

26-5770
No. _____

ORIGINAL

Supreme Court, U.S.
FILED
AUG 10 2026
OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

Cesar Augusto Cordon Sosa — PETITIONER
(Your Name)

Southeast Trans, Inc. and vs.

Verida Inc. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For the Ninth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Cesar Augusto Codon Sosa

(Your Name)

1508 Alameda Street

(Address)

Pomona California 91768

(City, State, Zip Code)

762-244-2049

(Phone Number)

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QUESTION(S) PRESENTED

1. Whether a United States Court of Appeals may issue its mandate a litigant timely files a Petition for Panel Rehearing and Rehearing En banc Pursuant to Federal Rules of Appellate Procedure 35 and 40, without first entering an identifiable Judicial order disposing of that petition, consistent with Federal Rule of Appellate Procedure 41 and the Due Process Clause of the Fifth Amendment.
2. Whether a United States Court of Appeals may preclude consideration of a timely Petition for Panel Rehearing and Rehearing En Banc by declaring that it "will not entertain any further filings in this closed case" notwithstanding the rights afforded by Federal Rules of Appellate Procedures 35 and 40
3. Whether the absence of an identifiable order granting, denying, rejecting, striking or otherwise disposing of a timely Petition for Panel Rehearing and Rehearing En Banc, before issuance of the mandate, deprives a litigant of meaningful access to review by this Court.

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

The Parties to the proceeding in the court whose judgment is the subject of this petition are:

Petitioner :

Cesar Augusto Cordon Sosa

Respondent :

Southeast Trans, Inc and

Verida Inc.

RELATED CASES

Cordon Sosa v. Southeast Trans, Inc., et al., No. 25-2103 United States Court of Appeals
for the Ninth Circuit. Judgment entered May 26, 2026.

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Order of the United States Court of Appeals for the Ninth Circuit entered May 26, 2026.

APPENDIX B

Order of the United States District Court for the Central District of California in case No. 2:25-cv-0139-HDV-AS.

APPENDIX C

Mandate of the United States Court of Appeals for the Ninth Circuit, issued June 17, 2026.

APPENDIX D

Petition for Panel Rehearing and Rehearing En Banc, submitted May 31, 2026.

APPENDIX E

Docket Entry acknowledging receipt of the Petitioner for Panel Rehearing and Rehearing En Banc, entered June 2, 2026.

APPENDIX F

Motion to recall the Mandate and for Identifiable Disposition of Timely Petition for Panel

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TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was May 26, 2026.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from state courts:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves the Due Process clause of the fifth Amendment to the United States Constitution.

This case also involves 28 U.S.C. § 1254 (1), which provides for review by writ of certiorari of cases in the United States Court of Appeals.

This case further involves Rules 35, 40 and 41 of the Federal Rules of Appellate Procedures governing petitions for Panel Rehearing En Banc, and the issuance of the Mandate.

STATEMENT OF THE CASE

This case arises from proceedings before the United States District Court for the Central District of California and the United States Court of Appeals for the Ninth Circuit.

Petitioner commenced this action against Respondent Southeast Trans Inc and Verida Inc, the district court dismissed the action and Petitioner timely appealed to the United States Court of Appeal for the Ninth Circuit.

On May 26, 2026, the Ninth Circuit denied Petitioner's motion to proceed in forma pauperis and dismissed the appeal. The order further stated that the Court "will not entertain any further filings in this closed case."

On May 31, 2026, petitioner submitted a timely petition for Panel Rehearing and Rehearing En Banc pursuant to Rule 35 and 40 of the Federal Rules of Appellate procedure.

On June 2, 2026, the Appellate docket acknowledged receipt of Petitioner's filing with the following docket entry:

"Document received in this closed case after court order stating that no further filings will be entertained. Order and docket sheet sent to filer."

The docket reflects receipt of the Petition but does not contain an identifiable order granting, denying, rejecting, or otherwise disposing of the petition for Panel Rehearing and Rehearing En Banc.

On June 17, 2026, the Ninth Circuit issued its Mandate.

Thereafter, Petitioner filed a Motion to recall the Mandate and for Identifiable Disposition of Timely Petition for Panel Rehearing and Rehearing En Banc, requesting that the Court enter an identifiable procedural determination concerning the timely Petition.

This petition for a writ of Certiorari presents questions concerning the interaction between Rules 35, 40 and 41 of the Federal Rules of Appellate Procedure, the issuance of the Mandate and the Procedural protections afforded by the Due process Clause of the Fifth Amendment.

REASONS FOR GRANTING THE PETITION

This case presents important questions concerning the proper application of the Federal rules of Appellate Procedure and the Procedural safeguards required by the Due Process Clause of the Fifth Amendment.

Petitioner timely submitted a Petition for Panel Rehearing and Rehearing En Banc, Pursuant to Rule 35 and 40 of the Federal Rules of Appellate Procedure following the Ninth Circuit's Order of May 26, 2026.

The appellate docket subsequently acknowledged receipt of Petitioner's filing. However, the record does not appear to contain an identifiable order granting, denying, rejecting, striking, or otherwise disposing of the Petition before the issuance of the Mandate.

Notwithstanding the acknowledged receipt of the Petition, the Ninth Circuit issued its Mandate on June 17, 2026.

This case therefore presents an important Federal question concerning whether a court of Appeals may issue its mandate under rule 41 where the record contains no identifiable Procedural disposition of timely Petition for Panel Rehearing and Rehearing En Banc submitted Pursuant to Rule 35 and 40.

The questions presented extend beyond the circumstances of this case. The Federal Rules of Appellate Procedure establish uniform procedures governing petitions for Rehearing and issuance of mandate. Clarification by this Court would assist in ensuring consistent application of those rules and provide guidance concerning the Procedural protections afforded to litigants seeking further appellate review.

This Court has long recognized that the Due process Clause requires procedures that provide a meaningful opportunity to be heard See e.g., *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950).

Petitioner respectfully submits that review by this Court is warranted to resolve the important federal questions presented.

CONCLUSION

For the foregoing reasons

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: 8-10, 2026.