

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

NOTE TO THE CLERK OF THE COURT:

This appendix compiles the certified record evidence supporting Petitioner's claim that no valid arrest warrant was ever filed, executed, and returned in this case, and that multiple courts relied on nonexistent docket entries to deny relief on that question. Appendix A is the order under review. Appendix B is the central evidentiary document—the government's own certified FOIA response—together with the Sixth Circuit order admitting it into the record. Appendix C reproduces the district court order that first relied on nonexistent docket entries. Appendix D places the 2022 warrant and its 2024 duplicate side by side to show they are the same document. Appendix E reproduces two further orders, by the same judge, relying on the same nonexistent docket entries to deny two separate requests for relief. Each appendix is identified by letter and starting page in the Index of Appendices that follows.

APPENDIX

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APPENDIX B

FOIA Request No. 2025-USMS-FOIA/PA-000196—United States Marshals Service Certified Response; certified February 12, 2025; admitted into official appellate record August 18, 2025 [Central Evidentiary Document—Proof No Valid Arrest Warrant Was Filed, Signed, or Returned]; Order Granting Motion to Supplement the Record and Judgments (Doc. 185, 185-1, 185-2), Sixth Circuit, Nos. 24-3973/3988, entered August 18, 2025 [Order admitting the FOIA evidence into the official appellate record]

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Two orders by the same district judge relying on the identical nonexistent Doc. 172 and Doc. 173 to decline relief on the absent-warrant question: (1) Order Denying Leave to File Rule 60(d)(3) Motion (Doc. 187, entered March 30, 2026, Judge Polster); (2) Order Dismissing Civil Action (Doc. 15-1), *Gulley v. United States of America et al.*, Case No. 5:25-cv-00615 (N.D. Ohio May 23, 2025, Judge Polster) [Second documented use of the same fabricated citation, by the same judge, to deny two separate requests for relief].

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

APPENDIX A

**Order Denying Motion to Recall Mandate, Motion for Sanctions, and
Motion to Expedite**

United States Court of Appeals for the Sixth Circuit, Case No. 18-3577, Doc. 43-1,
April 13, 2026 (Circuit Judge John K. Bush, acting as single judge) [Order Under
Review]

NOTE TO CLERK OF THE SUPREME COURT:

This is the Order Under Review. Circuit Judge Bush denied Applicant's Motion to Recall the Mandate (Doc. 38, Appendix F), Applicant's Motion for Sanctions (Doc. 41, Appendix F), and Motion to Expedite without addressing any of the controlling authorities cited in Applicant's Motion to Recall the Mandate (Doc. 38, Appendix F), Applicant's Reply (Doc. 40, Appendix F), or Applicant's Sanctions Motion (Doc. 41, Appendix F); without acknowledging that the Government's own certified FOIA records, admitted into the official appellate record thirty-nine days before this order was entered, prove the warrant was never filed, signed, or returned. The order is challenged on two grounds. First, it is the direct product of fraud on the appellate

court — proven by the Government's own brief (Appendix F, Doc. 39), which accurately describes on page 3 the FOIA evidence proving the arrest warrant was never filed, and then argues on page 6 that the district court already considered and rejected that claim based on a 2021 ruling entered four years before the FOIA evidence existed. Judge Bush reproduced Ranke's page 6 framing verbatim on page 2 of this order without independent analysis, without engaging the FOIA evidence, and without acknowledging the four-year gap. Under *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944), a

No. 18-3577

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**FILED**

Apr 13, 2026

KELLY L. STEPHENS, Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JESSE JAMES GULLEY, JR.,

Defendant-Appellant.

ORDER

Before: BUSH, Circuit Judge.

This court affirmed Jesse James Gulley, Jr.'s conviction, following a guilty plea, for possession of a firearm and ammunition by a convicted felon. *See United States v. Gulley*, 780 F. App'x 275 (6th Cir. 2019) (Griffin, White, & Bush, JJ.). Gulley now moves to recall the mandate, asserting that his conviction is void because a valid arrest warrant for him was never issued, filed, or returned, in violation of the Federal Rules of Criminal Procedure. He also moves to issue sanctions, based on the government repeatedly misrepresenting the existence of a valid arrest warrant, and to expedite a ruling on his motion to recall the mandate. The government opposes the motion to recall the mandate.

The court has the inherent authority to recall its mandate. *Patterson v. Haskins*, 470 F.3d 645, 661–62 (6th Cir. 2006). The power to recall the mandate, however, should “be exercised only in extraordinary circumstances,” and “is one of last resort, to be held in reserve against grave, unforeseen contingencies.” *Calderon v. Thompson*, 523 U.S. 538, 550 (1998). Consequently, the

No. 18-3577

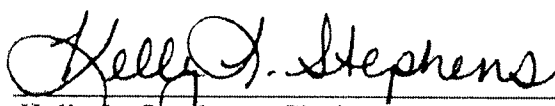
-2-

party seeking to recall a mandate must show exceptional circumstances that override the strong public policy in favor of the finality of judgments. *See United States v. Saikaly*, 424 F.3d 514, 517 (6th Cir. 2005) (order). Because the court must balance the concern for finality against any extraordinary circumstance asserted in support of the motion, the length of time between the issuance of the mandate and the motion to recall is material. *Patterson*, 470 F.3d at 663–64. And, in a criminal action, the court also considers “the statutory and jurisprudential limits applicable in habeas corpus cases.” *Calderon*, 523 U.S. at 553.

Gulley’s six-year-long delay in seeking to recall the mandate counsels against its grant. More importantly, Gulley’s motion is based on perceived errors that have been considered and rejected by the district court, and recalling the mandate would permit him to evade the procedural bars in 28 U.S.C. § 2244(b) by seeking to recall the mandate rather than move for authorization to file a second or successive motion to vacate. *Cf. Saikaly*, 424 F.3d at 517 (noting “that the proper remedy to attack a sentence in a final criminal proceeding lies under [28 U.S.C.] § 2255, and the fact that such remedy is no longer available does not warrant a recall of the mandate”). And, regardless, he is not entitled to relief. *See United States v. Andreas*, 458 F.2d 491, 492 (8th Cir. 1972) (holding that the defendant waived the right to challenge his conviction on this basis following trial and that, “in any event, the trial court had jurisdiction over his person”).

Therefore, the motions to recall the mandate and to issue sanctions are **DENIED**, and the motion to expedite is **DENIED AS MOOT**.

ENTERED BY ORDER OF THE COURT


Kelly L. Stephens, Clerk

Case: 18-3577 Document: 43-2 Filed: 04/13/2026 Page: 1

(3 of 3)

United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 04/13/2026.

Case Name: USA v. Jesse Gulley Jr.

Case Number: 18-3577

Docket Text:

ORDER filed: The motions to recall the mandate and to issue sanctions are DENIED [7412195-2] [7419299-2], and the motion to expedite is DENIED AS MOOT [7461432-2]. John K. Bush, Circuit Judge.

The following documents(s) are associated with this transaction:

Document Description: Order

Notice will be sent to:

Mr. Jesse James Gulley Jr.
2731 Wood Owl Street N.E.
Canton, OH 44704

A copy of this notice will be issued to:

Mr. Christian J. Grostic
Ms. Sandy Opacich
Mr. Daniel R. Ranke

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

APPENDIX B**FOIA Request No. 2025-USMS-FOIA/PA-000196 — United States Marshals
Service Certified Response**

Doc. 4, Case No. 5:17-cr-00493 | Certified: February 12, 2025 Admitted into official
appellate record: August 18, 2025 [Central Evidentiary Document — Proof No Valid
Arrest Warrant Was Filed, Signed, or Returned]

NOTE TO CLERK OF THE SUPREME COURT:

This is the central evidentiary document on which this Application rests. It is the United States Marshals Service's own certified FOIA response, proving that the arrest warrant purportedly issued on December 5, 2017 in Case No. 5:17-cr-00493 bears a blank Return section — no arrest date, no arresting officer signature, and no evidence of filing with the Clerk of Court. This document was formally admitted into the official Sixth Circuit appellate record by court order on August 18, 2025. Under *Thompson v. Whitman*, 85 U.S. (18 Wall.) 457 (1873), the record of a judgment may be contradicted as to the facts necessary to give the court jurisdiction, and if those facts did not exist, the record is a nullity —

notwithstanding any recital that they existed. The recital in Doc. 4 that a warrant was issued does not create the warrant. This certified FOIA response is the proof.

THE DOCUMENT DESCRIBED ABOVE FOLLOWS THIS COVER PAGE

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RECEIVED

Exhibit A1

MAR 24 2025



KELLY L. STEPHENS, Clerk

U.S. Department of Justice
Office of Information Policy
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

January 27, 2025

Jesse-James Gulley, Jr.
2713 Wood Owl St N.E.
Canton, OH 44704
Colettefreeman23@gmail.com

Re: FOIA-2025-02082 / TATJ

Dear Jesse-James Gulley, Jr.:

This responds to your letter dated January 8, 2025 and received in this Office on January 21, 2025, in which you requested records from the United States Marshals Service (USMS).

Please be advised that the Office of Information Policy of the United States Department of Justice processes Freedom of Information Act (FOIA) and Privacy Act (PA) requests for records it maintains as well as records maintained by the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Public Affairs, Legislative Affairs, and Legal Policy and adjudicates administrative appeals of denials of FOIA/PA requests made to the Department. This Office maintains the case files for the initial requests and administrative appeals it processes.

Additionally, for your information, the Department has a decentralized system for processing FOIA requests and each component of the Department maintains its own records. Accordingly, FOIA requesters need to direct their requests to the Department component(s) they believe have records pertaining to the subjects of their requests. In this instance, as you are clearly seeking records maintained by the USMS, we have forwarded your request to the USMS for processing and direct response to you. Contact information for the USMS may be found in the *Department of Justice Freedom of Information Act Reference Guide*, located on the Department's website at: <https://www.justice.gov/oip/departments-justice-freedom-information-act-reference-guide>.

Lastly, please be advised that because we have routed your request to the USMS, your request to OIP has been closed. You will need to contact the USMS to obtain information regarding the processing status of your request.

Initial Request Staff
Office of Information Policy
U.S. Department of Justice

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Exhibit A-2

U.S. Department of Justice

Certification of Identity

FORM APPROVED OMB NO. 1103-0016
EXPIRES 04-30-27

Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The primary purpose for the collection of the information on this form is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. The authority by which information is collected on this form is 5 U.S.C. § 552 and 5 U.S.C. § 552(a), as well as 28 CFR Section 16.41(d). Any information you provide may also be disclosed pursuant to a "routine use" under the Privacy Act of 1974, 5 U.S.C. § 552a, listed in a DOJ System of Records Notice, which may include JUS11CE/DOJ-004 Freedom of Information Act, Privacy Act, and Mandatory Declassification Review Records (CMS) for the Department of Justice, available at <https://www.justice.gov/opcl/doj-systems-records#DOJ>. Your disclosure of information to the Department of Justice on this form is voluntary. If you do not complete all or some information fields in this form, however, the Department of Justice may not be able to effectively respond to your request. False information on this form may subject the requester to criminal penalties under 18 U.S.C. § 1001 and/or 5 U.S.C. § 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester ¹ Jesse James Guley JrCitizenship Status ² American National Social Security Number ³ 302-74-3507Current Address 2713 Wood Owl St NE Canton Ohio 44704Date of Birth 11/14/1979 Place of Birth Canton Ohio**OPTIONAL: Authorization to Release Information to Another Person**

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

Colette Guley

Print or Type Name

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature ⁴

Date

¹ Name of individual who is the subject of the record(s) sought

² Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5

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Exhibit A-3



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

CG-3, 15th Floor
Washington, DC 20530-0001

January 29, 2025

Jesse-James Gulley Jr.
2713 Wood Owl St. NE
Canton, OH 44704
Email: Colettefreeman23@gmail.com

Re: Freedom of Information Act Request Number 2025-USMS-FOIA/PA-000196
Subject: FOIA Request for Records Pertaining to an Individual

Dear Requestor,

Reference is made to your above-captioned Freedom of Information Act (FOIA) / Privacy Act (PA) request received by the United States Marshals Service (USMS) on January 27, 2025 for the following:

"Pursuant to the Freedom of Information Act (FOIA), I Jesse-James: Gulley Jr. do request access to specifically the arrest warrant United States Magistrate William H. Baugham and the United States Attorney Aaron P. Howell assert was included in the Magistrates Order entered on December 5th, 2017. Petitioner has a right to possess the arrest warrant pursuant to Ruel 4(c)3(A) which states for the record.

Federal Criminal Rules of Procedure Rule Rule 4(c)3(A) and 4(c)4(A)

(3) Manner:

(A) A warrant is executed by arresting the defendant. Upon arrest, an officer possessing the original or a duplicate original warrant must show it to the defendant. If the officer does not possess the warrant, the officer must inform the defendant of the warrant's existence and of the offense charged and, at the defendant's request, must show the original or a supplicate original warrant to the defendant as soon as possible."

As an initial matter, the USMS can neither confirm nor deny the Agency possesses

privacy waiver, Form DOJ-361. In order for the USMS to address your request, it is necessary for you to provide the following prerequisite element(s):

1. **Authorization to disclose records to you.** You must provide a written release, **(signed by the individual whose information, warrant(s) and/or records you seek)** which includes your identifying data, authorizing the USMS to disclose information pertaining to a third-party individual, to you. A Certification of Identity Form, DOJ-361, may be used for this purpose or (if the request is submitted from an attorney's office) a declaration by your client signed under penalty of perjury. See 28 C.F.R. §16.41. A Certification of Identity form is available online at <http://www.justice.gov/oip/doj-reference-guide-attachment-d-copies-forms>.
2. If you know, please provide the USMS District or Headquarters location where you believe responsive records are located, should any exist in Agency systems.

Please return the required information to Attn: FOIA/PA, Office of General Counsel, CG-3, 15th Floor, U.S. Marshals Service, Washington, DC 20530-0001 or via email to USMS.FOIA@usdoj.gov.

When providing your Certification of Identity, please input in the subject line "Certification of Identity" with the corresponding FOIA Request Number. The FOIA inbox (USMS.FOIA@usdoj.gov) is ONLY for Certificates of Identity (DOJ 361 forms). The USMS FOIA Team will not respond to questions or comments via this FOIA inbox.

For your reference, the FOIA and DOJ FOIA Request and Fee Regulations are available at the following web addresses:

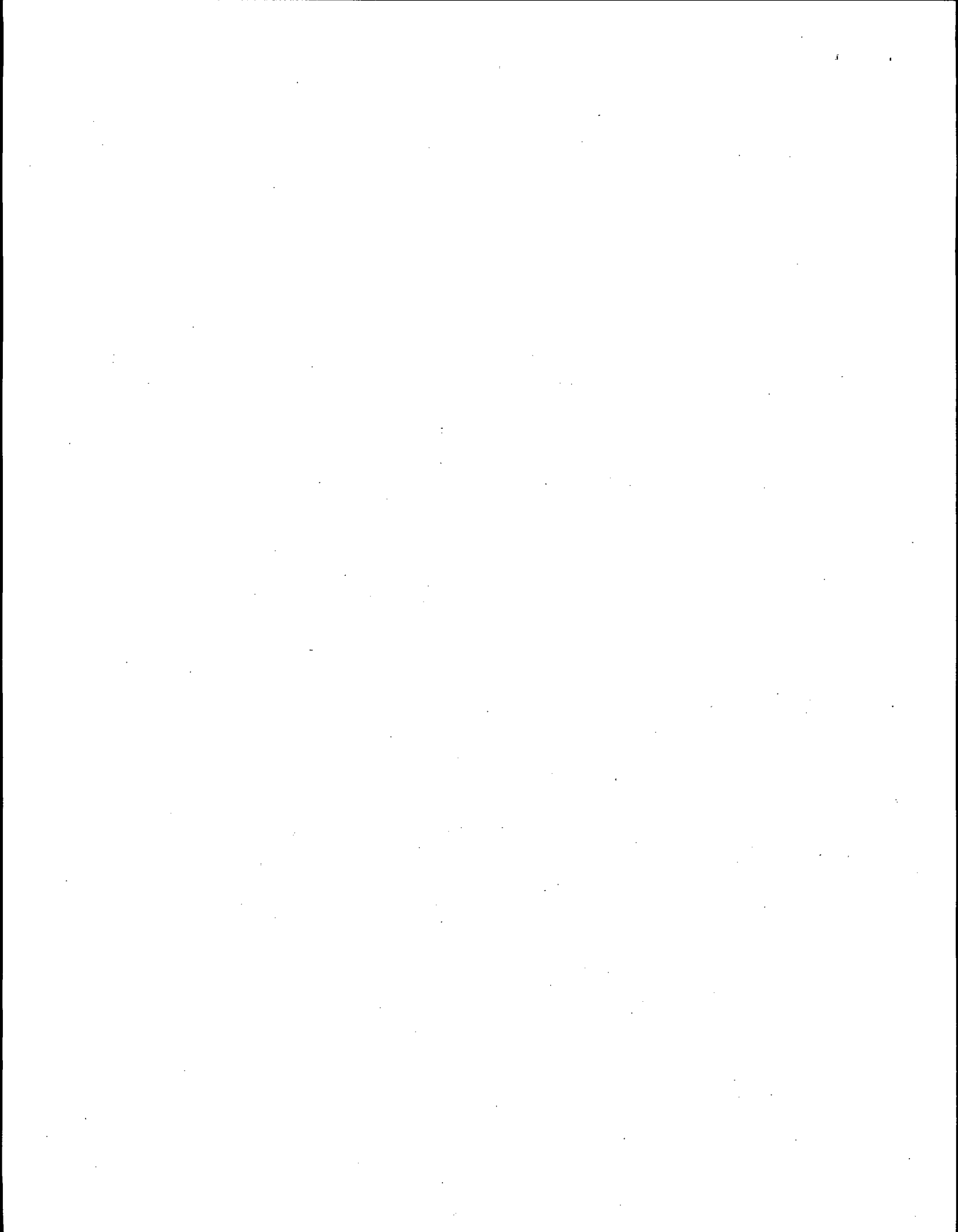
- FOIA Fees: <https://www.justice.gov/oip/make-foia-request-doj#10>
- FOIA regulations: <http://www.justice.gov/oip/foia-resources>
- DOJ FOIA regulations: <https://www.justice.gov/oip/doj-foia-regulations>

Please submit all questions or comments via your PAL account. We will acknowledge your request upon receipt of this information and correspond with you again accordingly. If the USMS FOIA Team does not receive a response within thirty (30) days from the date on this letter, your request will be administratively closed.

Sincerely,

/s/ ER for

Charlotte Luckstone
Assistant Deputy General Counsel
FOIA/PA Officer
Office of General Counsel



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Exhibit A.4



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

CG-3, 15th Floor
Washington, DC 20530-0001

January 30, 2025

Jesse-James Gulley Jr.
2713 Wood Owl St. NE
Canton, OH 44704
Email: Colettefreeman23@gmail.com

Re: Freedom of Information Act Request Number 2025-USMS-FOIA/PA-000196
Subject: FOIA Request re December 2017 Arrest Warrant

Dear Requestor,

The United States Marshals Service (USMS) is in receipt of your Freedom of Information Act/Privacy Act (FOIA/PA) request for the following:

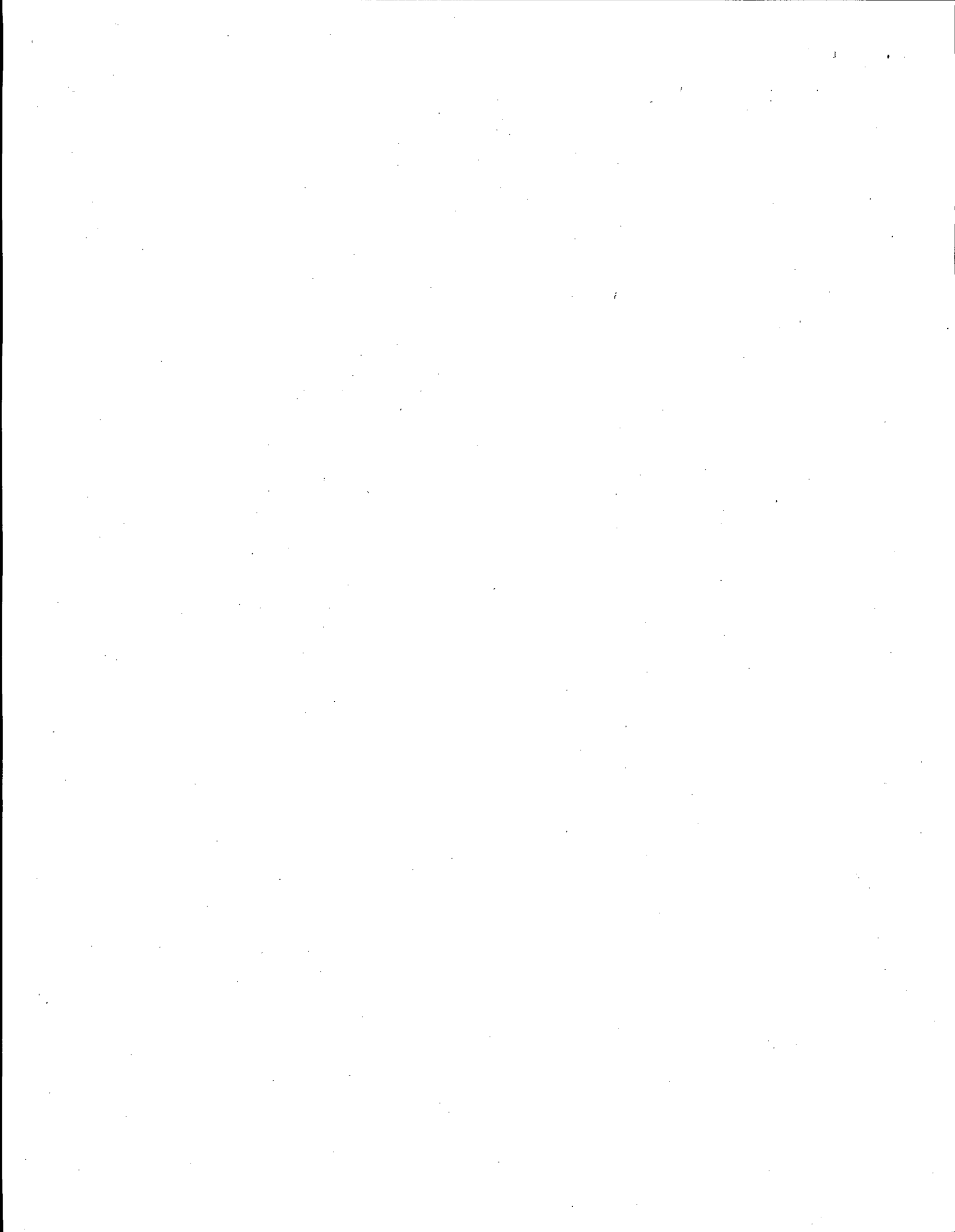
"Pursuant to the Freedom of Information Act (FOIA), I Jesse-James: Gulley Jr. do request access to specifically the arrest warrant United States Magistrate William H. Baugham and the United States Attorney Aaron P. Howell assert was included in the Magistrates Order entered on December 5th, 2017. Petitioner has a right to possess the arrest warrant pursuant to Rule 4(c)3(A) which states for the record.

Federal Criminal Rules of Procedure Rule Rule 4(c)3(A) and 4(c)4(A)

(3) Manner:

(A) A warrant is executed by arresting the defendant. Upon arrest, an officer possessing the original or a duplicate original warrant must show it to the defendant. If the officer does not possess the warrant, the officer must inform the defendant of the warrant's existence and of the offense charged and, at the defendant's request, must show the original or a duplicate original warrant to the defendant as soon as possible."

Please be advised that the FOIA provided a right of access to federal agency records that exist and can be located in federal agency files. The FOIA does not require agencies to conduct research for records that do not exist in federal agency files.



counties, or municipalities, or by the legislative or judicial branches of the government.

The USMS adopted a "first in/first out" practice for processing all incoming FOIA/PA requests. Your request was placed in chronological order based on the date of receipt and will be handled as quickly as possible when assigned for processing. Please be advised that USMS utilizes multi-track processing pursuant to 28 CFR §16.5(b), which is comprised of 3 separate queues: (1) simple; (2) complex; and (3) expedited. Requests placed into the simple queue are requests where responsive records are readily available within this office and can generally be processed quickly. Requests placed into the complex processing queue are requests that require searches to one or more other offices within the USMS and/or may involve a voluminous amount of records. Finally, requests placed into the expedited queue are those requests which have been granted "expedited processing" status pursuant to 28 CFR §16.5(e).

Your request is currently assigned to the complex queue, as the records you seek, should they exist in USMS systems or files, are likely maintained outside of this office. Further, FOIA staff has not yet been able to complete a search to determine whether the USMS possesses records that are responsive to your request.

If you requested expedited processing, please note that your expedited processing request has not yet been reviewed by USMS FOIA staff; therefore, your queue is subject to change from complex to expedited should your request for expedited processing be granted.

The actual processing time will depend on the complexity of your request and whether it involves sensitive records, voluminous records, extensive search, and/or consultation with other U.S. Department of Justice (DOJ) components or other agencies. Due to a substantial backlog of requests, it is estimated the processing of your request may be significantly delayed. Please note that due to this backlog, we may be unable to comply with the 20 working-day time limit in this case as well as the 10 additional days provided by the statute, pursuant to the 28 CFR §16.5(c). USMS FOIA regrets the necessity of this delay but assures you that your request will be processed as soon as possible.

If a component estimates that the total fees for processing your request will exceed \$25, it will notify you in writing of the estimate and offer you an opportunity to narrow your request in order to reduce the fees, unless you have already indicated a willingness to pay fees as high as those anticipated. The component will not continue to work on your request until you commit in writing to pay the actual or estimated total fee, designate an amount you are willing to pay, or indicate that you only seek what can be provided for free (if you are a non-commercial use requester). If you agree to pay fees for a records search, be aware that you may be required to pay such fees even if the search does not locate any responsive records or, if records are located, even if they are determined to be entirely exempt from disclosure.

For your reference, the FOIA and DOJ FOIA Request and Fee Regulations are available at the following web addresses:

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- DOJ FOIA regulations: <https://www.justice.gov/oip/doj-foia-regulations>

Please note that it is your responsibility to notify the USMS FOIA Unit office of any changes in your contact information (i.e., mailing address, telephone numbers, and/or email address). Any returned correspondence due to "unknown address" is considered sufficient reason to close your request. If you have any questions or wish to discuss the processing of your request, you may contact our FOIA Public Liaison for further assistance at:

United States Marshals Service
Office of General Counsel FOIA Unit
CG-3, 15th Floor
Washington, DC 20530-001
USMS.FOIA@usdoj.gov

You may also submit an inquiry regarding the status of your FOIA request via your PAI account at <https://foia.usmarshals.gov>. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer.

The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

/s/ ER for

Charlotte Luckstone
Assistant Deputy General Counsel
Freedom of Information/Privacy Act Officer
Office of General Counsel

Case: 24-3973 Document: 4 Filed: 03/24/2025 Page: 18

Exhibit A-5



U.S. Department of Justice

United States Marshals Service

Office of General Counsel

CG-3, 15th Floor
Washington, DC 20530-0001

February 12, 2025

Jesse-James Gulley Jr.
2713 Wood Owl St. NE
Canton, OH 44704
colettefreeman23@gmail.com

Re: Freedom of Information Act Request/Privacy Act No. 2025-USMS-FOIA/PA-000196
Subject: Records on Self

Dear Requester:

The United States Marshals Service (USMS) is responding to your request received by USMS on January 27, 2025, for the following:

"Pursuant to the Freedom of Information Act (FOIA), I Jesse-James: Gulley Jr. do request access to specifically the arrest warrant United States Magistrate William H. Baugham and the United States Attorney Aaron P. Howell assert was included in the Magistrates Order entered on December 5th, 2017. Petitioner has a right to possess the arrest warrant pursuant to Ruel 4(c)3(A) which states for the record."

Pursuant to your request, the USMS conducted a search for records responsive to your request and located 1 page(s) of responsive documentation within the following offices/divisions:

Northern District of Ohio

To provide you with the greatest degree of access authorized by the Freedom of Information Act ("FOIA") and the Privacy Act, we have considered your request in light of the provisions of both statutes. The records you seek are located in a Privacy Act system of records that, in accordance with regulations promulgated by the Department of Justice, is exempt from the access provisions of the Privacy Act. See 28 C.F.R. § 16.101. Accordingly, to permit access to the records, your request was processed under the provisions of the FOIA.

To withhold a responsive record in whole or part, an agency must show both that the

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asserted FOIA exemptions as appropriate. Further, the USMS has determined it is reasonably foreseeable that disclosure of the withheld information would harm an agency interest protected by the exemption. These pages are released to you with portions of 1 page(s) withheld pursuant to the following Exemptions of the FOIA, 5 U.S.C. § 552(b):

FOIA Exemption (b)(6) allows an agency to withhold personnel, medical, and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Records that apply to or describe a particular individual, including investigative records, qualify as "personnel," "medical," or "similar files" under Exemption 6. A discretionary release of such records is not appropriate. See *United States Department of Justice (DOJ) v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989).

FOIA Exemption (b)(7)(C) protects records or information compiled for law enforcement purposes to the extent that the production of such records or information could reasonably be expected to constitute an unwarranted invasion of personal privacy. A discretionary release of such records is not appropriate. See *United States Department of Justice (DOJ) v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989). Accordingly, the personally identifiable information of law enforcement officers and government employees was withheld from the responsive documentation. The disclosure of such sensitive information contained in records compiled for law enforcement purposes to the public could subject law enforcement officers and other government personnel to harassment and unwelcome contact. This could disrupt and impede official agency activity, as well as endanger the safety of law enforcement officials. Additionally, the personally identifiable information of third parties named in the records was withheld. The disclosure of third-party information could constitute an unwarranted invasion of personal privacy and subject the individuals to embarrassment, harassment, and undue public attention. Individuals have a recognized privacy interest in not being publicly associated with law enforcement investigations, not being associated unwarrantedly with alleged criminal activity, and controlling how communications about them are disseminated.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you are not satisfied with the USMS determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the

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You may also contact Charlotte Luckstone or our FOIA Public Liaison at (703) 740-3943 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,

/s/ AA for

Charlotte Luckstone
Assistant Deputy General Counsel
FOIA/PA Officer
Office of General Counsel

Enclosure

Case: 24-3973 Document: 4 Filed: 03/24/2025 Page: 21

Exhibit A4

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

United States of America

v.

Jesse Gully

Case No.

5:17 CR 493

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Jesse Gully
 who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18:922(o), 924(a)(2) and 2-Possession of a machinegun; 18:922(g)(1) and 924(a)(2)-Felon in possession of a firearm;
 26:5961(d) and 18:2-Unregistered firearms; Forfeiture

Date: 12/05/2017City and state: Cleveland, Ohio

WILLIAM H. BAUGHMAN, JR., U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
 at *(city and state)* _____

Date:

Arresting officer's signature

Printed name and title

Case: 24-3973 Document: 4 Filed: 03/24/2025 Page: 22

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KELLY L. STEPHENS, C. J.

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EP14F October 2023
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Jesse S. Guley
2713 Wood Owl St NE
Canton, OH 44704

TO:

US Court of Appeals of the Sixth Circuit
Attn: Clerk Kelly L. Stephens
Attn: Jeffery S. Sutton
RM 840 Potter Stewart US Courthouse
100 E Fifth Street
Cincinnati, Ohio 45202-3998

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(2) Order Granting Motion to Supplement the Record and Judgments (Doc. 185, 185-1, 185-2), United States Court of Appeals for the Sixth Circuit, Nos. 24-3973/3988, entered August 18, 2025

Case: 5:17-cr-00493-DAP Doc #: 185 Filed: 08/19/25 1 of 2. PageID #: 1339

Nos. 24-3973/3988

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Aug 18, 2025
KELLY L. STEPHENS, Clerk

In re: JESSE JAMES GULLEY, JR.,

)

)

ORDER

Petitioner.

)

Before: CLAY, McKEAGUE, and THAPAR, Circuit Judges.

In these related petitions for a writ of mandamus and/or prohibition, Jesse James Gulley, Jr. asserts that the district court lacked jurisdiction over his criminal proceedings because an arrest warrant was never issued or returned at the outset of those proceedings. For the same reason, he argues that the district court lacks jurisdiction over his supervised-release revocation proceedings, additionally arguing that the district court lacks jurisdiction because the arrest warrant initially issued for revocation proceedings in November 2022 was reissued in March 2024. In No. 24-3973, Gulley seeks to compel the district court to furnish him with the arrest warrant underlying his criminal proceedings and to vacate his conviction and grant him relief from his prosecution. In No. 24-3988, Gulley renews his requests for relief in No. 24-3973 and alleges that the 2022 and 2024 warrants in his supervised-release proceedings are invalid and void, thus any proceedings based on those orders are void. Gulley also moves to supplement his petition in No. 24-3973 to include evidence that an arrest warrant was never filed with the clerk of the district court, and to expedite a ruling in both matters.

Writs of mandamus and prohibition are “drastic and extraordinary” remedies used only when the petitioner has shown a “clear and indisputable” right to relief. *Cheney v. U.S. Dist. Ct.*

Case: 5:17-cr-00493-DAP Doc #: 185 Filed: 08/19/25 2 of 2. PageID #: 1340

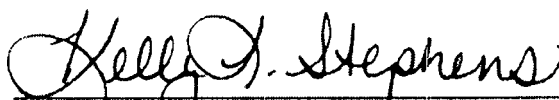
Nos. 24-3973/3988

-2-

then quoting *Kerr v. U.S. Dist. Ct. for N.D. Cal.*, 426 U.S. 394, 403 (1976)) (mandamus); *In re Alea*, 286 F.3d 378, 380 (6th Cir. 2002) (order) (quoting *In re Grand Jury Proceedings, Vargas*, 723 F.2d 1461, 1468 (10th Cir. 1983)) (prohibition). Neither can be used when a petitioner has adequate alternative remedies, such as an appeal. *Fahey*, 332 U.S. at 260; see *In re Sindram*, 498 U.S. 177, 179 (1991) (per curiam) (requiring petitioner to show that "adequate relief cannot be had in any other form or from any other court" (citing S. Ct. R. 20.1)). Gulley could have appealed the denial of his motion to vacate his conviction that was based in part on this claim his claim that a warrant never issued. That he did not pursue this remedy and may now be foreclosed from doing so does not render relief in mandamus or prohibition appropriate. See *Rimmer v. Holder*, 700 F.3d 246, 262 (6th Cir. 2012). And he may appeal any order revoking his term of supervised release and raise arguments related to the underlying warrants. Because Gulley has adequate alternative remedies, he is not entitled to a writ of mandamus or prohibition.

Accordingly, the motion to supplement in No. 24-3973 is **GRANTED**, the writs of mandamus and/or prohibition in both matters are **DENIED**, and the motion to expedite these matters is **DENIED AS MOOT**.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk

Case: 5:17-cr-00493-DAP Doc #: 185-1 Filed: 08/19/25 1 of 1. PageID #: 1341

No. 24-3973

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Aug 18, 2025
KELLY L. STEPHENS, Clerk

In re: JESSE JAMES GULLEY, JR.,

Petitioner.

Before: CLAY, McKEAGUE, and THAPAR, Circuit Judges.

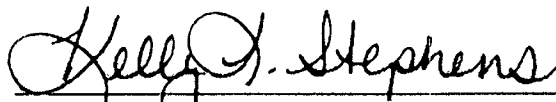
JUDGMENT

On Petition for a Writ of Mandamus and Prohibition.
United States District Court for the Northern District of Ohio at Akron.

THIS MATTER was heard on the record and the pleadings without oral argument. In accordance with the order entered on this date and incorporated herein,

IT IS HEREBY ORDERED that the petition for a writ of mandamus and prohibition is DENIED; and that this matter is DISMISSED.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk

Case: 5:17-cr-00493-DAP Doc #: 185-2 Filed: 08/19/25 1 of 1. PageID #: 1342

No. 24-3988

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Aug 18, 2025
KELLY L. STEPHENS, Clerk

In re: JESSE JAMES GULLEY, JR.,

Petitioner.

Before: CLAY, McKEAGUE, and THAPAR, Circuit Judges.

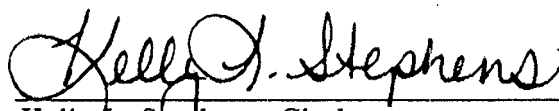
JUDGMENT

On Petition for a Writ of Mandamus and Prohibition.
United States District Court for the Northern District of Ohio at Akron.

THIS MATTER was heard on the record and the pleadings without oral argument. In accordance with the order entered on this date and incorporated herein,

IT IS HEREBY ORDERED that the petition for a writ of prohibition is DENIED, and that this matter is DISMISSED.

ENTERED BY ORDER OF THE COURT



Kelly L. Stephens, Clerk

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

APPENDIX C**Order Denying Motion to Dismiss for Lack of Subject Matter Jurisdiction
and Motion to Dismiss Pursuant to Rule 56 — Original and Transcribed**

Doc. 144 — Order Denying Motion to Dismiss, Filed June 14, 2021, Judge James S. Gwin, Case No. 5:17-cr-00493. Doc. 131 — Motion to Dismiss for Lack of Subject Matter Jurisdiction (Rule 56), Original Handwritten Filing, Filed September 11, 2020. Doc. 131 — Transcribed Version, Prepared for Legibility. [Doc. 144 Appears First; Original Doc. 131 Follows; Transcribed Doc. 131 Follows Last]

NOTE TO CLERK OF THE SUPREME COURT:

This appendix contains three documents that must be read together. Doc. 144 is the ruling the Government cited in its September 26, 2025 opposition brief (Doc. 39, p. 6) as proof that the district court had already considered and rejected Applicant's jurisdictional claim. That representation is false in two respects. First, Doc. 144 was entered in June 2021 — more than three years before the FOIA evidence existed. The district court could not have considered evidence that did not yet exist. Second, AUSA Ranke accurately described that FOIA evidence on page 3 of his own brief as proving the arrest warrant was never filed, and then on page 6 cited this 2021 order

as a bar — without disclosing the four-year gap. Doc. 131 is Applicant's original handwritten Motion to Dismiss filed September 11, 2020, establishing that Applicant raised the absence of a valid arrest warrant on the face of a district court filing five years before the FOIA response confirmed it — placing the Government and the court on actual notice from that date forward. Because Doc. 131 was handwritten, a verbatim typed transcription has been prepared solely for the convenience of the Court and the Clerk. The

Case: 5:17-cr-00493-DAP Doc #: 144 Filed: 06/14/21 11 of 13. PageID #: 1068

Case No. 5:17-cr-00493-JG-1
Gwin, J.

agreement that he possessed the guns.⁶⁷

Clark's statement that the guns were hers, especially given that she was unsure how many or what kind of guns she owned, did not preclude Gulley's possession charge or amount to prosecutorial misconduct. Rather, the Government would have had to prove at trial that Gulley possessed the guns, not Clark.

Defendant's prosecutorial misconduct claims do not succeed.

III. Defendant's Other Motions

In addition to his habeas petition, Defendant has filed eight other motions related to his case, including four motions to dismiss. Defendant's motions are difficult to follow and appear to reiterate many of the arguments in Gulley's § 2255 motion.

Defendant Gulley sought to withdraw one motion to dismiss.⁶⁸ The Court grants Defendant's withdrawal.

In Defendant's motion to dismiss filed September 11, 2020, Defendant argues that there was no arrest warrant issued for him or Co-Defendant Clark. Further, Defendant denies that there was a criminal complaint issued against him.⁶⁹ Defendant cannot make claims on Clark's behalf. Further, Defendant's allegation is incorrect. Defendant was indicted and Judge Baughman issued an arrest warrant for him on December 5, 2017.⁷⁰ The Court denies this motion.

Defendant filed another motion to dismiss on January 11, 2021. Defendant's filed

⁶⁷ Doc. 125 at 13–14 (quoting Doc. 64).

⁶⁸ Doc. 133; Doc. 135.

Case: 5:17-cr-00493-DAP Doc #: 131 Filed: 09/11/20 1 of 9. PageID #: 895

FILED

12:37 pm Sep 11 2020
 Clerk U.S. District Court
 Northern District of Ohio
 Cleveland

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA
 Plaintiff-Respondent

CASE NO: 5:17-CR-00493-1
 5:20-CV-01539

v.

Judge James S. Keenan

Jesse-James: Keenan, Jr.
 Defendant-Petitioner

NOTION TO DISMISS

PURSUANT TO RULE 56

SUMMARY JUDGEMENT (A) (B)

Memorandum Brief In Support of Dispositive Motion
 Pursuant to L.R. 16.2(b), and 16.2(a) and L.R. 12.2(b)

Now Comes Petitioner Jesse-James: Keenan, Jr.
 Propra Persona sui juris respectfully request this Honorable
 Court to dismiss CASE NO: 5:17-CR-00493-1 for Lack of Subject
 Jurisdiction Pursuant to Rule 56 Summary Judgement (A) (B) ^{motion.}

The Petitioner has set forth facts with judicial documentation, relatively the grounds for relief. As well all the exhibits in
 Petitioner's 2255 motion filed 7/10/20

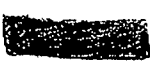
Motions To Dismiss

ON 12/5/17 IN CASE NO: 5:17-cr-00493-1 AT DOCT 4 (MOTION TO SEAL INDICTMENT UNTIL THE ARREST OF ANY DEFENDANT AS TO JESSE KELLEY (1), IKASHA CLARK (2), THOMAS LORENZ (3) SIGNED BY MAGISTRATE JUDGE WILLIAM H. BAUGHMAN, JR. ON 12/5/17 (H, SP) (ENTERED 12/6/17)

ON 12/7/17 PETITIONER WAS ARRESTED FOR THE CRIMES AS CHARGED IN THE INDICTMENT 922(g)(1), 924(a)(2) 922(c), 581e1 AND 18:2 ONLY THOMAS LORENZ HAD AN ARREST WARRANT SEE DOCT 13 (ARREST WARRANT RETURNED & FILED ON 12/7/17 IN CASE AS TO THOMAS LORENZ (3) (PWH) (ENTERED: 12/15/17).

THERE ARE NO ARREST WARRANTS FOR PETITIONER OR HIS CO-DEFENDANT IKASHA CLARK. IN VIOLATION OF THE FOURTH AMENDMENT WHICH STATES:
4TH AMENDMENT

NO "WARRANT" SHALL ISSUE, BUT UPON PROBABLE CAUSE, SUPPORTED BY OATH OR AFFIRMATION AND PARTICULARLY DESCRIBING THE PERSONS OR THINGS TO BE "SEIZED".

JUSTICE POWELL NOTED IN HIS CONCURRENCE IN UNITED STATES V.  WATSON, THE ARREST OF A PERSON IS QUINTESENTIALLY A SEIZURE " 423 U.S. AT 428.

THE SAME DAY PETITIONER WAS DERAINED BEFORE MAGISTRATE JUDGE KATHLEEN B. BURKE WITH NO "COMPLAINT" IN VIOLATION FEDERAL RULES 3 AND 4 OF CRIMINAL PROCEEDURES.

Case: 5:17-cr-00493-DAP Doc #: 131 Filed: 09/11/20 1 of 9 PageID #: 895

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,
Plaintiff-Respondent

v.

JESSE-JAMES: GULLEY JR.,
Defendant-Petitioner

CASE NO: 5:17-CR-00493-1

5:20-CV-01539

Judge James S. Gwin

MOTION TO DISMISS

PURSUANT TO RULE 56

SUMMARY JUDGEMENT (A)(B)

**MEMORANDUM BRIEF IN SUPPORT OF DISPOSITIVE MOTION
PURSUANT TO L.R. 16.2(6), AND 16.2(A) AND L.R. 12.2(6)**

Now comes Petitioner Jesse-James: Gulley Jr., Propria Persona. Sui Juris, respectfully requests this Honorable Court to dismiss Case No. 5:17-cr-00493-1 for Lack of Subject Matter Jurisdiction pursuant to Rule 56 Summary Judgement (A)(B).

The Petitioner has set forth facts with judicial documentation, relatively the grounds for relief, as well as all the Exhibits in Petitioner's 2255 motion filed 7/10/20.

GROUND TO DISMISS

On 12/5/17 in Case No. 5:17-cr-00493-1, at Doc. 4 (Motion to Seal Indictment until the arrest of all defendants as to Jesse Gulley (1), Tkasha Clark (2), Thomas Lorenzo (3)), signed by Magistrate Judge William H. Baughman, Jr. on 12/5/17 (4, SP) (entered 12/6/17).

On 12/7/17 Petitioner was arrested for the crimes as charged in the Indictment §922(g)(1), 924(a)(2), 922(o), 5861 and 18:2. Only Thomas Lorenzo had all arrest warrants. See Doc. 13 (Arrest Warrant Returned Executed on 12/7/17 in case as to Thomas Lorenzo (3) (Push) (entered: 12/15/17).

There are no arrest warrants for Petitioner or his co-defendant Tkasha Clark. In violation of the Fourth Amendment which states:

4TH AMENDMENT

No "warrant" shall issue, but upon probable cause, supported by Oath or Affirmation and particularly describing the persons or things to be seized.

Justice Powell noted in his concurrence in *United States v. Watson*: The arrest of a person is quintessentially a seizure. "423 U.S. at 428.

The same day Petitioner was arraigned before Magistrate Judge Kathleen B. Burke with no complaint in violation of Federal Rules 3 and 4 of Criminal Procedures.

Giordenello v. United States, 357 U.S. 480, 486, 2 L Ed 2d 1503, 78 S Ct 1245: The arrest warrant procedure serves to insure that the deliberate, impartial judgement of a judicial officer will be interposed between the citizen and the police, to assess the weight and credibility of the information which the complaining officer adduces as probable cause.

The protection afforded by Rule 3 and 4 of the Federal Rules of Criminal Procedures, which provide that an arrest warrant shall be issued only upon a written and sworn complaint which sets forth the essential facts constituting the offense charged, and shows that there is probable cause to believe that such an offense has been committed

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

APPENDIX D**Comparison of the 2022 Original Warrant (Doc. 161) and the 2024 Duplicate Warrant (Doc. 176)**

Doc. 161 — Arrest Warrant, Filed November 18, 2022, Executed November 16, 2022, Returned November 17, 2022. Doc. 176 — The Identical Warrant, Re-Filed March 11, 2024, Docket-Labeled a “Duplicate Return.” Case No. 5:17-cr-00493.

NOTE TO CLERK OF THE SUPREME COURT:

This appendix places the two docket entries side by side. Doc. 161 and Doc. 176 share the same docket number, the same offense date, the same issuing judge, the same signature, and the same completed Return—received September 9, 2022, executed November 16, 2022, returned November 17, 2022. The only difference is the filing stamp: Doc. 161 was filed November 18, 2022; Doc. 176 is the same paper re-filed March 11, 2024, more than fifteen months later, after the underlying violation had already been dismissed by court order. Doc. 176 is not a new warrant. It is a photocopy of an already-executed warrant, refiled on a violation the court had already closed.

Case: 5:17-cr-00493-DAP Doc #: 161 Filed: 11/18/22 1 of 1. PageID #: 1150

AO 442 (Rev/11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio

United States of America

v.

Jesse Gulley

Defendant

Docket Number [0647 5:17CR00493]-[001]

ARREST WARRANT

To: Any authorized law enforcement officer

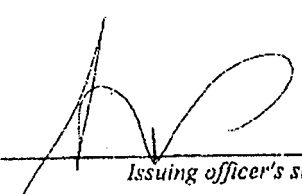
YOU ARE COMMANDED to arrest and bring before a United States Judge without unnecessary delay(name of the person to be arrested) Jesse Gulley

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☒ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

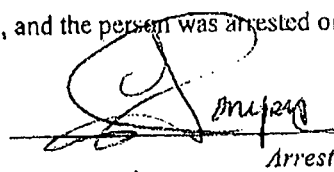
On September 9, 2022, Jesse Gulley gained access into St. Thomas Aquinas school searching for his ex-girlfriend. He made threats to blow up the school. Officers of the Louisville Police Department and other law enforcement are currently searching for Jesse Gulley.

Date Sep 9, 2022City and state: Akron OH

 Issuing officer's signature
MAG JUDGE KNAPP

Printed name and title

Return

This warrant was received on (date) 9/9/22, and the person was arrested on (date) 11/16/22
 at (city and state) _____

Date: 11/17/22

 Arresting officer's signature

Case: 5:17-cr-00493-DAP Doc #: 176 Filed: 03/11/24 1 of 1. PageID #: 1221

AO 442 (Rev/11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio

United States of America

v.

Jesse Gulley

Defendant

Docket Number [0647 5:17CR00493]-[001]

FILED

ARREST WARRANT

MAR 11 2024

To: Any authorized law enforcement officer

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
AKRON**YOU ARE COMMANDED** to arrest and bring before a United States Judge without unnecessary delay

(name of the person to be arrested) Jesse Gulley

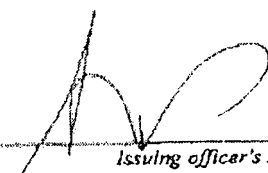
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
☐ Probation Violation Petition
☒ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

On September 9, 2022, Jesse Gulley gained access into St. Thomas Aquinas school searching for his ex-girlfriend. He made threats to blow up the school. Officers of the Louisville Police Department and other law enforcement are currently searching for Jesse Gulley.

Date Sep 9, 2022


 Issuing officer's signature

City and state: Akron OH

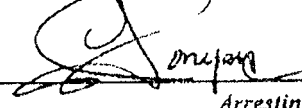
MAG JUDGE KNAPP

Printed name and title

Return

This warrant was received on (date) 9/9/22, and the person was arrested on (date) 11/16/22
 at (city and state)

Date: 11/17/22


 Arresting officer's signature
 L. Conyers / USMS
 Printed name and title

IN THE SUPREME COURT OF THE UNITED STATES

No. _____

JESSE-JAMES: GULLEY JR.,

Applicant,

v.

UNITED STATES OF AMERICA,

Respondent.

APPENDIX E

**Two Orders by the Same District Judge Relying on the Identical
Nonexistent Doc. 172 and Doc. 173**

Doc. 187 — Order Denying Leave to File Rule 60(d)(3) Motion, Entered March 30, 2026, Judge Dan Aaron Polster, Case No. 5:17-cr-00493. Doc. 15-1 — Order Dismissing Civil Action, Entered May 23, 2025, Judge Dan Aaron Polster, Case No. 5:25-cv-00615.

NOTE TO CLERK OF THE SUPREME COURT:

These two orders, entered by the same judge in two different cases, rely on the identical citation to Doc. 172 and Doc. 173 to decline relief on the absent-warrant question. Neither Doc. 172 nor Doc. 173 exists on the docket of Case No. 5:17-cr-00493. In Doc. 15-1, that citation was used to dismiss Applicant's civil complaint for injunctive and declaratory relief and to impose a permanent filing bar. In Doc. 187, the same citation was used to deny Applicant leave to file the one motion — under Federal Rule of Civil Procedure 60(d)(3) — designed specifically to expose fraud on the court. Read together, these orders show the same fabricated

docket citation being used twice by the same judge to close two separate avenues for relief, without either order examining whether the citation refers to anything that exists.

Case: 5:17-cr-00493-DAP Doc #: 187 Filed: 03/30/26 1 of 1. PageID #: 1386

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	Case No. 5:17-cr-0493
	)	
Plaintiff,	)	
	)	
v.	)	JUDGE DAN AARON POLSTER
	)	
JESSE-JAMES GULLEY, JR.,	)	
	)	<u>ORDER</u>
Defendants.	)	
	)	

On March 27, 2026, Defendant Gulley filed a *pro se* emergency motion for leave to file ECF Doc. 186. Upon review, Gulley is still the subject of an active arrest warrant for a supervised release violation. See ECF Doc. 172 and 173. He has also demonstrated that he is a vexatious litigator and has already been barred from filing further matters in this case. The Court of Appeals' Order denying his writs for mandamus and/or prohibition does not have any impact on Gulley's status before this Court.

Gulley has still not submitted to the Court's authority. He is not permitted to take advantage of the rights and privileges afforded by the Court while also disregarding its authority. For this reason, the Court DENIES Gulley's emergency motion for leave. Unless and until he surrenders on the pending SRV warrant, the Clerk's Office is to continue to refuse any further filings from JESSE-JAMES GULLEY, JR. or anyone who attempts to file on his behalf.

IT IS SO ORDERED.

Dated: March 30, 2026

s/Dan Aaron Polster
United States District Judge

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JESSE-JAMES GULLEY, JR.,	)	Case No. 5:25-cv-00615
	)	
Plaintiff,	)	
	)	
v.	)	JUDGE DAN AARON POLSTER
	)	
UNITED STATES OF AMERICA, <i>et al.</i> ,	)	
	)	<u>ORDER</u>
Defendants.	)	
	)	

On March 28, 2025, Plaintiff filed a *pro se* complaint for injunctive relief and declaratory judgment. ECF Doc. 1. Upon review, the Court notes that Mr. Gulley is the subject of an active arrest warrant in *United States v. Gulley*, 5:17cr00493 for a supervised release violation. See ECF Doc. 172 and 173 in *United States v. Gulley*, 5:17cr00493. He has also demonstrated that he is a vexatious litigator in that case and has been barred from filing further matters in it.

It appears that Plaintiff is attempting to improperly litigate matters in the captioned case even though he has not submitted to the authority of this Court. Plaintiff should not be permitted to take advantage of the rights and privileges afforded by the Court while also disregarding its authority. For this reason, the Court hereby DISMISSES this case, without prejudice. Unless and until Plaintiff surrenders on the pending SRV warrant in 5:17cr00493, the Clerk's Office is to refuse any filings from JESSE-JAMES GULLEY, JR. or anyone who attempts to file on his behalf.

Case: 5:25-cv-00615-DAP Doc #: 15-1 Filed: 05/23/25 2 of 2. PageID #: 285

IT IS SO ORDERED.

Dated: May 23, 2025

s/Dan Aaron Polster
United States District Judge