illinois (MEGSI)**

during an incident in 2014. The firearm was never an instrumentality of a crime, nor was Petitioner convicted of an offense rendering firearm possession illegal. Separately, in 2021, a state court issued an explicit order releasing forfeiture funds totaling \$1,892.00 to Petitioner.

- The underlying criminal proceedings concluded completely in 2020. At that time, administrative and custodial duties mandated that Respondents initiate procedural due process steps to execute the return of Petitioner's property. Instead, Petitioner's then-retained legal counsel provided formal, written correspondence (submitted as an exhibit in the underlying action) declaring that state actors asserted the property would be held securely until the year 2030.

- The Prior Litigation and Subsequent Infractions

- In 2022, Petitioner filed a federal civil rights action against various actors, asserting claims arising out of the 2014 encounter, including excessive force, willful and wanton conduct, and discrimination. Because the statute of limitations had run on injuries sustained directly during the 2014 encounter, the district court dismissed those historic claims with prejudice.

- Crucially, in March 2024, relying upon the expiration of the criminal case and seeking clarity regarding the 2030 retention representations, Petitioner made formal demands to the law enforcement agency and court clerk for property releases. Respondents explicitly stated they would not hold a firearm for that duration, yet simultaneously refused to issue the necessary property releases for the Smith & Wesson firearm, magazines, or the \$1,892.00 in court-ordered funds.

Respondents flatly directed Petitioner that any relief must be extracted exclusively through adversarial court intervention.

- **Petitioner instituted a fresh federal complaint in 2024, alleging distinct procedural due process violations under the Fifth and Fourteenth Amendments, illegal continuing seizure under the Fourth Amendment, a deprivation of the Second Amendment right to keep and bear arms, and systematic discrimination under Title VI. Petitioner sought compensatory, punitive, and emotional distress damages totaling \$9,000,000.00.**

- **Rulings of the Lower Courts**

- **The United States District Court summarily dismissed the 2024 complaint, mischaracterizing the brand-new procedural denials of March 2024 as identical to the 2014 operative facts, thereby applying res judicata. On appeal, the United States Court of Appeals for the Seventh Circuit affirmed. The Seventh Circuit declared that Petitioner must direct collection actions exclusively to state court avenues (such as state-law replevin or conversion), effectively holding that the availability of a state-court forum extinguishes a federal court's jurisdiction to hear a § 1983 claim for explicit constitutional injuries. Petitioner sought a rehearing en banc, which was denied.**

- **Compounding these structural injuries, throughout 2026, Petitioner initiated formal Freedom of Information Act (FOIA) requests and explicit demands to identify the physical location and custody status of the property. These requests were deliberately ignored, prompting an enforcement determination by the Public**

Access Counselor (PAC) granting Respondents 7 business days to comply.

Respondents willfully defaulted on this regulatory mandate and ignored all formal 2026 email demands, continuing an uninterrupted, unconstitutional containment of Petitioner's property without notice, hearing, or legal justification.

REASONS FOR GRANTING THE WRIT

I. THE SEVENTH CIRCUIT'S APPLICATION OF RES JUDICATA CONFLICTS WITH SUPREME COURT PRECEDENT REGARDING CONTINUING CONSTITUTIONAL VIOLATIONS.

II. STATE ACTORS CANNOT USE PROCEDURAL BARRIERS TO PERMANENTLY RETAIN COMMANDEERED PROPERTY AND COURT-ORDERED FORFEITURE FUNDS FROM AN INNOCENT OWNER.

III. THIS CASE PRESENTS AN IMPORTANT, UNRESOLVED QUESTION OF PROCEDURAL DUE PROCESS REGARDING THE PERMANENT LOSS OF FIREARMS/PROPERTY (Forfeiture Funds) WITHOUT REMEDY:

The Seventh Circuit's application of res judicata conflicts with this Court's precedents when applied to a continuous, post-litigation deprivation of property.

Law enforcement's indefinite retention of an innocent owner's firearm directly infringes upon the core protections of the Second and Fourteenth Amendments.

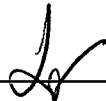
This case presents an ideal vehicle to resolve a circuit split regarding whether a continuous seizure of property tolls the statute of limitations under Section 1983.

CONCLUSION

For the foregoing reasons, this Petition for a Writ of Certiorari should be granted.

Respectfully submitted,

Dated: 8/11/2026, 2026

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