

26-5805

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
October Term 2026

FILED
SEP 21 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Terri M. Deprinzio,

- v -

Petitioner,

Judy Ludke, Todd Walrath,
Debbie Mueller, Todd's Companionplus, Inc.,
Donna Gilbert, and Enida Schoepf,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
To Wisconsin Supreme Court:

PETITION FOR WRIT OF CERTIORARI

Terri M. Deprinzio
without prejudice
1868-22th Avenue, Apt. #1113
Kenosha, WI. 53140

Phone No. (262) 272-9197

QUESTIONS PRESENTED

- 1). Whether the Due process Clause of the Fourteenth (14th) Amendment permits a State, after establishing procedures for further judicial review of existing claims, to extinguish a litigant's opportunity to invoke those procedures through an inflexible jurisdictional dead-line when the litigant alleges that she did not receive the appellate decision triggering that dead-line, and the state thereafter provides no effective procedure capable of restoring the lost opportunity.

- 2). Whether a State may Treat federal constitutional claims as procedurally foreclosed where a self-represented party expressly presented Due Process and Equal Protection claims during the state appellate proceedings, the appellate court regarded portions of those arguments as inadequately developed, and the litigant was thereafter allegedly deprived by non-receipt of the appellate decision of the opportunity to seek further review before the jurisdictional period expired.

PARTIES TO THE PROCEEDING:

Petitioner, Terri M. Deprinzio, was the appellant in the Wisconsin Court of Appeals and the party who subsequently sought remedial relief in the Wisconsin Supreme Court:

RESPONDENT(s) are:

Respondent(s), Judy Ludke, Todd Walrath, Debbie Mueller, Todd's Companionplus, Inc. Donna Gilbert, and Enida Schoepf :

CORPORATE DISCLOSURE STATEMENT:

Petitioner, Terri M. Deprinzio, is a natural person; She has no parent corporation, and no publicly held corporation own 10 percent or more of any interest in Petitioner;

Directly Related Proceedings:

The proceedings directly related to this petition includes;

- 1). Terri M. Deprinzio -v - Judy Ludke, Todd Walrath, Debbie Mueller, Todd's Companionplus, Inc., Donna Gilbert and Enida Schoepf, in Circuit Court for Kenosha county, Wisconsin, case no. 2024-CV-001106;
- 2). Terri M. Deprinzio - v- Judy Ludke, Todd Walrath, Debbie Mueller, Todd's Companionplus, Inc., Donna Gilbert, and Enida Schoepf, Wisconsin Court of Appeals, Appeal No. 2025-AP-258, decision enter May 13, 2026 (solar);
- 3). Terri M. Deprinzio - v- judy ludke, Todd Walrath, Debbie Mueller, Todd's Companionplus, Inc., Donna Gilbert, and Enida Schoepf, Supreme Court of Wisconsin, Appeal No. 2025-AP-258 order entered August 25, 2026 (solar) denying Petitioner's requested remedial relief.

There are no other directly related proceedings within the meaning of Supreme Court Rule 14.1(b)(iii).

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Cornell - v- Hichens,
11 Wis. 353 (1860);

Evitts - v- Lucey,
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First National Bank of Chicago - v- United Air Lines, Inc.,
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455 US 422 (1982);

Marbury - v- Madison,
5 US (1 cranch) 137 (1803);

McNeil - v- United States.
508 US 106 (1933);

Miranda - v- Arizona,
384 US 436 (1966);

M.L.B. - v- S.L.J.,
519 US 102 (1996);

Mullane - v- Central Hanover Bank & Trust Co.,
339 US 306 (1950);

Parrish - v - United States,
605 US ____ (2025);

Patsy - v- Board of Regents of Florida,
457 US 496 (1982);

Waushara County - v- Graf,
166 Wis.2d. 442, 480 N.W.2d. 16 (1992);

Webster - v- Doe,
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345 US 514 (1953);

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113 Wis.2d. 514, 335 N.W.2d. 384 (183);

CONSTITUTIONAL PROVISIONS

U.S. Const. Art. VI, cl. 2;

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the 1990s, the number of people in the world who are under 15 years of age is expected to increase from 1.1 billion to 1.5 billion. The number of people aged 65 and over is expected to increase from 200 million to 400 million. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion. The number of people aged 15 and over is expected to increase from 3.5 billion to 4.5 billion.

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1	10	5	2
2	25	10	3
3	45	15	4
4	65	20	5
5	80	25	6
6	90	30	7
7	95	35	8
8	98	40	9
9	99	45	10
10	100	50	11

1. *Pharmaceutical industry* – The pharmaceutical industry is a major contributor to the U.S. economy, with sales of over \$200 billion in 2000. The industry is highly competitive, with many companies vying for market share. The industry is also heavily regulated, with the FDA overseeing the safety and efficacy of drugs. The industry is also a major source of research and development, with many new drugs being developed each year.

1. *Phragmites australis* (Rostk & Schmidt) Bosc. & H. Schmidt

• *Staphylococcus aureus* (100%)

Wis. Const. Art. I. § 9;

Wis. Const. Art. VII, § 3;

STATUTES and RULES

28 U.S.C. § 1257(a);

Wis. Stat. § 808.10(1);

Wis. Stats. § 809.62 (1m);

Sup. Ct. R. 10;

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Sup. Ct. R. 14.

PETITION FOR A WRIT OF CERTIORARI

Petitioner *Terri M. Deprinzio*, proceeding *pro se.*, respectfully petition for a Writ of Certiorari to review the August 25, 2026 order of the Supreme Court of Wisconsin denying the remedial relief Petitioner sought after allegedly failing to receive the Wisconsin Court of Appeals' May 13, 2026 decision before expiration of Wisconsin's jurisdictional period for seeking further review.

[illegible][illegible]

OPINIONS AND ORDERS BELOW

The order of the Supreme Court of Wisconsin entered August 25, 2026, denying Petitioner's request relief is reproduced at **Appendix A**;

The July 24, 2026 order of the Wisconsin Court of Appeals recognizing Petitioner's assertion that she had not received the May 13, 2026 decision, concluding that remittitur had deprived that court of jurisdiction, and directing any additional request for relief to the Wisconsin Supreme Court, is reproduced at **Appendix B**;

The May 13, 2026 decision of the Wisconsin Court of Appeals is reproduced at **Appendix C**;

The relevant judgment/order of the Wisconsin Circuit Court is reproduced at **Appendix D**;

Other portions of the state-court record necessary to demonstrate the presentation and preservation of Petitioner's federal constitutional claims are reproduced at **Appendix E**:

STUDY OF THE LIFE OF J. H. HARRIS

The following is a list of the principal works of J. H. Harris, arranged in chronological order. The first column gives the title, the second column the year of publication, and the third column the publisher.

1. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
2. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
3. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
4. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.

5. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
6. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.

7. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
8. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.

9. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
10. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.
11. *The Life of J. H. Harris*, 1887, Boston, Mass., H. B. Harris & Co.

JURISDICTION

The judgment sought to be reviewed is the August 25, 2026 order of the Supreme Court of Wisconsin, which denied Petitioner's request for remedial relief after the Petitioner alleged that she did not receive the Wisconsin Court of Appeal's May 13, 2026 decision in time to seek review in the Wisconsin Supreme Court.

Petitioner seeks review of the August 25, 2026 order itself are relevant to the federal question presented. After the Wisconsin Court of Appeals entered its decision on May 13, 2026, Petitioner maintained that she did not receive that decision. Wisconsin's thirty-day period for seeking review in the Wisconsin Supreme Court expired, and remittitur subsequently issued on July 10, 2026.

The procedural circumstances giving rise to the August 25 order are relevant to the federal question presented. After the Wisconsin Court of Appeals entered its decision on May 13, 2026, Petitioner maintained that she did not receive that decision. Wisconsin's thirty-day period for seeking review in the Wisconsin Supreme Court expired, and remittitur subsequently issued on July 10, 2026.

Petitioner thereafter sought relief from the Wisconsin Court of Appeals. On July 24, 2026, that court addressed Petitioner's assertion that she had not received the May 13 decision, determined that remittitur had deprived it of jurisdiction, and directed that any additional request for relief be presented to the Wisconsin Supreme Court.

Petitioner followed that direction and presented her *Motion for Remedy* to the Wisconsin Supreme Court, invoking that court's supervisory and remedial authority and seeking relief from the loss of the opportunity to obtain further review allegedly resulting from non-receipt of the May 13 decision.

On August 25, 2026, the Wisconsin Supreme Court entered the order now sought to be reviewed. The court determined that the thirty-day period for filing a petition for review under Wisconsin law was jurisdictional and could not be enlarged, and it denied Petitioner's requested relief.

The August 25 order therefore constitutes the final judgment of the highest court of Wisconsin concerning Petitioner's request for a remedy from the alleged loss of her opportunity to seek further review. No further state tribunal exists in which a decision on that request could be had.

This Court has jurisdiction under 28 U.S.C. § 1257(a) to review the August 25, 2026 final judgment of the Supreme Court of Wisconsin insofar as Petitioner contends that the judgment, and the state procedural framework applied in reaching it, deprived her rights secured by the *Due Process and equal Protection Clauses of Fourteenth Amendment to the United States constitution*.

The petition is timely under Supreme Court Rule § 13 because it seeks review of the August 25, 2026 judgment identified above.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment to the Constitution of the United States provides in pertinent parts;

"No State shall. . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Article I, § 1 of the Wisconsin Constitution provides in relevant part that all people are born equally free and independent and possess certain inherent rights.

Article I, § 9 of the Wisconsin Constitution provides;

"Every person is entitled to a certain remedy in the law for all injuries, or wrongs which he may receive in his person, property, or character; he ought to obtain justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay, conformably to the laws."

Article VII, § 3 of the Wisconsin Constitution establishes the Wisconsin Supreme Court's superintending and administrative authority over the courts of Wisconsin and its authority to issue writs necessary in aid of its jurisdiction.

The pertinent portions of 28 U.S.C. § 1257(a), Wis. Stat, § 808.10(1), and Wis. Stats. § 809.62 are reproduced in the Appendix.

STATEMENT OF THE CASE

A The underlying proceedings and federal constitutional claims:

This case arises from Wisconsin judicial proceedings in which Petitioner, acting without counsel, asserted claims including federal constitutional claims under the Due Process and Equal Protection Clauses.

In the circuit court, Petitioner's constitutional contentions included a claim that the disposition of her rights on procedural or administrative-exhaustion grounds prevented adjudication of constitutional claims that she maintained were independently cognizable.

The circuit court's January 22, 2025 reconsideration determination stated, in substance, that the court lacked competency to address Petitioner's due process claims because she had failed to follow required administrative procedures.

Petitioner appealed.

On March 28, 2025, the Wisconsin Court of Appeals rejected Petitioner's original appellant's brief for deficiencies under Wisconsin appellate rules but expressly permitted her to submit a correct brief.

Petitioner submitted the corrected brief on April 3, 2025. On April 7, 2025, the Court of Appeals accepted and acknowledge the correct *Brief & Appendix of Appellant*.

The correct brief expressly presented federal constitutional arguments under the Due Process and Equal Protection Clauses and invoked federal authority, including *Patsy - v- Board of Regents of Florida*, 457 U.S. 496 (1982), in support of Petitioner's contention concerning exhaustion and constitutional adjudication.

Petitioner was self-represented. She does not contend that her status excused compliance with generally applicable procedural rules. See, *McNeil - v- United States*, 508 U.S. 106, 113 (1993); *Waushara County - v- Graf*, 166 Wis.2d. 442, 451-52, 480 N.W.2d. 16 (1992).

The relevant distinction is between failure to comply with procedural requirements and failure to present a federal question at all. Petitioner's corrected appellate brief expressly invoked Due Process and Equal Protection. Her contention therefore is not that a federal question should now be manufactured from an argument never presented below, but that the federal constitutional substance was actually before the state appellate court notwithstanding imperfections in its development.

Wisconsin itself recognizes that the substance of a *pro se* submission may matter notwithstanding defects in terminology or form. See, *bin-Rilla - v- Israel*, 113 Wis.2d. 514, 520-21, 335 N.W.2d. 384 (1983).

B. The May 13 decision and alleged non-receipt:

On May 13, 2026, the Wisconsin Court of appeals entered its decision.

The Court of Appeals addressed Petitioner's arguments but regarded portions of her constitutional presentation as inadequately developed or insufficiently supported by authority or record citation. To start, we note that throughout her briefs, Deprinzio makes sweeping, conclusory claims, but she fails to present developed legal arguments to support them. Generally, we need not consider arguments that are undeveloped or unsupported by legal authority. *State - v- Pettit*, 171 Wis. 2d. 627, 646-47, 492 N.W.2d. 633 (Ct.App. 1992). In addition, Deprinzio fails to cite to the Record in support of factual assertions in her brief, as statutorily required. See, Wis. Stats. Rule 809.19(1)(c)(2023-24). We are authorized to summarily dismiss Deprinzio's appeal for these omissions. See, Wis. Stats. Rule 809.83(2); *Dieck - v- Unified Sch. Dist. Of Antigo*, 157 Wis. 2d. 134, 148 n.9, 458 N.W.2d. 565 (Ct. App. 199) (declining to consider arguments relying on unsupported factual assertions). While this court makes some allowances for some allowance for the failings of parties, who, as here, are not represented by counsel, this court "cannot serve as both advocate and judge[,]” *Pettit*, 171 Wis.2d. At 647, and will not scour the Record to develop arguments for an appellant, *State - v- Jackson*, 229 Wis.2d. 328, 337, 600 N.W. 2d 39 (Ct. App 1999). Nevertheless, in the interest of completeness, we will address Deprinzio's individual arguments as best as we are able to discern them. Id at pages 3-4 of Wisconsin Court of Appeals' May 13 decision.

Petitioner maintains that she did not receive the May 13, 2026 decision.

Wisconsin law nevertheless provided a thirty-day period in which to seek review in the Wisconsin Supreme Court.

That period expired while, according to Petitioner, she remained unaware that the May 13 decision had been entered.

On July 10, 2026, remittitur issued.

C. The Court of Appeals directs Petitioner to the Wisconsin Supreme Court:

After July 24, 2026 (solar), that court addressed Petitioner's assertion that she did not received the May 13, decision. The Court of Appeals concluded that remittitur deprived it of jurisdiction and directed that any additional request for relief be presented to the Wisconsin Supreme Court.

Petition followed that direction.

She filed a *Motion for Remedy* in the Wisconsin Supreme Court. The motion invoked that court's supervisory and remedial authority and requested narrowly tailored relief restoring an opportunity to obtain review that Petitioner maintained had been lost through non-receipt of the appellate decision.

Petitioner did not ask the Wisconsin Supreme Court merely to disregard its rules. She sought a remedy for the asserted loss of the opportunity to invoke those rules before the jurisdictional period expired.

D. The August 25 Order:

On August 25, 2026, the Wisconsin Supreme Court denied Petitioner's requested relief.

The court treated the thirty-day petition-for-review period prescribed by Wisconsin law as jurisdictional and concluded that it possessed no authority to enlarge that period.

The order thereby constituted Wisconsin's final response to Petitioner's request for a remedy for the alleged loss of her opportunity to seek review.

The resulting sequence presents the federal question here:

Petitioner had existing claims, including federal constitutional claims; she presented those claims in the state appellate court; an appellate decision was entered; she alleged that she did not receive that decision; the jurisdictional period nevertheless expired; remittitur eliminated the Court of Appeals' jurisdiction; that court directed Petitioner to the Wisconsin Supreme Court; and the Wisconsin Supreme Court concluded that the jurisdictional period prevented the requested remedy.

REASONS FOR GRANTING THE WRIT

I. THE PETITION PRESENTS AN IMPORTANT FOURTEENTH AMENDMENT QUESTION CONCERNING THE DESTRUCTION OF A STATE-CREATED ADJUDICATORY INTEREST WITHOUT A MEANINGFUL OPPORTUNITY TO PROTECT THAT INTEREST:

The Fourteenth Amendment protects against deprivation of protected liberty or property interests without constitutionally adequate process.

In *Board of Regents - v- Roth*, 408 US 564, 577 (1972), this Court explained that protected property interests may arise from independent sources of law establishing legitimate claims of entitlement.

In *Logan - v- Zimmerman Brush Co.*, 455 US 422 *1982), this Court confronted the destruction of a state-created adjudicatory interest through operation of the State's own procedural machinery. The claimant timely invoked the State's procedure, but a government body failed to act within the statutory period. The State thereafter treated the underlying claim as terminated.

This Court concluded that the cause of action constituted protected property and that the State could not terminate that interest without constitutionally adequate process. *Id.* at 428-33.

Wisconsin law itself recognizes the protected character of accrued rights. In *Cornell - v- Hichens*, 11 Wis. 353, 388-89 (1860), the Wisconsin Supreme Court recognized that an accrued right could not simply be divested to the injury of its holder through subsequent legislation.

More significantly, in *Hunter - v- School District of Gale-Ettrick-Trempealeau*, 97 Wis.2d. 435, 293 N.W.2d. 515(1980), the Wisconsin Supreme Court connected the vested character of an accrued cause of action to constitutional property protection, relying upon authorities including *Roth and Cornell*.

Petitioner's claim is therefore not that Federal Constitution created her underlying causes of action from nothing or guaranteed her every conceivable level of appellate review. Her position is that existing claims and protected interests were already being adjudicated within a state-created judicial structure and that the Fourteenth Amendment constrains the process through which those interests may effectively be extinguished.

The issue assumes particular importance where the asserted deprivation results not from Petitioner's deliberate failure to invoke an available procedure, but from her alleged non-receipt of the very decision that triggered the jurisdictional period for invoking it.

The fundamental requirement of notice has long been part of Due Process. See, *Mullane - v- Central Bank & Trust Co.*, 339 US 306, 314 (1950).

The constitutional question therefore warrants this Court's review; whether a State may allow a jurisdictional period to expire while a litigant allegedly remains without notice of the triggering appellate decision and then rely upon that expired period as the complete answer to a request for restoration of the lost adjudicatory opportunity.

**II. THE PROCEDURAL DISPOSITION OF PETITIONER'S CLAIMS
SHOULD NOT FORECLOSE REVIEW OF THE FEDERAL QUESTIONS
UNDER THE EXCEPTIONAL CIRCUMSTANCES OF THIS CASE:**

Petitioner recognizes the settled importance of adequate and independent state procedural grounds. This Court does not ordinarily review a federal question where the state judgment rests upon a state-law ground sufficient to support the judgment independently of federal law.

But the adequacy of the state procedural ground itself remains a federal question.

In *Lee - v- Kemma*, 534 US 362 (2002), this Court recognized that an otherwise legitimate procedural rule may, in exceptional circumstances, be applied in a manner too exorbitant to constitute an adequate ground preventing federal review.

Petitioner does not contend that Wisconsin's thirty-day filing period is generally invalid.

Nor does she contend that self-representation permits disregard of Wisconsin appellate rules.

The circumstances here are narrower;

Petitioner expressly presented federal constitutional claims; the decision triggering further review allegedly was not received; Petitioner sought relief after discovering the disposition; the Court of Appeals directed her to seek further relief from the Wisconsin Supreme Court; and the Wisconsin Supreme Court denied a remedy because the jurisdictional period had already expired.

Under those circumstances, treating the procedural bar as conclusive would permit the State's alleged failure to provide notice to become the very event that insulates the resulting loss of federal constitutional review from examination.

This Court's decision concerning state jurisdictional restrictions reinforce the more general proposition that describing a limitation as jurisdictional does not necessarily insulate its operation from superior federal constitutional requirements.

In *Hughes - v- Fetter*, 341 US 609 (1951), this Court invalidated Wisconsin's exclusion of certain sister-state wrongful-death claims. *First National Bank of Chicago - v- United Air Lines, Inc.*, 342 US 396 (1952), applied related principles to Illinois.

Wells - v- Simonds Abrasive Co., 345 US 514, 518-19, distinguished those cases because the rule there did not lay an uneven hand upon causes of action arising within and outside the forum.

Petitioner does not assert a Full Faith and Credit violation here, and those decisions therefore do not control this case. Their narrower relevance is that a State's characterization of a restriction as jurisdictional does not itself terminate the federal constitutional injury.

The question remains whether the particular application of the state procedure constitutes an adequate ground where the State's own alleged failure of notice caused the opportunity for compliance to disappear.

III. ONCE A STATE ESTABLISHES PROCEDURES FOR THE ADJUDICATION AND REVIEW OF PROTECTED CLAIMS, THE FOURTEENTH AMENDMENT LIMITS THE MANNER IN WHICH THE STATE MAY TERMINATE ACCESS TO THOSE PROCURES:

The Constitution does not require a State to create every form of appellate review. But once state law establishes procedures through which protected interests are adjudicated, operation of those procedures remains subject to applicable constitutional limitations.

In *Evitss - v- Lucey*, 469 US 387, 393, 400-01 (1985), this Court rejected the proposition that because a State was not constitutionally required to establish an appellate process in the first instance, its administration of that process was beyond constitutional scrutiny.

Lindsey - v- Normet, 405 US 56, 77 (1972), similarly recognized in the civil context that when appellate review is afforded, access to that review cannot be arbitrarily or capriciously denied consistently with the Fourteenth Amendment. See, *M.L.B. - v- S.L.J.*, 519 US 102, 110-13 (1996).

Petitioner does not contend that these decisions establish a freestanding constitutional entitlement to discretionary Wisconsin Supreme Court review. They establish the narrower principle relevant here; the fact that a State could have declined to create a particular avenue of review does not necessarily place the operation of an avenue it actually created beyond constitutional scrutiny.

Logan supplies the related property and procedural principle. State procedural machinery cannot destroy a protected adjudicatory interest without constitutionally adequate process.

Wisconsin law reinforces that foundation. *Cornell and Hunter* recognize the protected significance accrued causes of action, while Article I, § 9 of the Wisconsin Constitution provides that existing injuries and wrongs are entitled to a remedy in the laws and that justice ought to be obtained "completely and without denial," promptly and without delay, and "conformably to the laws."

Petitioner does not contend that Article I, § 9 creates the underlying federal right or independently guarantees Wisconsin Supreme Court review. It forms part of the state-law framework within which Petitioner's existing claims and remedies were pursued.

The federal constitution concern becomes particularly substantial when procedural interpretation completely forecloses consideration of colorable constitutional claims. In *Webster - v- Doe*, 486 US 592, 603 (1988), this Court recognized the serious constitutional question that would arise from construing legislation to deny every judicial forum for a colorable constitutional claim.

Likewise, the jurisdictional character of a filing period does not itself answer a constitutional challenge to its operation. *Miranda - v- Arizona*, 384 US 436, 491 (1966), recognized the broader principle that governmental rulemaking cannot abrogate rights secured by the constitution.

Petitioner invokes *Miranda* for that limited constitutional proposition, not for its Fifth Amendment holding.

The State remains free to establish reasonable appellate procedures, filing periods, and finality rules. Petitioner's contention is instead that those procedures remain subject to the Fourteenth Amendment when their combined operation allegedly eliminates an existing adjudicatory opportunity before the litigant has meaningful notice that the period for exercising it has commenced.

That is precisely the question presented here.

IV. THE QUESTION PRESENTED HAS IMPORTANCE BEYOND THIS CASE BECAUSE THE LOSS OF APPELLATE REVIEW THROUGH NON-RECEIPT OF A DECISION IS A RECOGNIZED PROBLEM OF JUDICIAL ADMINISTRATION:

The conflict between final jurisdictional deadlines and non-receipt of judicial decisions is not unique to Petitioner.

The federal judicial system itself recognizes the problem that may arise when an appeal period expires before a party receive notice of the judgment triggering that period.

Most recently, *Parrish - v- United States*, 605 US____(2025), addressed the interaction between jurisdictional appellate deadlines and the statutory and rule-based mechanism Congress provided for reopening an appeal period under specified circumstances involving lack of timely notice.

Petitioner does not contend that Wisconsin is constitutionally required to adopt the federal reopening procedure or that federal appellate rules govern Wisconsin Courts.

The significance is narrower; finality and jurisdictional deadlines are not inherently incompatible with a narrowly tailored procedure addressing circumstances in which the litigant does not timely receive notice of the decision triggering the deadline.

The constitutional question presented here therefore extends beyond an alleged error in one Wisconsin case. Judicial system routinely depend upon deadlines triggered by entry of orders and judgments. Where non-receipt prevents a litigant from knowing that the period has commenced, the interaction between notice, finality, and access to judicial review raises a recurring question of procedural fairness.

Petitioner asks this Court to decide the constitutional boundary, not to prescribe Wisconsin's chosen remedy.

V. THIS CASE PRESENTS AN APPROPRIATE VEHICLE FOR RESOLVING THE FEDERAL QUESTIONS BECAUSE THE CONSTITUTIONAL DEPRIVATION ARISES FROM THE OPERATION OF THE STATE PROCEDURE ITSELF:

This case does not ask the Court merely to correct an asserted error of Wisconsin law.

The federal question arises from the interaction of several state procedures and the Fourteenth Amendment.

The relevant sequence is concrete and complete; Petitioner's federal constitutional claims were presented in the state proceedings; the Court of Appeals entered its May 13 decision; Petitioner alleges non-receipt; the jurisdictional review period expired; remittitur issued; the Court of Appeals concluded it no longer possessed jurisdiction and directed Petitioner to the Wisconsin Supreme Court; Petitioner filed her Motion for Remedy; and the Wisconsin Supreme Court denied relief because the statutory period could not be enlarged.

No further state tribunal remains available.

The court therefore need not determine that Wisconsin's filing deadline is facially unconstitutional. Nor need it establish a constitutional entitlement to discretionary review in every civil case.

The narrower question is whether Due Process permits the State's own procedures to operate in combination so that an adjudicatory opportunity is extinguish through alleged non-receipt of the triggering decision and no procedures thereafter exists capable of restoring that opportunity.

The underlying federal claims further demonstrates why the question is properly presented.

Petitioner's corrected appellate brief expressly invoked Due Process and equal Protection. The fact that the Court of Appeals regarded portions of Petitioner's arguments as inadequately developed is not equivalent to the proposition that no federal constitutional question was presented.

Petitioner acknowledges that *pro se status* does not excuse compliance with ordinary procedural requirements. But *Haines - v- Kerner*, 404 US 519, 520-21 (1972), and Wisconsin's own decision in *bin-Rilla - v- Israel*, 113 Wis.2d 514, 520-21, 335 N.W.2d. 384 (1983), reinforce the importance of examining the substance of a self-represented litigant's presentation rather than assuming that lack of lawyer-like precision means that no constitutional claim existed.

This record accordingly permits the Court to address both the notice-and-remedy question and the related adequacy of the procedural ground without manufacturing federal questions that were never presented below.

The case presents a discrete question at the intersection of protected adjudicatory interests, notice, access to established appellate procedures, state procedural grounds, and jurisdictional finality.

Review is warranted.

CONCLUSION

This case does not require the Court to invalidate Wisconsin's jurisdictional filing period, create a constitutional right to discretionary appellate review, or excuse self-represented litigants from generally applicable procedural requirements.

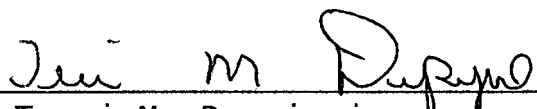
It presents the narrower question whether the Fourteenth Amendment permits an existing avenue of judicial review to become unavailable through the combined operation of an alleged failure of notice and an inflexible jurisdictional deadline, where the litigant thereafter sought the remedy identified by the intermediate appellate court and the State's highest court concluded that it lacked authority to restore the lost opportunity.

Petitioner's federal constitutional claims were not first conceived after the jurisdictional period expired. They arose in the underlying proceedings and were expressly during the state appellate process.

The subsequent loss of the opportunity to seek further review therefore presents a federal constitutional question concerning notice, meaningful opportunity to be heard, and the permissible operation of state procedural rules upon existing claims.

For the foregoing reasons, the petition for a writ of certiorari should be granted.

Respectfully Submitted By:



Terri M. Deprinzio
without prejudice
1868-22th Avenue, Apt. # 1113
Kenosha, WI. 53140