

No. **26 - 5654**

In the Supreme Court of the United States

Bo ZOU,

Petitioner,

v.

STEVEN R. EBBERTS, ET AL.,

Respondents.

**ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

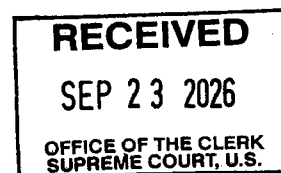
PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Whether Petitioner's liberty may be arbitrarily disproved of and infringed without a hearing, a reason, an order and due process of law.
2. Whether the District of Kansas may start proceedings without serving respondents summons and the Tenth Circuit knowingly avoid answering the issue.
3. Whether District of Kansas and the Tenth Circuit may misrepresent the facts, abuse laws, cover up, permit and encourage respondents' violation of, trample on and insult to America laws, and Constitution.

PARTIES TO THE PROCEEDINGS

Petitioner, and plaintiff-appellant below is Bo Zou.

Respondents, and defendants-appellees below are Steven R. Ebberts, Teresa L. Watson, and Marla Luckert.

RELATED PROCEEDINGS

United States District Court (D. Kan.):

Bo Zou v. Steven R. Ebberts, Teresa L. Watson and Marla Luckert, No. 2:25-cv-02231-HLT-RE (Jun. 20, 2025) (final judgment entered)

United States Court of Appeals (CA10)

Bo Zou v. Steven R. Ebberts, Teresa L. Watson and Marla Luckert, No. 25-3148 (May 26, 2026) (district court affirmed)

Bo Zou v. Steven R. Ebberts, Teresa L. Watson and Marla Luckert, No. 25-3148 (Jun. 22, 2026) (rehearing denied)

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PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully petitions this Court for a writ of certiorari and prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

The decisions of the Tenth Circuit is reproduced in the Appendix at App. 1–4 and 14. The order of the District of Kansas is reproduced in the Appendix at App. 5–13.

JURISDICTION

The Tenth Circuit's judgment was entered on May 26, 2026. The Tenth Circuit denied rehearing on June 22, 2026. This Court has jurisdiction under 28 U. S. C. §1254(1).

CONSTITUTIONAL PROVISIONS INVOLVED

The Fourteenth Amendment to the United States Constitution provides, in relevant part: “[N]or shall any State deprive any person of life, liberty, or property, without due process of law.” U. S. Const., Amdt. 14, §1.

STATEMENT

Petitioner, Bo Zou, sued respondents, state District Judges Steven R. Ebberts and Teresa Watson in the Third Judicial District of Kansas, and Chief Justice Marla Luckert of the Kansas Supreme Court.

Petitioner filed a small-claims case against Washburn South Apartment LLC in the Third Judicial District of Kansas, *i. e.*, the Shawnee County District Court.

The presiding judge is Diane Glynn. Although Shawnee County District Judge Teresa L. Watson was not the presiding judge of the small-claims case, Teresa L. Watson had been trying to intervene in petitioner's case. On October 5, 2022, petitioner filed the *Request for Continuance*. A copy of the *Request for Continuance* was immediately sent to Teresa L. Watson. Also, the other motions filed by petitioner were copied to her immediately.

On October 7, 2022, respondent Teresa L. Watson openly intervened in the small-claims case by issuing the minute order to reset the hearing when Judge Diane Glynn was still the presiding judge.

On November 7, 2022, respondent Teresa L. Watson, who had previously tried and decided a lot of Washburn South Apartments LLC's eviction cases and should never have appeared in those eviction cases, forcibly took the small-claims case. On November 29, 2022, petitioner filed an *Emergency Motion for Recusal* to disqualify respondent Teresa L. Watson. In order to retaliate against petitioner for the motion for recusal, on December 2, 2022, respondent Teresa L. Watson immediately ordered sheriffs of Shawnee County to prohibit petitioner from entering all other offices, including other government offices in the Shawnee County Courthouse, like the Shawnee County treasurer's offices or the Shawnee County district attorney's offices in the same building, except the clerk's office, *without a reason, an order, a hearing, and due process of law* in violation of the Fourteenth Amendment to the U. S. Constitution.

In case the clerks and employees of the Third Judicial District learned of respondent's open cheating and violation of Kansas laws and court rules, on August 9 and 15, 2023, respondent Steven R. Ebberts issued the administrative order to prohibit petitioner from entering the entire Shawnee County Courthouse, and from contacting anybody in the Third Judicial District by email, by phone, or in person by fabricating *pretexts* (see Record on Appeal (ROA) 46–49) because petitioner has been prohibited from entering other offices except the clerk's office since December 2, 2022. It is impossible for petitioner to contact other people or enter other offices.

Petitioner filed an appeal to the Kansas Supreme Court. But Chief Justice Marla Luckert openly violated Kansas laws and court rules by reviewing petitioner's appeal case by herself rather than having it reviewed by all the justices or a panel of the Kansas Supreme Court. Moreover, respondent Marla Luckert denied petitioner's appeal case without any reasons or grounds.

Based on respondents' open violation of the Fourteenth Amendment to the United States Constitution to deprive petitioner of constitutional rights, petitioner filed a lawsuit against respondents in the United States District Court for the District of Kansas on April 25, 2025. However, the District Court seriously violated the U. S. Constitution and the Federal Rules of Civil Procedure by withholding summonses and never serving respondents with summonses to help respondents Steven R. Ebberts, Teresa Watson and Marla Luckert. Magistrate Judge Rachel E. Schwartz knowingly violated federal law and court rules in usurping jurisdiction to (1) suspend the summons and the case, and never serve respondents with summonses;

(2) review and approve petitioner's Motion for Leave to Proceed *in forma pauperis*, which should have been reviewed and approved by the District Judge; (3) issue the report and recommendation without defendants' request or the District Judge's referral. Petitioner timely filed *Plaintiff's Objections to Report and Recommendation* on June 3, 2025. But the District Court denied *Plaintiff's Objections to Report and Recommendation* and dismissed petitioner's appeal without any reasons. After petitioner strongly objected to and condemned District Judge Holly L. Teeter in *Plaintiff's Motion to Alter and Amend Dismissal* filed on July 16, 2025 (see Record in No. 2:25-CV-02231-HLT-RES (D. Kan.), Doc. 11), District Judge Holly L. Teeter modified her dismissal order. But the date of the modification to the dismissal order was still marked as June 20, 2025. The District Court denied *Plaintiff's Motion to Alter or Amend Dismissal* on the same day without any review.

Petitioner filed an appeal to the United States Court of Appeals for the Tenth Circuit on August 19, 2025. However, the panel knowingly misrepresented the facts by asserting that "Judge Watson *entered an order* prohibiting Mr. Zou from entering certain parts of the Shawnee County Courthouse." See App. 5 (emphasis added). State District Judge Teresa L. Watson ordered sheriffs of Shawnee County to prohibit petitioner from entering all other offices, including other government offices in the Shawnee County Courthouse, except the clerk's office, *without a reason, an order, a hearing, and due process of law* in violation of the Fourteenth Amendment to the U.S. Constitution. The panel openly misrepresented the facts to cover up

Judge Teresa L. Watson's open and blatant violation of the Fourteenth Amendment to the U. S. Constitution.

At the same time, the panel denied petitioner's appeal with an extremely absurd and ridiculous *pretext* that "*Although the complaint alleged constitutional violations, it did not specify a cause of action or indicate whether Mr. Zou was suing the judges in their individual or official capacities.*" See App. 5 (emphasis added). Petitioner sued respondents as state judges and a justice, rather than individuals, in *Plaintiff's Objections to Report and Recommendation* (see ROA 30–49) and *Appellant's Opening Brief* (see Record in No. 25–3148 (CA10), Doc. 10).

On June 9, 2026, petitioner filed a *Petition for Rehearing En Banc* in the Tenth Circuit. However, the unjust Tenth Circuit Court of Appeals treated petitioner's *Petition for Rehearing En Banc* as a Petition for Panel Rehearing and Rehearing En Banc. Petitioner's *Petition for Rehearing En Banc* was still reviewed and denied by the same panel—Matheson, Moritz, and Federico—on June 22, 2026. Petitioner does not think that petitioner's *Petition for Rehearing En Banc* was submitted to every circuit judge for review.

On September 18, 2026, petitioner timely files the petition for a writ of certiorari in this Court.

REASONS FOR GRANTING THE PETITION

Respondents Teresa L. Watson and Steven R. Ebberts openly and blatantly violated the Fourteenth Amendment to the United States Constitution and deprived petitioner of constitutional rights to enter the Shawnee County Courthouse

in Kansas without an order, a hearing, due process of law, or by making or fabricating *pretexts*. Magistrate Judge Rachel E. Schwartz at the United States District Court for the District of Kansas blatantly trampled on and insulted the Federal Rules of Civil Procedure and the court rules by not serving respondents with summonses, resulting in a case without defendants, appellees, or respondents from the start of the lawsuit to the present.

It is a shame for American law and the Constitution that the Kansas District Court and the Tenth Circuit cover up, permit, and encourage respondents' shameful violations of, trampling on, and insults to American law, the Constitution, and court rules.

I. Respondent Judge Teresa Watson prohibited petitioner from entering court offices and other government offices without a reason, an order, a hearing, and due process of law in violation of the Fourteenth Amendment to the United States Constitution.

On November 29, 2022, petitioner filed an *Emergency Motion for Recusal* to disqualify respondent Teresa L. Watson of the District Court of Shawnee County in Kansas because she forcibly took the small-claims case which should have been handled by other small-claims judges in the small-claims court. In order to retaliate against petitioner for the motion for recusal, on December 2, 2022, Judge Teresa L. Watson immediately ordered sheriffs of Shawnee County to prohibit petitioner from entering all offices, including other government offices in the Shawnee County Courthouse, except the clerk's office, without a reason, an order, a hearing, and due process of law. Respondent openly limited petitioner's liberty without due process of law in violation of the Fourteenth Amendment to the United States Constitution.

Federal courts have jurisdiction to hear lawsuits against state and local government officials, including judges, under certain circumstances, such as when the official's actions violate constitutional rights. See *Ex parte Young*, 209 U. S. 123 (1908). The petition should be granted.

II. Respondent Chief Judge Steven R. Ebberts prohibited petitioner from entering the entire Shawnee County Courthouse by making and fabricating pretexts.

Since December 2, 2022, petitioner had been prohibited from entering the court offices and other government offices in the Shawnee County Courthouse, Kansas, except the clerk's office by respondent Teresa L. Watson. Every time petitioner entered the courthouse, a sheriff immediately followed and escorted petitioner to the clerk's office. It is impossible for petitioner to enter other offices. However, when petitioner was requesting that the District Court of Shawnee County issue the audio recording of the December 7, 2022, hearing hidden by respondent Teresa L. Watson in August 2023, respondent Steven R. Ebberts issued the administrative orders to prohibit petitioner from entering the entire Shawnee County Courthouse building, and from contacting anybody in the District Court of Shawnee County by email, by phone, or in person by making and fabricating *pretexts* (see ROA 46–49) on August 9 and 15, 2023, respectively, in case the clerks and employees of the District Court of Shawnee County learned of respondent Teresa L. Watson's open cheating and violation of Kansas laws and court rules to hide the audio of the December 7, 2022, hearing. Respondent Steven R. Ebberts issued the injunction without any evidence, a hearing, and due process of law in violation of the Fourteenth Amendment

to the United States Constitution. This Court should grant the petition, and order the respondent to revoke the injunction and abide by the United States Constitution.

III. It is an open violation of the U. S. Constitution and the Federal Rules of Civil Procedure for Magistrate Judge Rachel E. Schwartz to suspend the summons and the case, fail to serve respondents with summonses, review and approve the motion for leave to proceed *in forma pauperis*, and issue the *Report and Recommendation* without any request or referral.

On April 25, 2025, petitioner filed the lawsuit against respondents in the United States District Court for the District of Kansas (Case No. 2:25-CV-02231-HLT-RES). However, Magistrate Judge Rachel E. Schwartz knowingly and blatantly violated federal law and court rules by usurping jurisdiction to (1) suspend the summons and the case on April 28, 2025, and not serve respondents with summonses; (2) review and approve petitioner's Motion for Leave to Proceed *in forma pauperis*, which should have been reviewed and approved by the District Judge on April 28, 2025; (3) issue the report and recommendation on May 20, 2025, without a request or the District Judge's referral. Magistrate Judge Rachel E. Schwartz knowingly violated and blatantly trampled on and insulted the Fourteenth Amendment to the United States Constitution to deprive petitioner of the lawful right to sue respondents and equal rights in the lawsuit. Also, Magistrate Judge Rachel E. Schwartz blatantly trampled on and insulted the Federal Rules of Civil Procedure and the court rules without serving respondents with summonses. So, actually, respondents were never sued. Also, respondents never filed any documents with the courts.

However, the United States District Court for the District of Kansas and the United States Court of Appeals for the Tenth Circuit permitted and encouraged

Magistrate Judge Rachel E. Schwartz's open violation of U. S. laws and the Constitution and blatant infringement on petitioner's constitutional rights granted by the Fourteenth Amendment to the United States Constitution. This Court should grant the petition.

IV. The District Court and the Tenth Circuit knowingly ignored and never addressed the facts and evidence to cover up respondents' infringements on petitioner's constitutional rights.

The federal District Court in Kansas knowingly ignored and/or trampled on and insulted the U. S. Constitution, laws, the Federal Rules of Civil Procedure, and its own rules by having Deputy Clerk M. Deaton issue the dismissal order instead of District Judge Holly L. Teeter, who does not even dare to sign her name on the original dismissal order, in which the court does not address or mention any facts, evidence, or reasons.

District Judge Holly L. Teeter seriously violates Federal Rule of Civil Procedure 72(b)(3) without conducting *de novo* review of any part of the Magistrate Judge's disposition that has been properly objected to, or directly denying the Magistrate Judge's unassigned report and recommendation. (The Kansas District Court modified the dismissal order and the signature after petitioner filed petitioner's motion to alter or amend dismissal on July 16, 2025. See Record in No. 2:25-CV-02231-HLT-RES (D. Kan.), Doc. 11. The original dismissal order did not address any facts or evidence and dismissed the case without any reasons.) This Court should grant the petition to correct the open insult to and trampling on U. S. law and the Fourteenth Amendment to the United States Constitution.

V. The panel erred by asserting that petitioner did not specify a cause of action or indicate whether Mr. Zou was suing the judges in their individual or official capacities.

Petitioner sued respondents, who are state judges and the Chief Justice and who violated the Fourteenth Amendment to the United States Constitution, because respondents infringed petitioner's constitutional rights and deprived petitioner of those rights, which grant petitioner liberty to enter the Shawnee County Courthouse. In petitioner's opening brief, petitioner has clearly stated that respondents, who are state judges and the Chief Justice, openly violated the Fourteenth Amendment to the U.S. Constitution to infringe on petitioner's constitutional rights and deprive petitioner of those rights by prohibiting petitioner from entering the Shawnee County Courthouse, Kansas. However, the panel knowingly misrepresented the facts and evidence by asserting that petitioner did not specify a cause of action or indicate whether petitioner was suing the judges in their individual or official capacities. See App. 5. In *Plaintiff's Objections to Report and Recommendation*, petitioner has clearly stated that "*Federal courts have jurisdiction to hear lawsuits against state and local government officials, including judges, when the official's actions violate constitutional rights.*" See ROA 31. Also, in *Appellant's Opening Brief* filed in the Tenth Circuit on October 27, 2025 (see Record in No. 25-3148 (CA10), Doc. 10), all of petitioner's allegations against respondents are against respondents as state judges and a justice, rather than as individuals. The panel's misrepresentation is clear and irrefutable. This Court should grant the petition.

VI. The panel erred by asserting that petitioner does not meaningfully challenge the District Court's determination that judicial immunity and the Eleventh Amendment bar his claims.

The panel knowingly misrepresented the facts and evidence by asserting that petitioner does not meaningfully challenge the District Court's determination that judicial immunity and the Eleventh Amendment bar petitioner's claims. However, in petitioner's opening brief, petitioner has clearly stated that respondents openly violated the Fourteenth Amendment to the U. S. Constitution to infringe petitioner's constitutional rights and deprive petitioner of those rights by prohibiting petitioner from entering the Shawnee County Courthouse, Kansas. The District Court wrongfully applied the Eleventh Amendment to the U. S. Constitution by asserting that respondents, as state officials, may not be sued. The panel's assertion conflicts with the decision of this Court about state immunity. See *Fitzpatrick v. Bitzer*, 427 U. S. 445 (1976). Pursuant to the Fourteenth Amendment to the U. S. Constitution, a person's constitutional rights cannot be infringed by state or federal officials, and a person cannot be deprived of those rights by such officials. Any state or federal officials would be without any exemption from being sued when they violate the Fourteenth Amendment to the U. S. Constitution to infringe a person's constitutional rights and deprive that person of those rights. The Fourteenth Amendment to the U. S. Constitution has granted petitioner the right to sue respondents, who are state judges and a justice and who have violated the Fourteenth Amendment to the U. S. Constitution. The Tenth Circuit should have safeguarded the U. S. Constitution. However, the Circuit Judges at the Tenth Circuit knowingly and blatantly

misrepresented the Constitution to cover up respondents' open violation of the Fourteenth Amendment to the United States Constitution. It is a shame for U. S. laws and the Constitution. Also, it is a shame for American legal systems. The petition should be granted by this Court.

VII. Circuit Judge Nancy L. Moritz, who had heard petitioner's two appeal cases and should have recused herself from petitioner's appeal case, still reviewed petitioner's appeal case, even if petitioner had filed the motion to prohibit her from hearing any of petitioner's appeal cases.

Circuit Judge Nancy L. Moritz, who had previously worked as a state judge for a long time in Kansas, had heard petitioner's two appeal cases, 24-5087 and 24-5119, before hearing this appeal case. On October 15, 2025, petitioner filed a motion to prohibit Circuit Judge Nancy L. Moritz from hearing any of petitioner's appeal cases because Judge Nancy L. Moritz had heard petitioner's appeal cases 24-5087 and 24-5119, and no judge signed his/her name on the rulings in the two appeal cases.

Moreover, Circuit Judge Nancy L. Moritz had been respondent Marla Luckert's colleague for 11 years, from 2004 until 2014 on the Kansas Supreme Court. Judge Nancy L. Moritz should have recused herself. But Judge Nancy L. Moritz still refused to recuse herself from hearing this appeal case. The decision of the panel should be void and the petition should be granted.

Furthermore, petitioner filed a *Petition for Rehearing En Banc* on June 9, 2026, rather than a petition for panel rehearing. However, the same panel of Circuit Judges Matheson, Moritz, and Federico blatantly violated the Federal Rules of

Appellate Procedure and the rules of the Tenth Circuit to review petitioner's *Petition for Rehearing En Banc*. It is a shame for the Tenth Circuit for Circuit Judges to openly violate the Federal Rules of Appellate Procedure and the rules of the Tenth Circuit. Petitioner does not think that petitioner's *Petition for Rehearing En Banc* was submitted to every circuit judge for review.

This Court should grant the petition because of the procedural error, and pay attention to the corrupt and rotten American legal systems.

CONCLUSION

The Petition for a Writ of Certiorari should be granted because of an open violation of the Fourteenth Amendment to the United States Constitution by the District Court of Shawnee County in Kansas. The injunction to prohibit petitioner from entering the Shawnee County Courthouse should be revoked by this Court.

Respectfully submitted.

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SEPTEMBER 2026

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