

**IN THE SUPREME COURT OF THE UNITED STATES**

**Docket No. 26-5634**

(Lower Case No. 25-10482)

MICHAEL WASHINGTON AND LAVONNE WASHINGTON,  
*Petitioners,*

v.

JUDGE STEVEN D. MERRYDAY, U.S. DISTRICT COURT, ET AL.,  
*Respondents.*

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

**SUPPLEMENTAL BRIEF FOR THE PETITIONERS**

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## **SUPPLEMENTAL BRIEF FOR THE PETITIONERS**

Pursuant to Rule 15.8 of the Rules of this Court, Petitioners Michael Washington and LaVonne Washington respectfully submit this Supplemental Brief to bring to the Court's attention subsequent, intervening developments that directly control the disposition of the pending petition for a writ of certiorari.

### **ARGUMENT**

#### **I. Intervening Denial of Certiorari in Case No. 25-7680 Completes the Procedural Lockout Originating from Judge Merryday's Injunction**

On October 5, 2026, this Court entered an order denying certiorari in Petitioners' companion case, *Michael Washington, et al. v. United States, et al.*, No. 25-7680. Contemporaneously with this Supplemental Brief, Petitioners have filed a timely Petition for Rehearing in Case No. 25-7680 under Rule 44.2.

The denial of certiorari in Case No. 25-7680 provides the final, indispensable factual link necessary for this Court to evaluate the systemic harm presented in the instant petition (Docket No. 26-5634). It demonstrates that the permanent pre-filing injunction issued by Judge Steven D. Merryday in Middle District of Florida Case No. 8:21-cv-02127-SDM-AAS has successfully operated in tandem with the Eleventh Circuit's automated tracking systems to insulate lower court actions from any form of meaningful judicial oversight. The core issue is no longer a localized dispute; it is a mature, fully realized constitutional conflict where a federal injunction has successfully abolished appellate due process for *pro se* estate members.

## **II. Judge Merryday's Pre-Filing Injunction Violates the Probate Exception and Causes Unconstitutional Claims Truncation**

The structural overreach of Judge Merryday's pre-filing injunction is actively causing severe, ongoing violations of the long-standing federal probate exception doctrine. By deploying a broad, unrestricted filing injunction to deny intervention rights to legitimate estate representatives, the District Court has effectively seized, frozen, and paralyzed the administration of un-liquidated ancestral family estate assets.

The real-world damage of this jurisdictional violation is explicitly demonstrated by the forced fragmentation of interlocking state insurance claims into separate, isolated federal actions derived from Lead Case No. 8:24-cv-02433-SDM-NHA, specifically including:

1. Case No. 8:25-cv-01080-TPB-AEP
2. Case No. 8:25-cv-01121-WFJ-SPF
3. Case No. 8:25-cv-01122-MSS-SPF
4. Case No. 8:25-cv-01123-WFJ-SPF (Presided over by Judge William F. Jung)
5. Case No. 8:25-cv-01124-KKM-LSG
6. Case No. 8:25-cv-01160-JLB-NHA (Presided over by Judge John L. Badalamenti)
7. Case No. 8:26-cv-01006-KKM-LSG

The urgent necessity of this Court's intervention is underscored by a chaotic web of contradictory procedural barriers erected in the lower courts this very week. On October 8, 2026, Judge Badalamenti in Case No. 8:25-cv-01160-JLB-NHA denied relief from judgment, explicitly ruling that newly discovered evidence supporting the merits of the insurance claim could not be reached because the action was permanently dismissed on narrow jurisdictional and procedural grounds. He further penalized the family for multi-docket confusion, asserting that the family members "independently filed these separate actions". Conversely, on October 9, 2026, Judge Jung

in Case No. 8:25-cv-01123-WFJ-SPF entered an order granting a Motion to Stay, halting his entire proceeding specifically to await the outcome of pending appellate and Supreme Court review.

Compounding this tail-chasing loop, the Eleventh Circuit issued an order on October 5, 2026, in a parallel fragmented track, Appeal No. 25-12217 (*Joseph Washington v. Primerica, et al.*). Months after a petition was submitted to this Court, the Court of Appeals ordered the payment of appellate fees within 30 days. By refusing to either waive the fees under a clear record of indigency or issue a final, reviewable adjudication on the merits, the Court of Appeals keeps the fragment in a permanent administrative limbo.

This creates an unconstitutional loop: one court refuses to touch the merits because the case is procedurally fragmented; a sister court stays operations because it recognizes that this Court holds exclusive jurisdiction; and the circuit court demands administrative fees to hold open a parallel fragment rather than finaling it for review. By forcing parallel dockets into contradictory postures, the lower courts have created an absolute evidentiary lockout. The estate has been completely stripped of its due process right to introduce its dispositive contractual defenses, including:

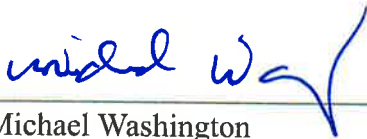
1. The clear probate shield order insulating estate assets;
2. Definitive, uncontradicted evidence of zero debt;
3. Affirmative proof of consistent insurance policy payments and verification of non-lapse;  
and
4. The statutory incontestability of the policy under governing insurance codes.

## CONCLUSION

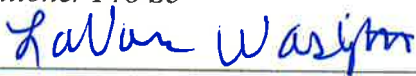
The intervening procedural convergence across these multi-docket circles proves that without this Court's immediate intervention, lower courts can exploit clerical fragmentation to permanently strip citizens of state-vested property rights without ever reaching the merits. Petitioners respectfully request that this Court grant the petition for a writ of certiorari, or, in the alternative, grant rehearing in Case No. 25-7680 and consolidate these matters for full plenary review.

Dated: October 12, 2026

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Michael Washington", written over a horizontal line.

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