

26-5717

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

FILED

AUG 26 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

JUAN M. CRUZADO - LAUREANO
Petitioner-Pro-Se

NO:

Vs.

On Petition for Writ of Certiorari to
the U.S. Court of Appeals for The
First Circuit – Case # 25-1537

UNITED STATES
Respondent-Appellee

**ON PETITION FOR A WRIT OF CERTIORARI TO U.S. COURT OF APPEALS
FOR THE FIRST CIRCUIT OF APPEALS – CASE #25-1537**

PETITION FOR WRIT OF CERTIORARI

JUAN MANUEL CRUZADO-LAUREANO (PRO-SE)

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QUESTION PRESENTED FOR COURT REVIEW

Is it true that there are no consequences for an appellee who invokes Rule 15, thereby waiving the right to defend against a petition for certiorari filed with the U.S. Supreme Court?

Background of the question submitted for Court review
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The Honorable Panel composed of Barron, Chief Judge, Montecalvo and Aframe, Circuit Judges, issued its Judgment on March 23, 2026 on Appeal Pro-Se #25-1537, exempting the Appellee from filing its Brief of Opposition and honoring its request

for Summary Dismissal of Appeal #25-1537 of 09/04/2025 under local Rule 27.0(c). The main legal basis the Appellee uses to request the Summary Disposition of Appeal #25-1537, which seeks the revocation of the summary dismissal of the Pro-Se petition for Coram Nobis 01-690(PAD) decreed by the District Court, is that with the two WAIVERS under Rule 15 that the Appellee has invoked to avoid responding to Certioraris #21-6910 and #24-5999 based on conviction 01-690(JAF) of June 7, 2002, before the Supreme Court, the government has not conceded that there was any error in the criminal prosecution of the Petitioner. This is stated in the last sentence on page 10 of the Motion to Dismiss:

“The government has never conceded there was error in Cruzado’s criminal proceedings and any previous waiver or any potential future waiver in certiorari does not create a fundamental error to justify the filing of a new coram petition”.

The Panel erred in honoring the Appellee’s request for Summary Dismissal of Appeal #25-1537. The Appellee, on two historic occasions before the Supreme Court, has WAIVED, invoking Rule 15 of the Court, the right to respond to challenges to the legal validity of conviction #01-690(JAF) of June 7, 2002, which forms the basis of the “*Coram Nobis*” denied in the District Court and in Appeal #25-1537. On June 2, 2026, the Panel presided over by Chief Judge Barron issued an ORDER denying the petition for Rehearing or Rehearing en Banc filed by the Appellant on May 2, 2026. The Order of Court of June 2, 2026 reads as follows:

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc submitted to the active judges of this court who are not disqualified and a majority of the judges not having voted that the case be Heard en banc, it is ordered that the petition for rehearing and the petition for rehearing en banc be denied. The recusal requests are denied as moot. See Fed. R. App. P. 40 (c); see also 1st Cir. R. 40.0(c) (2).

*Judge Gelpi is recused and did not participate in the consideration of this matter.

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**LIST OF PARTIES IN APPEAL #25-1537 BEFORE THIS HONORABLE SUPREME COURT
OF THE UNITED STATES**

PETITIONER-APPELLANT-

Juan Manuel Cruzado-Laureano (PRO-SE)

P. O. Box 405, Vega Alta, PR 00692
Tel: 787-371-4373 e-mail: manecruzado@gmail.com

RESPONDENT – APPELLEE-

UNITED STATES

*C/O Solicitor General of the United States, Room 5614,
Department of Justice, 950 Pennsylvania Ave. N.W.
Washington, D.C. 20530*

**IN THE
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JUAN M. CRUZADO - LAUREANO
Petitioner-Pro-Se

NO:

Vs.

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the U.S. Court of Appeals for The
First Circuit – Case # 25-1537

UNITED STATES
Respondent-Appellee

Petition for a Writ of Certiorari

Jurisdiction

This **pro se** petition for a Writ of Certiorari is brought before this Honorable Supreme Court challenging the First Circuit's refusal – issued in its Judgment of June 2, 2026- to require the Government to produce its Brief in Opposition to Appeal #25-1537 and to grant Summary Dismissal of said Appeal. Appeal No. 25-1537 arises from the Summary Dismissal ordered by Judge Pedro Delgado regarding the **pro-se** Coram Nobis petition in Case No. 3:01-cr-00690- PAD on May 15, 2025 in an Order dated May 15, 2025, which reads as follows:

"ORDER: Denying [271] pro se "Writ of Coram Nobis". The court is persuaded by the government's position at Docket No. [274]. Signed by Judge Pedro A. Delgado-Hernandez on 5/15/2025. (AEM)".

This petition for a Writ of Certiorari was filed on August 31, 2026, and returned on September 1, 2026, by the Office of the Clerk for amendments to comply with Rule 14 and to include the District Court's Opinion in the Petition's appendices. The Petition was amended and is being filed today, September 16, 2026, at the posy office in the Vega Alta, PR.

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UNITED STATES
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TABLE OF AUTHORITIES

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OPINIONS

The Petitioner respectfully prays that a Writ of Certiorari issue to review the Judgment issued by the First Circuit of Appeals on ORDER OF COURT on June 2 2026 and Judgment on March 23, 2026, in Appeal #25-1537. The First Circuit opinions appears on Appendix A and Appendix B. In this case the First Circuit issued a Judgment, where granted the Motion for Summary Dismissal filed by the Government, without addressing the Appellant's argument regarding the consequences for an appellee of invoking Rule 15 to forgo filing a response to a certiorari petition before the Supreme Court.

IN THE
SUPREME COURT OF THE UNITED STATES

JUAN M. CRUZADO - LAUREANO
Petitioner-Pro-Se

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UNITED STATES
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First Circuit – Case # 25-1537

WRIT OF CERTIORARI

Appears before this Honorable Supreme Court of the United States, Juan Manuel Cruzado-Laureano exercising his right to legal self-representation (**Pro-Se**), Exhibits, Alleges and Request:

The summary dismissal decreed in the Chamber of Judge Pedro A. Delgado (PAD) on May 15, 2025 of the *Petition for a Writ of Coram Nobis* to vacate the Second Amended Judgment of 04-26-2002 in criminal Case 01-690(JAF) of June 7,2002 is the basis of this *Petition for Certiorari*. The Pro-Se petition for a writ of Coram Nobis regarding Case No. 01-690(JAF)-which dated back to the conviction of June 7, 2002- was filed in Judge Pedro A Delgado's courtroom on April 23, 2025. Judge Delgado (PAD) was assigned to the *coram nobis* petition because Judge José A. Fusté, who had entered the conviction in Case No. 01-690 on June 7, 2002, had resigned several years earlier. On May 15, 2025, Judge Delgado (PAD) issued an ORDER denying the *coram nobis*

petition, as the Government had requested in its Motion for Summary Dismissal. Judge Delgado did not elaborate on the denial of the coram nobis relief, stating only in the issued ORDER: *"The Court is persuaded by the government's position"*.

On August 5, 2005, the Petitioner filed Appeal No. 25-1537 with the First Circuit of Appeals. On September 4, 2025, the Appellee filed a Motion for Summary Dismissal of Appeal 25-1537. On March 23, 2026, the Panel- comprising Chief Judge Barron and Circuit Judges Montecalvo and Aframe- issued a Judgment in Appeal No. 25-1537, stating the following: *"Accordingly, the Motion for summary disposition is granted, and the district court's denial of the request for a writ of coram nobis is affirmed. See 1 st Cir. R. 27.0 (c)"*.

On June 2, 2026, the Panel presided over by Chief Judge Barron issued an ORDER denying the petition for Rehearing or Rehearing en Banc filed the Appellant on May 2, 2026. The Order of Court of June 2, 2026 reads as follows:

The petition for rehearing having been denied by the panel of judges who decided the case, and the petition for rehearing en banc submitted to the actives judges of this court who are not disqualified and a majority of the judges not having voted that the case be Heard en banc, it is ordered that the petition for rehearing and the petition for rehearing en banc be denied. The recusal requests are denied as moot. See Fed. R. App. P. 40 (c); see also 1st Cir. R. 40.0(c) (2).

This Petition for Writ of Certiorari is being filed today, Wednesday, August 26, 2026, at the us Post Office in Vega Alta, PR- along with a *Motion For Leave To Proceed in Forma Pauperis* to cover the appeal fees- in compliance with the 90-days deadline established by this Court following the issuance of the *Judgment* on June 2, 2026 in Appeal No. 25-1537 by the First Circuit Court of Appeals.

GENESIS OF THIS PETITION FOR WRIT OF CERTIORARI

Factual and Procedural Background

Conviction 01-690(JAF) of June 7, 2002: The only criminal conviction in the federal judicial history in which the US District Attorney acted as the "*prosecutor*" before the trial Jury that returned the guilty verdict- being responsible for presenting the charges brought by a federal grand jury, whose determination of probable cause was overseen exclusively by said US District Attorney, who acted as the sole "*attorney for the government*" and the sole signatory of the "True Bill" of the Indictment 01-690 issued against the Petitioner on October 24, 2001.

13
Indictment
U.S. v. Juan Manuel Cruzado Laureano
a/k/a Manny

~~acts of extortion by defendant Juan Manuel Cruzado Laureano a/k/a Manny.~~

All in violation of Title 18 United States Code Section 1512(b)(1)(2).

TRUE BILL.

FOREPERSON

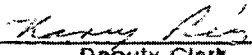
Dated: 10/24/01


GUILLERMO GIL
United States Attorney
Dated: 10/24/01

Certified to be a true and exact copy
of the original.

FRANCES RIOS DE MORAN, CLERK

U.S. District Court for the
District of Puerto Rico

By: 
Deputy Clerk

Date: 10-24-01

On October 24, 2001, the Appellant was indicted by a Federal Grand Jury of the Judicial District for Puerto Rico with Indictment 01-690, containing 11 Counts of corruption allegedly committed during the first 10 months of 2001 while he held the position of Mayor of Vega Alta. The primary Count in Indictment 01-690 of 10-24- 2001 was THEFT on four instances, totaling \$21,945.05, from an organization receiving federal funds. This Indictment 01-690 of 10-24-2001, is unique in federal judicial history for being the only *Indictment* used to arrest, prosecute, and imprison the Appellant where the *US District Attorney* is the sole signatory of the True Bill. It is a unique case where the *U.S. District Attorney* personally oversaw the probable cause determination issued on October 24, 2001, by a Grand Jury against the Appellant. It is also unique case where the *U.S. District Attorney* was responsible for the defense of the Counts before the Jury that convicted the Appellant on June 7, 2002, on 12 of the 14 Counts in Superseding Indictment 01-690(GAG) of January 25, 2002.

CRIMINAL TRIAL 01-690 (JAF) FOR 14 COUNTS OF PUBLIC CORRUPTION AGAINST THE APPELLANT:

THE ONLY TRIAL IN FEDERAL JUDICIAL HISTORY WHERE A U.S. DISTRICT ATTORNEY HAS PERSONALLY PRESENTED AND DEFENDED BEFORE THE JURY THE CHARGES RETURNED BY A GRAND JURY WHERE HE PERSONALLY SUPERVISED ITS DETERMINATION OF CAUSE.

On May 13, 2002, the U.S. Attorney's Office, represented by the Chief U.S. Attorney of Puerto Rico, Guillermo Gil Bonar, and his special assistant, AUSA Rebecca Kellogg De Jesus, agreed to submit the depositions of the 9 nine witnesses to the Grand Jury that issued the 14 criminal corruption charges against the Appellant, initiating the *only trial in federal judicial history* where the *U.S. District Attorney* will be in charge of presenting and defending the charges charged in an Indictment against a defendant. Although in the Trial the Jury will evaluate the accusation against Mayor Cruzado of the theft of

\$21,945.00 from the Municipality of VA and the *extortion of three alleged municipal contractors for \$10,000*, the Director of Finance of the Municipality of VA *Benjamin Declet Salgado*, does not appear in the list of witnesses who deposed before the Grand Jury that issued the indictments, nor did he participate as a prosecution witness during the Trial.

CM/ECF LIVE - U.S. District Court for the District of Puerto Rico - Docket Report		Page 19 of 32
		06/12/2002 (Entered: 06/12/2002)
06/07/2002	89	JURY VERDICT of Guilty: Juan Manuel Cruzado-Laureano (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 11s, 13s, 14s Sentencing set for 1:30 10/10/02 for Juan Manuel Cruzado-Laureano , Not Guilty: Juan Manuel Cruzado-Laureano (1) count(s) 12s (ct) (Entered: 06/12/2002)

On June 7, 2002, the jury that heard the first case of public corruption in the Federal District Court of Puerto Rico in the 21st century returned its guilty verdict on 12 of the 14 counts indicted by a Grand Jury on 10-24-2001. Guillermo Gil Bonar crowned his interim since 1993 at the head of the federal prosecutor's office of PR, setting a precedent in the 94 federal judicial districts by acting as "*prosecutor*" in charge of presenting and defending the charges issued by a Grand Jury in a Trial by Jury against a mayor who had only been at the helm of his elective position for 10 months. In a trial that was imputed to Mayor Juan M. After stealing \$21,945.00 in four instances from the Municipality of VA, the Chief Federal Prosecutor of PR personally managed to get him convicted in three instances of *THEFT* for \$18,156.54, without the director of finance of the Municipality of VA certifying to the Jury the veracity of the theft and the amount stolen. In the same way, the US Attorney of

PR got the Jury to find Mayor Cruzado guilty of extorting two alleged contractors of the Municipality for \$7,000.00, without the Director of Finance certifying before the Jury the commercial relationship of these with the Municipality of VA. Judge Fusté revoked the bail of the Appellant on the day of his guilty verdict and ordered his imprisonment. The reading of the Judgment was set for November 13, 2002.

The Reading of the Sentence in Case 01-690 of June 7, 2002 was carried out on November 13, 2002 by Judge José A. Fusté, with the presence of AUSA Guillermo Gil Bonar, who had ceased as "*chief*" of the prosecutors on 06/30/2002 and for the Defense there was a representative of the Federal Public Defender's Office.

November 13, 2002, Sentencing in Case 01-690 (JAF) of June 7, 2002 on 12 convicted counts. *Reading of the inconclusive Judgment* because the Mandatory Economic Restitution to the victims (VWPA) *could not be awarded*

Judge José A. Fusté ordered Plaintiff to serve *63 months in prison, three years of supervised release, imposed a \$10,000 fine and a \$100 charge for each convicted count*. At the time of considering the issue of *mandatory Economic Restitution to the victims*, AUSA Guillermo Gil Bonar established that the only one who was ordered to pay mandatory restitution was the Municipality of VA. Gil Bonar submitted a letter from the Director of Finance of the Municipality of VA, Benjamin Declet Salgado, requesting restitution of \$9,656.00 for the Municipality. The Plaintiff's Defense protested AUSA Guillermo Gil's request for restitution of \$9,656.00 to the Municipality of VA, as the Municipality's Director of Finance never participated in the Trial or testified before the Grand Jury. The Defense requested that the Court grant an *Evidentiary Hearing* to ventilate the matter. The Court denied the *Hearing*, but authorized the Office of the Federal Public Defender to take an Affidavit from the Director of Finance on the

restitution request he filed and at a subsequent hearing the matter of restitution would be adjudicated to the victims, so that the Plaintiff could file his Appeal before the First Circuit. The Defense agreed to take the *Affidavit* of Declet Salgado and as soon as they took it, it would be filed with the office of Judge Fusté.

The Reading of the Sentence in Case 01-690 of June 7, 2002 initiated on November 13, 2002, and concluded a year later (11/24/2003) when Judge José A. Fusté issued an Opinion and Order ruling that the Municipality of Vega Alta is the only party to whom the Petitioner must make economic restitution. The amount to be repaid is \$14,251.82.

CM/ECF LIVE - U.S. District Court for the District of Puerto Rico - Docket Report			Page 24 of 32
		(ct) (Entered: 08/14/2003)	
08/20/2003	152	2nd MOTION by Juan Manuel Cruzado-Laureano to request order re: restitution (ct) (Entered: 08/21/2003)	
09/05/2003	153	ATTY'S NOTICE of travel outside jurisdiction by Juan Manuel Cruzado-Laureano (ct) (Entered: 09/08/2003)	
09/15/2003		ENDORSED ORDER as to Juan Manuel Cruzado-Laureano [153-1] notice Noted, as to Juan Manuel Cruzado-Laureano (1) (Clerk) (ct) (Entered: 09/15/2003)	
09/22/2003	154	Copy of Receipt # 139106 as to Juan Manuel Cruzado-Laureano in the amount of \$ 25 re: sma (ct) (Entered: 09/25/2003)	
10/07/2003	155	MOTION by Juan Manuel Cruzado-Laureano for S/C (ct) (Entered: 10/09/2003)	
11/24/2003	156	OPINION AND ORDER as to Juan Manuel Cruzado-Laureano terminating [140-1] motion for modification of restitution amount. Dft is ordered to pay restitution as to the Mun. of Vega Alta in the amount of \$14,251.82. We find that the dft does not need to pay restitution as to the amounts connected w/Alfonso Rivera Perez, etc. (Signed by Judge Jose A. Fuste) (ct) (Entered: 11/24/2003)	

In the Resentencing of May 31,2005, ordered by the First Circuit, Judge José A. Fusté ordered the Petitioner to pay restitution in the amount of \$14,251.82 to four (4) victims, a group that did not include the Municipality of Vega Alta.

AO 245C (Rev. 10/03) Amended Judgment in a Criminal Case Sheet 4 - Criminal Monetary Penalties		(NOTE: Identify Changes with Asterisks (*) Judgment Page 4 of 2	
DEFENDANT: JUAN MANUEL CRUZADO CASE NUMBER: CR-01-690 (JAF)		CRIMINAL MONETARY PENALTIES	
The defendant must pay the following total criminal monetary penalties under the schedule of payments on Sheet 6.			
TOTALS	Assessment \$ 100 per count for a total of \$1,200	Fine \$ 10,000	Restitution \$ 14,251.82
☐ The determination of restitution is deferred until _____ An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination. ☒ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below. If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(f), all nonfederal victims must be paid before the United States is paid.			
Name of Payee	Total Due	Restitution Ordered	Priority or Percentage
Centro Cultural de Vega Alta		\$7,595.82	
Cristaleria Vega Alta		\$2,000.00	
Ebanisteria La Familia		\$1,756.00	
Martinez Air Conditioning		\$2,900.00	
TOTALS	\$	\$ 14,251.82	

The novel and accommodating interpretation of the Appellee made on pages 10 and 11 of his Motion to Dismiss regarding the consequences of Waiving the right to answer a certiorari before the Supreme Court by invoking Rule 15

“Lastly, there is one loose end that government must clarify. Cruzado misapprehends the government’s position in certiorari proceedings throughout his filings. Cruzado has twice sought review by the United States Supreme Court both in his mandamus request and one of his civil cases against the United States. (AB 10,15; US Nos. 21-6910; 24-599). In both cases, the government waived its right to file a response to the petition unless ordered by the Court. (*Id.*). While Cruzado interprets this waiver as a concession, it is not. Instead, the government’s implicit position is that Cruzado’s filings were meritless, and the Supreme Court would deny review without the government’s input. The government’s waiver both speeds up the certiorari process and preserves government resources. Furthermore, granting certiorari does not mean a petitioner will prevail. *Buck v. Davis*, 580 U.S. 100, 127 (2017) (explaining the high court grants review if a legal issue warrants review}. Instead, it signals the Supreme Court will consider the controversy. *Id.* If the Supreme Court deemed Cruzado’s petition worthy of opposition, it would have ordered the government to respond. But that did not happen, and both Cruzado’s requests for certiorari have been denied. The government has never conceded there was error in Cruzado’s criminal proceedings and any previous waiver or any potential future waiver in certiorari does not create a fundamental error to justify the filing of a new coram petition.

Therefore, Cruzado’s appeal should be summarily dismissed pursuant to First Circuit Local Rule 27.0(c).⁴” (Pages 10 and 11 Motion for Summary Dismissal)

LEGAL ARGUMENT REGARDING RULE 15 SUBMITTED IN WRIT OF CERTIORARI

Is the argument presented by the Appellee in his Motion for Summary Dismissal, accepted by the Panel that heard Appeal #25-1537, correct, that the fact of relying on Rule 15 of the Supreme Court to avoid responding to a Certiorari before said Court does not imply admitting any alleged erroneous statement made in the certiorari petition?

In light of the unprecedented decision by the US Department of Justice to WAIVE its right to respond to two *Certiorari* (#21-6910 and #24-5999) petitions from the First Circuit related to conviction 01-690(JAF) of June 7, 2002, under Supreme Court Rule 15(1)(2), the Petitioner understands that these WAIVERS are an admission that there was mishandling in judicial process that warrants the granting of the requested Coram Nobis. In Certiorari #21-6910 of January 26, 2022, the Petitioner challenged the legality of conviction 01-690(JAF) of June 7, 2002 based on the illegality of Indictment #01-690 of 10-24-2001. In Certiorari petition #24-5999, the Petitioner raised the serious professional misconduct committed by the AUSA's couple, Guillermo Gil Bonar and Rebecca Kellogg, during the accusations and prosecution.

Rule 15(1)(2) of the US Supreme Court explicitly states that a WAIVER of a writ of certiorari implies an acknowledgment that the Petitioner is correct in both the legal and factual contentions made in the writ of certiorari filed. Rule 15 says:

US Supreme Court Rule 15 (1) (2)- Briefs in Opposition

"A brief in opposition should stated briefly and in plain terms and may not exceed the word or page limitations specified in Rule 33. In addition to presenting other arguments for denying the petition, the brief in opposition should address any perceived misstatement of fact or law in the petition that bears on what issues properly would be before the Court if certiorari were granted. Counsel are admonished that they have an obligation to the Court to point out in the brief in opposition, and not later, any perceived misstatement made in the petition." (our emphasis)

Pursuant to Rule 15, which provides that anyone who WAIVES the right to contest a writ of certiorari before the US Supreme Court acknowledges the merits of all the arguments presented by the petitioner, in April 2022 the latter filed *Pro-Se Complaint CV-22-1181(MAJ)*. This Complaint, under "*Bivens Action Law*", seeks financial compensation

from former *US Attorney of PR Guillermo Gil Bonar* and former *AUSA Rebecca Kellogg De Jesús* for acts of professional misconduct committed in obtaining conviction #01-690 of June 7, 2002 against Petitioner. The Defendant's response was a request for summary dismissal of the Complaint CV-22-1181(MAJ) and for Petitioner to be declared a vexatious litigant. The Court denied the Defendant's request and ordered them to answer the Complaint CV-22-1181(MAJ). Within the time allowed for them to answer, they requested reconsideration of the Order to answer the Complaint. The Judge María Antongiorgi-Jordán reconsidered its Order, honoring the request for *summary dismissal* and declaring Petitioner a "*vexatious litigant*".

After 17 years of suffering an illegal conviction for alleged acts of public corruption that never occurred in the Municipality of Vega Alta, the Petitioner at the end of 2019 decide to take charge of continuing his legal fight in Federal Courts in a *Pro-Se* manner to invalidated the infamous conviction #01-690(JAF) of June 7, 2002. The professional mediocrity demonstrated by the Petitioner's attorneys in both Criminal Trial 01-690 01-690(JAF), the appeals of conviction #01-690(JAF) of June 7,2002, and the legal remedies to overturn conviction #01-690 (JAF) of June 7, 2002, forced the Petitioner to pursue his appeals *Pro-Se*. Prior to the filling of Coram Nobis 01-690 (PAD) Pro-Se on April 23, 2025, Petitioner filed two-Pro-Se motions seeking to vacate Conviction 01-690(JAF) of June 7, 2002:

1- Mandamus #19-2142 in *Pro-Se* form dated December 19, 2019.

The Petitioner filed Mandamus #19-2142 in *Pro-Se* in December 19, 2019 against the US Attorney's Office of PR, requesting the withdrawal of Indictment 01-690 of 10-24-2001 for violating Rule #7 of the *Federal Rules of Criminal Procedure*. Mandamus #19-2142 was heard by Senior Visiting Judge John Woodcock. Judge Woodcock dismissed the Mandamus #19-2142,

arguing that Rule #7 did not require all AUSAs supervising the Grand Jury to sign the *Indictment*. Visiting Senior Judge John Woodcock's dismissal of Mandamus #19-2142 was appealed to the First Circuit in Appeal #20-1590. The US Attorney's Office refused to answer the Appellant's Brief and the Court of Appeals made an award against the Petitioner, without elaborating or discussing the absurd interpretations of Rules #6 and #7, made by the District Court, used to dismiss the Mandamus #19-2142 filed by the Petitioner. The dismissal of the Appeal #20-1590 by the First Circuit prompted Petitioner to file Certiorari #21-6910 Pro-Se in the US Supreme Court. In an unprecedented action on January 26, 2022, the US Department of Justice, through Solicitor General Elizabeth Prelogar, invoked Rule 15(1)(2) of this Court to WAIVE answer to Certiorari #21-6910. Although the US Department of Justice WAIVED its right to defend the challenge to the validity of conviction #01-690(JAF) by waiving its right to answer Certiorari #21-6910 under Rule 15(1)(2), the Court denied the Certiorari and the request for reconsideration of the denial.

IN THE SUPREME COURT OF THE UNITED STATES	
CRUZADO-LAUREANO, JUAN MANUAL Petitioner	
vs.	No: <u>21-6910</u>
W. STEPHEN MULDROW	
<u>WAIVER</u>	
The Government hereby waives its right to file a response to the petition in this case, unless requested to do so by the Court.	
	ELIZABETH B. PRELOGAR Solicitor General Counsel of Record
January 26, 2022	
cc:	
JUAN MANUAL CRUZALDO-LAUREANO PO BOX 405 VEGA ALTA, PR 00692	

Never before in U.S. federal judicial history has the US Department of Justice invoked Rule 15(1)(2) of the U.S. Supreme Court to WAIVE its right to appeal a writ of Certiorari filed against it before the U S Supreme Court. Certiorari 21-6910 challenged the validity of conviction 01-690(JAF) of June 7, 2002.

2- **Complaint #22-1181(MAJ)** of April 2025 on a ***Pro-Se*** basis.

In light of the unprecedented decision by the US Department of Justice to WAIVE under Rule 15(1)(2) of the US Supreme Court to answer Certiorari #21-6910 on January 26, 2022, Petitioner understood that with its WAIVER the US Department of Justice recognizes that all of its arguments made in said *Certiorari* regarding the illegality of Indictment #01-690 of 10-24-2001 and that the allegations of *professional misconduct* against the married couple of AUSA's *Guillermo Gil* and *Rebecca Kellogg*, who presented the charges before the Jury, were true. The Petitioner in April 22, 2022 filed *Pro-Se Complaint CV-22-1181(MAJ)*. This Complaint, under "*Bivens Action Law*", seeks financial compensation from former *US Attorney of PR Guillermo Gil Bonar* and former *AUSA Rebecca Kellogg De Jesús* for acts of professional misconduct committed in obtaining conviction #01-690 of June 7, 2002 against Petitioner. The Defendant's response was a request for summary dismissal of the Complaint CV-22-1181(MAJ) and for Petitioner to be declared a vexatious litigant. The Court denied the Defendant's request and ordered them to answer the Complaint CV-22-1181(MAJ). Within the time allowed for them to answer, they requested reconsideration of the Order to answer the Complaint. The Judge María Antongiorgi-Jordán reconsidered its Order, honouring the request for *summary dismissal* and declaring Petitioner a "*vexatious litigant*".

First Circuit summarily dismisses Appeal #23-1640

The summary dismissal of Complaint cv- 22-1181(MAJ) was appealed to the First Circuit in Appeal #23-1640. Upon the Panel's *Order* to produce their "*Opposition Brief*", the Appellees requested an extension of time. After being granted three extensions of time to file their *Opposition Brief*, the Appellees failed to do so. At the expiration of the deadline to file their *Opposition Brief*, they file a Motion for Summary Dismissal of, which was granted by the First Circuit Panel. With summary dismissal, the Circuit relieved Appellees from having to produce an *Opposition Brief* in Appeal #23-1640. Upon the

summarily dismissal of Appeal #23-1640 by the First Circuit, the Petitioner files *Pro-Se* before the US Supreme Court Certiorari #24-5999 against the US Department of Justice.

On December 13, 2024, the US Department of Justice WAIVES, under Rule #15(1)(2), its response to Certiorari #24-5999, the second time in its history that it did so to avoid responding to a *certiorari* before the US Supreme Court.

The Second WAIVER of the US Department of Justice under Rule 15(1)(2) before the US Supreme Court to answer a writ of certiorari. In Certiorari #24-5999, the Petitioner makes a claim for the professional misconduct of the married couple of AUSA's Gil Bonar and Kellogg De Jesús in the execution of conviction #01-690 (JAF) of June 7, 2002.

IN THE SUPREME COURT OF THE UNITED STATES

LAUREANO, CRUZADO JUAN MANUEL
Petitioner

vs.

No: 24-5999

UNITED STATES ATTORNEY OFFICE, DISTRICT OF
PUERTO RICO

WAIVER

The Government hereby waives its right to file a response to the petition in this case, unless requested to do so by the Court.

ELIZABETH B. PRELOGAR
Solicitor General
Counsel of Record

December 13, 2024

cc:

JUAN M. CRUZADO LAUREANO
PO BOX 405
VEGA ALTA, PR 00692

An argumentative summary regarding the two historic and unprecedented decisions by the U.S. Department of Justice to *waive* responses to the Petitions for Certiorari in Cases #21-6910 and #24-5999, pursuant to Rule 15 of the Supreme Court

The validity of the conviction in Case No. 01-690 (JAF) of June 7, 2002, against the Petitioner has been challenged and attacked on two occasions in two petitions for certiorari filed with this Supreme Court. On both occasions, the U.S. Department of Justice has invoked Rule 15 of this Court to avoid responding to the allegations of illegality regarding conviction #01-690(JAF) of June 7, 2002. In the *First WAIVER* in Certiorari #21-6910, the US Department of Justice declined to defend the legal validity of conviction 01-690(JAF) and in the *Second WAIVER* in Certiorari #24-5999, they declined to defend the professional conduct of the US Attorney of PR **Guillermo Gil Bonar** and his assistant AUSA Rebecca Kellogg De Jesús in conviction 01-690(JAF) of June 7, 2002.

In the Motion for Summary Dismissal of Appeal #25-1537 filed by the Government argues that the two instances in which it invoked Rule 15 to decline responding to Certioraris petitions No. 21-6910 and No. 24-5999 constitute an acknowledgment by the Court of the proper handling of conviction 01-690(JAF) of June 7, 2002, given that the Court did not order a response to the petitions and denied both petitions filed by the Petitioner. The Government also states in its Motion that the Court's refusal to consider the petitions for certioraris demonstrate the proper handling of the criminal proceedings against the Petitioner and therefore granting the requested writ of **coram nobis** is not justified:

"If the Supreme Court deemed Cruzado's petition worthy of opposition, it would have ordered the government to respond. But that did not happen, and both Cruzado's requests for certiorari have been denied. The government has never conceded there was error in Cruzado's criminal proceedings and any previous waiver or any potential future waiver in certiorari does not create a fundamental error to justify the filing of a new *coram* petition". (Pages 10 and 11 Motion for Summary Dismissal)

The Government's position regarding what it means to invoke Rule 15 of the Court -thereby declining to defend against the allegations raised in a *certiorari* petition- contradicts the text of that Rule:

US Supreme Court Rule 15 (1) (2)- Briefs in Opposition

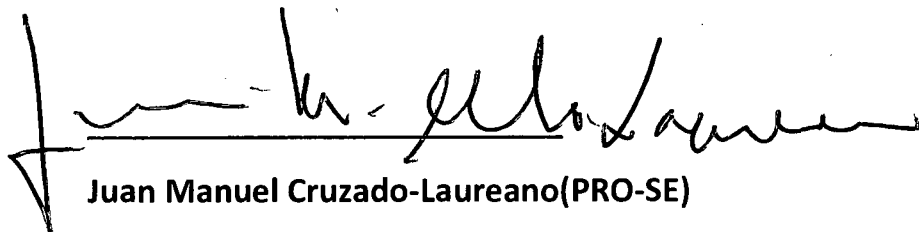
"A brief in opposition should stated briefly and in plain terms and may not exceed the word or page limitations specified in Rule 33. *In addition to presenting other arguments for denying the petition, the brief in opposition should address any perceived misstatement of fact or law in the petition that bears on what issues properly would be before the Court if certiorari were granted. Counsel are admonished that they have an obligation to the Court to point out in the brief in opposition, and not later, any perceived misstatement made in the petition.*" (our emphasis)

Is the warning in the RULE 15- addressed to anyone invoking it- regarding the obligation to point out "*any perceived misstatement made in the petition*" when filling the brief in opposition to the certiorari merely a dead letter?

CONCLUSION

FOR ALL THE REASONS STATED ABOVE, this request for a Writ of Certiorari should be granted. The Motion for summary dismissal upheld by the First Circuit – like the one filed and upheld at the trial court level -must be reversed. The Petitioner is entitled to have the *Coram Nobis* petition heard in the District Court.

Respectfully submitted, today August 26, 2026:



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