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No. _____

ORIGINAL

FILED

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SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

MEGAN HARWOOD,

Petitioner,

v.

SUPERIOR COURT OF LOS ANGELES COUNTY

and JUSTIN GURNARI,

Respondents.

On Petition for a Writ of Certiorari to the

Court of Appeal of California,

Second Appellate District, Division Four

PETITION FOR A WRIT OF CERTIORARI

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September 22, 2026

QUESTION PRESENTED

Whether Title II of the Americans with Disabilities Act and the Fourteenth Amendment require a state court to communicate a disability-accommodation determination in time for granted accommodations to be meaningfully used during contested adjudication, when delayed notice allegedly prevents the litigant's meaningful participation.

PARTIES AND RELATED PROCEEDINGS

Petitioner is Megan Harwood. Respondents are the Superior Court of Los Angeles County and Justin Gurnari, the real party in interest below. No party is a nongovernmental corporation; no corporate disclosure statement is required.

Directly related proceedings known from the supplied record and petitioner's procedural history are listed below. This petition seeks review only in the B354290/S296715 track.

Gurnari v. Harwood, Los Angeles Superior Court No. 22STFL01211: accommodation response dated April 18, 2026; family-law trial described as April 20–23, 2026. The date of any later final dissolution judgment must be confirmed from the current docket.

Harwood v. Superior Court, California Court of Appeal, Second Appellate District, Division Four, No. B354290: writ denied May 6, 2026; filing-date motion granted.

Harwood v. Superior Court, Supreme Court of California No. S296715: review denied June 24, 2026.

Harwood v. Superior Court, California Court of Appeal No. B346984: Palma notice and temporary stay June 23, 2025; reported mootness dismissal June 26, 2025.

Harwood v. Superior Court, California Court of Appeal No. B351249: reported writ denial December 23, 2025; Supreme Court of California No. S294659: reported denial of review March 11, 2026.

A further writ petition dated July 7, 2025 arises from No. 22STFL01211. Its case number and disposition are not shown on the copy available for this preparation and must be supplied if it was filed. Any other appeal from the same superior-court case must also be identified.

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Cox Broadcasting Corp. v. Cohn, 420 U.S. 469 (1975)

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OPINIONS AND ORDERS BELOW

The unpublished order of the California Court of Appeal, Second Appellate District, Division Four, in *Harwood v. Superior Court*, No. B354290, was entered May 6, 2026. App. B, 3a. The Supreme Court of California denied discretionary review in No. S296715 on June 24, 2026. The denial order and official disposition printout appear at App. A, 1a–2a.

The signed superior-court disability-accommodation response dated April 18, 2026 appears at App. C, 4a. The April 20, 2026 email transmitting that order and the CART access link appears at App. D, 5a.

JURISDICTION

Petitioner invokes 28 U.S.C. § 1257(a) to seek review of the Court of Appeal’s May 6, 2026 disposition after the California Supreme Court denied review on June 24, 2026. This petition is dated September 22, 2026, the ninetieth day after denial of discretionary review. Sup. Ct. R. 13.1. The supplied state docket records no subsequent rehearing order or extension affecting that calculation.

Petitioner contends that the completed accommodation-writ proceeding is a sufficiently final disposition of the separate request for immediate court-access relief. Rule 1.100(g)(2) authorizes writ review of a judicial officer’s accommodation determination within ten days after the response is delivered or sent. App. E. Petitioner exhausted that expedited writ-review track through the state court of last resort.

Completion of that track does not, by itself, establish federal finality. The underlying dissolution litigation was not identified as concluded by a final judgment when the writ was pursued. Petitioner therefore asks the Court to assess the distinct

accommodation-review disposition under *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 477–483 (1975), rather than treating the state docket’s closure alone as dispositive.

Cox’s third category requires that later review of the federal issue be unavailable regardless of the ultimate outcome; it is not satisfied merely because an earlier hearing cannot be replayed. *Id.* at 481–482. Petitioner’s argument is that the completed, time-limited proceeding finally disposed of the request for immediate access relief. Petitioner does not contend that rule 1.100(g)(2), standing alone, forecloses review of every accommodation-related error on appeal from a later judgment.

Flynt v. Ohio, 451 U.S. 619, 620–622 (1981) (per curiam), limits interlocutory review when a federal claim can await final judgment. Petitioner distinguishes the claimed loss of contemporaneous access from ordinary litigation expense or delay, but recognizes that the availability of later review is material to jurisdiction. The petition seeks review of the completed access proceeding; it does not request an advisory ruling on a still-pending family-law dispute.

CONSTITUTIONAL, STATUTORY, AND RULE PROVISIONS

The Fourteenth Amendment, § 1; 42 U.S.C. § 12132; 28 U.S.C. § 1257(a); and California Rules of Court, rule 1.100(e) and (g), are reproduced in Appendix E. Petitioner invokes federal disability-access and due-process protections, not a right to Supreme Court correction of state-law error alone.

STATEMENT OF THE CASE

This petition does not seek independent review of the merits of the underlying family-law dispute. It presents the federal access question arising from petitioner's claim that delayed communication of an accommodation determination prevented its meaningful use during contested adjudication.

A. Request, response, and delivery

Petitioner is self-represented in Los Angeles Superior Court case No. 22STFL01211. Her corrected writ stated that she submitted an accommodation request on or about April 15, 2026 for trial beginning April 20. Corrected Writ Pet., B354290, pp. 7–8. The supplied MC-410 bears an April 17 file stamp and identifies April 15 as the date of the request. Petitioner sought a continuance or alternatives addressing her participation and overlapping court obligations; she also requested waiver of the timing requirement. MC-410 request and attachment, included with the response in the state writ record.

The signed April 18 response did not deny all assistance. It denied the request in whole or part, checked undue financial or administrative burden, referred to prior continuances and calendar burdens, and rejected post-hearing submissions. It allowed a support person, remote appearance, CART, and breaks during proceedings, for an indefinite duration. The form's line identifying when the court responded is blank. App. C, 4a.

At 9:52 a.m. on April 20, the ADA coordinator emailed petitioner: "I was just given the order on your request for accommodation." The email supplied a Streamtext link for CART during the trial and directed petitioner to rule 1.100(g) for review procedures. App. D, 5a. The email establishes that transmission; it does not independently establish the time of every event in the courtroom or exclude all possible earlier communications.

In her verified writ and supporting declaration, petitioner stated that the court had already said the request was addressed and emailed when she raised it during the morning proceedings, and that she received the email afterward. She alleged that delayed notice impaired her ability to understand the ruling, seek clarification, and use the access measures during the opening proceedings. Corrected Writ Pet., pp. 7–8, 15–16. Those are petitioner’s record assertions, not factual findings in either appellate order.

Petitioner also described a remote-access barrier and conflicting Pasadena appearances, and stated that trial continued through April 23. *Id.* at 8, 16. This petition does not treat the scheduling conflict alone as a federal violation or contend that an order signed on a Saturday was improperly dated. Its focus is the claimed practical effect of delayed communication of the response and access link.

B. Writ proceedings and presentation of the federal issue

The corrected Court of Appeal writ expressly invoked Title II on its cover and in its memorandum. At pages 9–10 it asserted a federal right to meaningful access and cited *Tennessee v. Lane*, 541 U.S. 509, 533–534 (2004). At pages 10–11 it connected that claim to delivery and implementation of the accommodation response. These references identify where the federal statutory basis was presented below.

On May 6, 2026, the Court of Appeal stated that it had read and considered the petition filed May 1 and refiled May 4, together with the motion to deem it filed April 30. The motion was granted; the petition was denied for failure to establish entitlement to extraordinary relief. App. B, 3a. The order does not identify a merits holding on the federal issue.

Petitioner sought California Supreme Court review of the same accommodation-timing challenge. Her May 18 petition focused on rule 1.100's delivery and implementation requirements. Pet. for Review, S296715, pp. 4–10. The June 24 denial supplies no explanation. App. A, 1a. Petitioner relies on the express Title II argument in the writ and the same access challenge presented for discretionary review; she does not represent that the state Supreme Court issued a federal merits opinion.

C. Earlier accommodation proceedings

The corrected writ identified a June 23, 2025 notice of intention to issue a peremptory writ and a temporary stay in related No. B346984. Corrected Writ Pet., pp. 6, 11. The supplied history reports a subsequent mootness dismissal after superior-court responses. Petitioner cites that earlier history only as background. A Palma notice was not a merits grant, and recurrence in this litigation does not itself establish a conflict among appellate courts.

REASONS FOR GRANTING THE PETITION

I. The petition presents a federal question about usable access to adjudication.

Title II prohibits disability-based exclusion from participation in the services, programs, or activities of a public entity. 42 U.S.C. § 12132. In *Tennessee v. Lane*, 541 U.S. 509, 531–534 (2004), the Court held that Title II validly enforces Fourteenth Amendment protections as applied to cases implicating access to courts. The decision concerns sovereign immunity and Congress's enforcement power; it does not itself prescribe a fixed deadline for delivery of accommodation orders.

United States v. Georgia, 546 U.S. 151, 159 (2006), likewise recognizes valid Title II abrogation for conduct that independently violates the Fourteenth Amendment. Neither

decision makes every procedural mistake a federal constitutional violation. They establish the federal framework within which the practical accessibility of state judicial services must be assessed.

Petitioner asks whether communication must occur in time for access measures to be usable during the adjudicatory activity for which they are needed. The relevant distinction is between an accommodation entered on paper and one available in practice. A communication aid may depend on a link, instructions, equipment, or an opportunity to ask how it will operate. Here, the email transmitted both the order and the CART link. App. D, 5a.

The requested clarification is functional, not a categorical right to postponement. Petitioner does not claim that every trial-morning response violates federal law, that every requested accommodation must be granted, or that an accommodation request automatically stays trial. The inquiry is whether the timing and implementation actually afforded meaningful access in the circumstances.

II. California's review mechanism supplies the procedural context, not an automatic federal jurisdictional exception.

Rule 1.100(e)(2) requires prompt notice of the determination, a written response for a denial in whole or part, and specified information about the disposition. Subdivision (g)(2) permits prompt writ review of a judicial officer's determination. App. E. Petitioner invokes these provisions to explain how she presented and challenged the access ruling, not to convert every alleged state-rule violation into federal error.

The short writ period supports petitioner's position that this was a distinct request for immediate access relief. It does not create a mandatory pretrial waiting period, guarantee

completion of appellate review before testimony, or establish that later appeal is unavailable. The jurisdictional distinction remains the one drawn by *Cox*, 420 U.S. at 477–483, and *Flynt*, 451 U.S. at 620–622: a completed federal issue that qualifies for immediate review versus an interlocutory claim that can await a final judgment.

Petitioner requests consideration of the completed accommodation proceeding on that basis. A later appeal may offer relief from a judgment affected by an access error, including a new hearing; petitioner does not assert that retrospective remedies are legally impossible. The question she tenders is whether the distinct denial of immediate access relief is presently reviewable and, if so, whether the federal obligation was satisfied during the adjudication itself.

III. The proposed rule is narrow and the requested relief does not require this Court to decide the divorce.

This petition proceeds under Rule 10(c), not on a claimed circuit split. It asks the Court to address an important federal question concerning timely, usable access to a public judicial service. The summary state orders reveal no rule expressly authorizing late notice, and petitioner does not treat their silence as proof of such a holding.

The record contains a signed response, an email timestamp, and petitioner’s verified account. It also records affirmative accommodations, including CART, remote appearance, a support person, and breaks. App. C, 4a. Those measures must be considered, not omitted. Whether they were available when needed, and what specific impairment resulted from delayed notice, are matters for the record rather than assumptions from the date alone.

A ruling that meaningful access includes timely, usable implementation could be applied on remand without this Court choosing an accommodation, reweighing evidence, or deciding family-law issues. Petitioner seeks review and, if the Court finds federal error, a remand for appropriate application of the federal standard. The requested rule would not eliminate reasonable case management, authorize indefinite delay, or make every accommodation dispute structural error.

The practical federal question is therefore limited: when a state court grants access measures but communicates the determination and instructions only after the relevant proceeding allegedly has begun, did the timing deprive the litigant of the meaningful participation Title II protects? Petitioner respectfully requests review of that question, subject to the jurisdictional requirements addressed above.

CONCLUSION

The petition for a writ of certiorari should be granted. If the Court concludes that the challenged proceeding failed to satisfy the federal access requirements presented here, petitioner requests that the Court vacate the judgment under review and remand for further proceedings consistent with its decision.

Dated: September 22, 2026

Respectfully submitted,

/s/ Megan Harwood

Megan Harwood

Petitioner, pro se

A handwritten signature in black ink, appearing to read 'M Harwood', with a long horizontal flourish extending to the right.