

26-5578 ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED

JUN 20 2026

OFFICE OF THE CLERK

JEANNETTE SOTO SANTINI,
Petitioner,

v.

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA,**
Respondent.

PETITION FOR A WRIT OF CERTIORARI

Petition for a Writ of Certiorari to the
United States Court of Appeals for the Fourth Circuit

Jeannette Soto Santini
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QUESTIONS PRESENTED

1. Whether the Due Process Clause of the Fifth Amendment is implicated when an unrepresented litigant alleges that she did not receive notice of material orders and judgments necessary to understand and challenge the disposition of her federal civil action, notwithstanding Federal Rule of Civil Procedure 77(d)(1), which requires the Clerk to serve notice of the entry of orders and judgments as provided by Rule 5(b).
2. Whether meaningful access to judicial review is impaired when an indigent, pro se litigant who relies upon paper communications alleges that she did not receive material orders necessary to seek reconsideration, respond to rulings, or meaningfully pursue appellate review.
3. Whether the dismissal of an indigent pro se litigant's action, under the circumstances presented here, deprived Petitioner of a meaningful opportunity to be heard where Petitioner alleges that she sought information concerning her case and requested Court documents but did not receive material orders before adverse action was taken.

LIST OF PARTIES

Pursuant to Supreme Court *Rules 12.6 and 14.1(b)*, Petitioner identifies the parties to the proceeding in the court whose judgment is sought to be reviewed.

Petitioner:

Jeannette Soto Santini

Respondent:

United States District Court for the Eastern District of Virginia

Petitioner has corrected the captions and List of Parties in accordance with the instructions contained on July 31, 2026, correspondence from the Office of the Clerk of the Supreme Court.

Adventure Tours by Dawn LLC and additional persons previously identified in Petitioner's submission have been removed from the Supreme Court caption and List of Parties in accordance with those instructions.

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TABLE OF AUTHORITIES

CONSTITUTIONAL PROVISIONS

U.S. Const. amend. I

U.S. Const. amend. V

U.S. Const. amend. XIV, § 1

STATUTES

28 U.S.C. § 1254(1)

28 U.S.C. § 1915

28 U.S.C. § 1651(a)

FEDERAL RULES

Fed. R. Civ. P. 5(b)

Fed. R. Civ. P. 77(d)

Fed. R. App. P. 4(a)(6)

Sup. Ct. R. 12.6

Sup. Ct. R. 14

Sup. Ct. R. 29

Sup. Ct. R. 33.2

Sup. Ct. R. 34

Sup. Ct. R. 39

CASES

Bounds v. Smith,
430 U.S. 817 (1977)

Logan v. Zimmerman Brush Co.,
455 U.S. 422 (1982)

Mullane v. Central Hanover Bank & Trust Co.,
339 U.S. 306 (1950)

OPINIONS BELOW

The order for which Petitioner seeks review was entered by the United States Court of Appeals for the Fourth Circuit on **May 1, 2026**.

The proceedings arose from matters in the United States District Court for the Eastern District of Virginia, Alexandria Division, including Case No. **1:25-cv-01437** and proceedings related to Petitioner's earlier Case No. **1:24-cv-2008**.

To the extent available to Petitioner, the relevant orders, judgments, docket materials, and other documents necessary to understand the proceedings are reproduced in the Appendix.

Petitioner contends that a central issue underlying the proceedings is that she did not receive certain material orders and notices necessary to understand and challenge the judicial decisions affecting her rights.

JURISDICTION

The judgment or order sought to be reviewed was entered by the United States Court of Appeals for the Fourth Circuit on **May 1, 2026**.

This Court's jurisdiction is invoked pursuant to **28 U.S.C. § 1254(1)**, which authorizes review by writ of certiorari of cases in the United States Courts of Appeals.

Petitioner timely submitted her original Petition for a Writ of Certiorari.

By correspondence dated **July 31, 2026**, the Office of the Clerk returned the Petition for specified procedural corrections and instructed Petitioner to submit the corrected Petition within the period provided by Supreme Court Rule 14.5.

This corrected Petition is submitted in compliance with those instructions.

CONSTITUTIONAL, STATUTORY, AND PROCEDURAL PROVISIONS INVOLVED

First Amendment

The First Amendment protects, among other things, "the right of the people ... to petition the Government for a redress of grievances."

U.S. Const. amend. I.

Fifth Amendment — Due Process

The Fifth Amendment provides in relevant part:

"No person shall ... be deprived of life, liberty, or property, without due process of law."

U.S. Const. amend. V.

Petitioner relies principally upon the Fifth Amendment because the proceedings challenged here concern actions of the federal judiciary.

Equal Protection Component of the Fifth Amendment

Because this case concerns federal governmental action, Petitioner's equal-protection argument arises through the Fifth Amendment's Due Process Clause.

Petitioner contends that procedures governing access to Court notices and participation in federal judicial proceedings must be administered consistently with constitutional guarantees of due process and equal treatment.

Fourteenth Amendment

The Fourteenth Amendment provides, in relevant part, that no State shall "deprive any person of life, liberty, or property, without due process of law" or "deny to any person within its jurisdiction the equal protection of the laws."

Petitioner recognizes that the challenged proceedings occurred in federal courts and therefore principally relies upon the Fifth Amendment rather than treating the Fourteenth Amendment as the direct constitutional limitation on the federal judiciary.

STATUTORY AND PROCEDURAL PROVISIONS

28 U.S.C. § 1254(1)

Cases in the United States Courts of Appeals may be reviewed by the Supreme Court by writ of certiorari.

Petitioner invokes this provision as the jurisdictional basis for Supreme Court review of the May 1, 2026 Fourth Circuit order.

28 U.S.C. § 1915 — Proceedings In Forma Pauperis

Section 1915 provides a mechanism through which a person unable to pay court fees may seek authorization to commence, prosecute, or defend an action without prepayment of fees or security therefor.

Petitioner relies upon § 1915 only to the extent relevant to her status as an indigent litigant and the procedural history below.

Petitioner's financial and housing circumstances are further addressed in the Affidavit or Declaration submitted with her Motion for Leave to Proceed *In Forma Pauperis* pursuant to Supreme Court Rule 39.

Federal Rule of Civil Procedure 77(d)(1)

Rule 77(d)(1) provides that immediately after entering an order or judgment, the Clerk must serve notice of the entry, as provided in Rule 5(b), upon each party who is not in default for failure to appear, and the Clerk must record the service on the docket.

Petitioner's contention is not merely that an order failed to appear on a docket.

Petitioner's contention is that material orders existed but were not received by Petitioner, thereby preventing her from meaningfully understanding and challenging those rulings.

Federal Rule of Civil Procedure 5(b)

Rule 5(b) establishes methods by which papers may be served upon parties.

Petitioner contends that the notice issue in this case must be evaluated in light of the applicable service requirements and Petitioner's circumstances as an unrepresented litigant.

Federal Rule of Appellate Procedure 4(a)(6)

Rule 4(a)(6) addresses circumstances under which a district court may reopen the time to file an appeal when a party did not receive notice under Federal Rule of Civil Procedure 77(d) of the entry of the judgment or order sought to be appealed, subject to the requirements and limitations contained in that Rule.

STATEMENT OF THE CASE

I. Proceedings in the Eastern District of Virginia

Petitioner Jeannette Soto Santini proceeded pro se in the United States District Court for the Eastern District of Virginia.

Petitioner filed Case No. **1:24-cv-2008** and subsequently Case No. **1:25-cv-01437**.

Petitioner contends that during these proceedings she did not receive certain material orders and memorandum opinions necessary to understand the disposition of her claims and exercise her procedural and appellate rights.

Petitioner requested paper copies and sought information concerning the status of her cases.

Petitioner had previously registered for PACER. Petitioner subsequently sought to discontinue reliance upon PACER and requested paper communications because of her financial circumstances.

Petitioner's constitutional claim does not depend merely upon whether an electronic docket entry existed. The issue presented is whether Petitioner received the notice required by the applicable rules and a meaningful opportunity to understand and respond to the judicial action affecting her case.

II. Case No. 1:24-cv-2008

Petitioner alleges that she did not receive certain material Court documents necessary to understand the basis for the disposition of Case No. 1:24-cv-2008.

Petitioner sought copies of Court documents, including the relevant memorandum opinion.

Petitioner contends that the absence of material Court documents impaired her ability to understand the disposition and meaningfully pursue further review.

III. Case No. 1:25-cv-01437

Petitioner subsequently commenced Case No. 1:25-cv-01437.

The underlying dispute involved allegations arising from Petitioner's employment.

Petitioner submitted an application to proceed *in forma pauperis* and other filings relating to the commencement and prosecution of the action.

Petitioner contends that material matters remained unresolved from her perspective because she lacked necessary Court documents and notice.

The district court entered an order dismissing the action on October 21, 2025.

Petitioner maintains that the absence of effective notice and access to material orders prevented her from meaningfully understanding, challenging, or responding to judicial action affecting her claims.

IV. Appellate Proceedings

Petitioner sought relief in the United States Court of Appeals for the Fourth Circuit.

In addressing Petitioner's mandamus proceeding, the Court of Appeals referred to the district court docket and the disposition of various motions.

Petitioner does not contend simply that the district court failed to create docket entries.

Rather, Petitioner's contention is:

The docket may reflect that an order existed, but Petitioner did not receive the material order necessary to know what the Court had decided, why it had decided it, and what action Petitioner needed to take in response.

The Fourth Circuit entered the order presently sought to be reviewed on **May 1, 2026**.

REASONS FOR GRANTING THE PETITION

I. THE PETITION PRESENTS AN IMPORTANT QUESTION CONCERNING NOTICE AND PROCEDURAL DUE PROCESS

The Fifth Amendment guarantees that a person may not be deprived of life, liberty, or property without due process of law.

This Court has long recognized the fundamental importance of notice reasonably calculated to inform interested persons of proceedings affecting their rights and to afford them an opportunity to present their objections.

Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306, 314 (1950).

Petitioner's contention presents a basic procedural question:

How can an unrepresented litigant meaningfully challenge a judicial decision if she does not receive the decision necessary to know what the Court decided and why?

Petitioner contends that this problem is especially significant where the Federal Rules themselves impose duties concerning notice of orders and judgments.

Federal Rule of Civil Procedure 77(d)(1) directs the Clerk, immediately after entry of an order or judgment, to serve notice of the entry in the manner prescribed by Rule 5(b) and record the service on the docket.

Thus, the constitutional question presented by this Petition is not merely whether orders were entered.

It concerns whether the procedures employed provided Petitioner with constitutionally meaningful notice and an opportunity to respond.

II. THE ISSUE AFFECTS THE ABILITY OF INDIGENT AND PRO SE LITIGANTS TO OBTAIN MEANINGFUL JUDICIAL REVIEW

Petitioner proceeded without counsel and sought to proceed *in forma pauperis*.

The federal *in forma pauperis* statute, 28 U.S.C. § 1915, provides a mechanism through which persons unable to afford court costs may seek access to federal judicial proceedings without prepayment of those costs.

Petitioner's financial circumstances made dependable paper notice particularly important after Petitioner ceased relying upon PACER.

Petitioner does not contend that homelessness automatically creates a separate constitutional cause of action.

Rather, Petitioner's circumstances demonstrate the practical importance of applying existing procedural protections in a manner that permits an indigent, unrepresented litigant to receive notice and meaningfully participate in her case.

III. ENTRY OF AN ORDER ON A DOCKET AND NOTICE TO A PARTY ARE DISTINCT CONCEPTS

This distinction is central to the Petition.

Petitioner does not dispute that the electronic docket may show that orders were entered.

Petitioner's argument concerns whether notice of those orders was actually served as required and whether Petitioner received the material information necessary to protect her rights.

Rule 77(d)(1) itself distinguishes between entry of an order and service of notice of that entry.

Petitioner respectfully submits that a docket entry cannot, by itself, resolve the constitutional question presented where the litigant alleges that she did not receive the material judicial decision.

IV. THE PETITION PRESENTS AN ISSUE OF IMPORTANCE BEYOND PETITIONER'S INDIVIDUAL DISPUTE

Unrepresented litigants throughout the federal judicial system may face financial, technological, housing, or other practical barriers to continuous electronic access.

The issue therefore extends beyond Petitioner's underlying employment dispute.

The question is whether existing procedural protections governing notice can be applied in a manner that leaves an indigent, unrepresented litigant without the material orders necessary to understand and challenge the termination of her case.

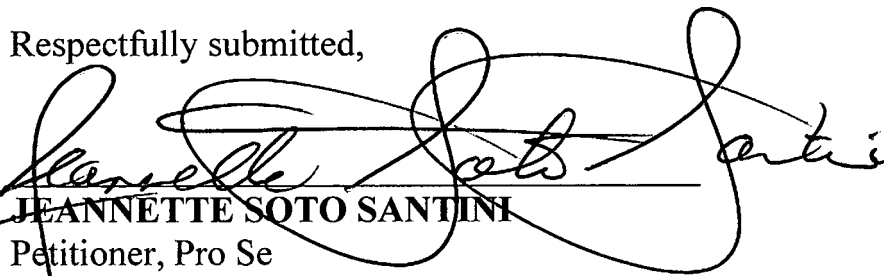
Review would provide guidance concerning the relationship among Rule 77(d), Rule 5(b), due process, and meaningful appellate review where a pro se litigant alleges lack of effective notice.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Petition for a Writ of Certiorari be granted.

Petitioner respectfully requests such further relief as this Court considers appropriate.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Jeannette Soto Santini', is written over a horizontal line.

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Date: Aug 25, 2026