

No. **26-5791**

ORIGINAL

Supreme Court, U.S.
FILED

SEP - 6 2026

OFFICE OF THE CLERK

IN THE
SUPREME COURT OF THE UNITED STATES

ORGUNA SANDERS — PETITIONER
(Your Name)

vs.

CITY OF ERIE, et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT, No. 26-1135

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

PETITION FOR WRIT OF CERTIORARI

ORGUNA SANDERS OPS162
(Your Name)

189 Fyock Road
(Address)

INDIANA PA 15701
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

Whether the Third Circuit erred and/or abused it's discretion when it denied jurisdiction for the Appellant's appeal.

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[x] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

CITY OF ERIE, DANIEL SPIZARNY, CHIEF OF POLICE FOR CITY OF ERIE, SUZANNE C. MACK, DISTRICT MAGISTRATE JUDGE, NICHOLAS A. MASKERY, DISTRICT ATTORNEY: JEREMY C. LIGHTNER, DISTRICT ATTORNEY K.M. MULLANEY, ERIE POLICE DEPT. PTLM, JOSEPH SCHEMBER, MAYOR OF THE CITY OF ERIE

RELATED CASES

APPEAL FROM UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PA.
(D.C. No. 22-cv-00355)

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OTHER

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 A 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☒ is unpublished.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☐ is unpublished.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☐ is unpublished.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☐ is unpublished.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 JULY 22, 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

8th, 14th Amend, U.S. Const.

STATEMENT OF THE CASE

Appellant commenced this action by filing a section 1983 civil rights action in the United States District Court for the Western District of Pennsylvania. Both parties filed for summary judgment.

On December 22, 2025, the District Court denied the Appellant's motion for summary judgment and granted the Defendant's motion for summary judgment.

The Appellant filed a notice of appeal, which was submitted for possible dismissal without any notice.

REASONS FOR GRANTING THE PETITION

THE CIRCUIT COURT HAS SO FAR DEPARTED FROM ACCEPTED JUDICIAL PRACTICES OR SO ABUSED ITS DISCRETION AS TO CALL FOR THE EXERCISE OF THE UNITED STATES SUPREME COURT SUPERVISORY AUTHORITY

The Appellant commenced this action by filing a complaint, pursuant to Section 1983 for damages and injunctive relief. Both parties filed for summary judgment.

In a memorandum opinion on the cross motions for summary judgment the District Court noted that "where the police lack probable cause to make an arrest, the arrestee has a claim under § 1983 for false imprisonment based on a detention pursuant to that arrest. Conversely, false arrest and false imprisonment claims will necessarily fail if probable cause existed for any one of the crimes charged against the arrestee."

It should be noted that the Appellant was found not guilty of all charges. The evidence presented to establish probable cause was contrary to the actual evidence presented at trial.

The District Court could not grant summary judgment based on the police version of events because to do so would have been to draw inferences in the moving party's favor.

Also noteworthy is the fact that the District Court noted in it's opinion that whether probable cause existed is a question for the jury, and still decided material issues of disputed fact. Rule 56(c). The District Court granted summary judgment based solely on what the police claim was told to them. Moreover, it ran afoul of the jury verdict which found the Appellant not guilty.

CIRCUIT COURT

The Appellant filed a timely notice of appeal because the District Court improperly resolved disputed fact. After not receiving any correspondence from the Court, the Appellant filed his appellant brief. By way of the docket entry, the Appellant found that a order was issued from the Circuit Court that the Appellant never received. It should be noted that all mail, legal and non-legal is recorded by the prison officials, which will support the Appellant's claims.

The order was issued on February 20, 2026, submitting the case to a panel for summary action. The Appellant never received the order and was denied the opportunity to be heard or present a argument in violation of due process.

On June 21, 2026, the Appellant filed a motion to vacate judgment, based on the due process violation, which was denied. The Circuit Court denied the Appellant's motion and closed the case.

This case should be reversed and remanded.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature, possibly reading "OC", is written above a horizontal line.

Date: 9/6/2026