No. 26-5934 ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

CHRISTOPHER RANDALL MATHIS,
Petitioner, pro se
v.
JULIE MAE MATHIS,
Respondent.

FILED
OCT 20 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

PETITION FOR A WRIT OF CERTIORARI

On Petition for a Writ of Certiorari to the Supreme Court of Georgia

(Originating in Superior Court of Stephens County Georgia , No. SUCV2024000466; Georgia Supreme Court denial S26C1212)

Christopher Randall Mathis.
Petitioner, Pro Se.
888 HardeMan Farm Road.
Carnesville, Georgia 30521.
christfollowermedia@gmail.com.

Julie Mae Mathis
With council
Casey Wilson
Matt Skilling
Sanders, Ranck & Skilling, P.C.
Email: cwilson@toccoalaw.com
Email: mskilling@toccoalaw.com
Firm phone: 706-886-7533
Firm address: 597 Big A Road,
P.O. Box 1005, Toccoa, GA 30577
Firm fax: 706-886-0617

QUESTIONS PRESENTED

1. Whether the Due Process Clause of the Fourteenth Amendment is violated when a state court awards child custody, child support, property division, and attorney's fees on a finding that an indigent, self-represented litigant failed to file required financial documents, where the same court had found him indigent on those very documents, the court's own records contradict the finding, the court makes no finding of unfitness or misconduct, and the circumstances create an appearance of structural bias, without affording him notice and a meaningful opportunity to be heard.

2. Whether a state court violates the Due Process Clause of the Fourteenth Amendment by imposing a permanent, content-based speech restriction in a divorce decree, enforceable by contempt, with no sunset and no child-specific tailoring, without ever raising, briefing, or ruling on the restriction's constitutionality, thereby denying the litigant notice and an opportunity to be heard.

LIST OF PARTIES

- **Petitioner** Christopher Randall Mathis appears pro se.
- **Respondent** Julie Mae Mathis is represented by Casey B. Wilson and Matt Skilling of Sanders, Ranck & Skilling, P.C., P.O. Box 1005, Toccoa, Georgia 30577.

RELATED CASES

Mathis v. Mathis, No. SUCV2024000466 (Stephens Cnty. Super. Ct. July 23, 2025) (Final Judgment and Decree of Divorce).

Mathis v. Mathis, No. A26D0390 (Ga. Ct. App. Mar. 26, 2026) (discretionary application denied).

Mathis v. Mathis, No. S26C1212 (Ga. July 7, 2026) (certiorari denied) (Ga. August 11, 2026) (reconsider denied).

Other related cases:

Mathis v. Mathis, No. A26E0023 (Ga. Ct. App. Aug. 20, 2025) (emergency motion to stay denied).

Mathis v. Mathis, No. A26D0070 (Ga. Ct. App.) (discretionary application denied).

Mathis v. Mathis, No. A26D0311 (Ga. Ct. App. Feb. 11, 2026) (discretionary application denied).

Mathis v. Mathis, No. S26C0920 (Ga. July 7, 2026) (certiorari denied).

Later cases:

Mathis v. Mathis, No. A26D0618 (Ga. Ct. App. July 17, 2026) (discretionary application granted; appeal pending).

Mathis v. Stephens Cnty. Super. Ct., No. SUCV2026000229 (Stephens Cnty. Super. Ct. June 20, 2026) (petition for GBI inquiry rejected).

TABLE OF CONTENTS

Questions Presented ... 2

List of Parties ... 2

Related Cases ... 3

Table of Authorities ... 5

Opinions Below ... 6

Jurisdiction ... 7

Constitutional and Statutory Provisions Involved ... 9

Statement of the Case ... 10

Reasons for Granting the Petition ... 21

I. The Trial Court's Reliance on Materially False Factual Findings Violates Due Process...21

II. The record shows the finding was false when made...22

III. The court refused to reopen the issue after the contradiction was brought to its attention...22

IV. Petitioner's indigence and lack of counsel made correction practically impossible...24

V. The later orders show that the violation compounded, not that it was cured ...25

VI. The Content-Based Prior Restraint Violates the First Amendment Due Process ...28

VII. The Appearance of Structural Bias Deprives Petitioner of an Impartial Tribunal ...29

VIII. The Questions Presented Are Important and Recurring ...31

Conclusion ... 31

Signature page ... 33

Proof of Service ... 34

Certificate of Compliance ... 36

Appendix ... 38

TABLE OF AUTHORITIES

Cases

Armstrong v. Manzo, 380 U.S. 545 (1965) ... 21, 27 (Parts I, V)

Bearden v. Georgia, 461 U.S. 660 (1983) ... 28 (Part V)

Boddie v. Connecticut, 401 U.S. 371 (1971) ... 27 (Part V)

Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009) ... 29, 30 (Part VII)

Cox Broadcasting Corp. v. Cohn, 420 U.S. 469 (1975) ... 9 (Jurisdiction)

In re Murchison, 349 U.S. 133 (1955) ... 30 (Part VII)

Lassiter v. Department of Social Services, 452 U.S. 18 (1981) ... 24 (Part IV; Conclusion)

M.L.B. v. S.L.J., 519 U.S. 102 (1996) ... 21, 27 (Parts I, V)

Mathews v. Eldridge, 424 U.S. 319 (1976) ... 21, 27 (Parts I, II, III, V)

Near v. Minnesota ex rel. Olson, 283 U.S. 697 (1931) ... 28 (Part VI)

Nebraska Press Ass'n v. Stuart, 427 U.S. 539 (1976) ... 29 (Part VI)

New York Times Co. v. United States, 403 U.S. 713 (1971) (per curiam) ... 29 (Part VI)

Organization for a Better Austin v. Keefe, 402 U.S. 415 (1971) … 29 (Part VI)

Santosky v. Kramer, 455 U.S. 745 (1982) ... 21 (Part I)

Tumey v. Ohio, 273 U.S. 510 (1927) ... 30 (Part VII)

Turner v. Rogers, 564 U.S. 431 (2011) ... 24, 25, 28 (Parts IV, V)

Williams v. Pennsylvania, 579 U.S. 1 (2016) ... 30 (Part VII)

Withrow v. Larkin, 421 U.S. 35 (1975) ... 30 (Part VII)

Constitutional Provisions

U.S. Const. amend. I ... 9, 16, 17, 20, 28 (Constitutional Provisions Involved; Parts VI, VIII)

U.S. Const. amend. VIII ... 9, 16, 20, 28 (Constitutional Provisions Involved; Statement, Part H; Part V)

U.S. Const. amend. XIV, § 1 ... 9, 16, 20, 21 (passim)

Statutes

28 U.S.C. § 1257(a) ... 7 (Jurisdiction)

28 U.S.C. § 1746 ... 34 (Proof of Service)

O.C.G.A. § 5-6-46 ... 9, 18 (Statement, Part F; Part V)

O.C.G.A. § 9-11-52(a) ... 9, 23 (Constitutional and Statutory Provisions Involved; Part III)

O.C.G.A. § 9-15-14 ... 9, 13, 23 (Statement, Part B; Part III)

O.C.G.A. § 19-5-13 ... 9, 23 (Constitutional and Statutory Provisions Involved; Part III)

O.C.G.A. § 19-6-15 ... 9, 23 (Constitutional and Statutory Provisions Involved; Part III)

O.C.G.A. § 19-9-3 ... 9, 23 (Constitutional and Statutory Provisions Involved; Part III)

O.C.G.A. § 23-3-110 ... 10, 18, 27 (Statement, Part F; Part V)

Rules

Sup. Ct. R. 10 ... 21 (Part I)

Sup. Ct. R. 13.1, 13.3 ... 7 (Jurisdiction)

Sup. Ct. R. 29 ... 34 (Proof of Service)

Sup. Ct. R. 33.2(b) ... 36 (Certificate of Compliance)

OPINIONS BELOW

The Supreme Court of Georgia denied certiorari in No. S26C1212 on July 7, 2026, and denied reconsideration on August 11, 2026. (App. A, B.) It denied certiorari in No. S26C0920 on July 7, 2026. The Georgia Court of Appeals denied discretionary review of the February 18, 2026

Omnibus Order (App. D) on March 26, 2026, in No. A26D0390. (App. C) Each of these orders is unreported.

The Superior Court of Stephens County entered the Final Judgment and Decree of Divorce on July 23, 2025 (App. E), an Order Clarifying the Record on August 8, 2025 (Ex. S-4, App G), and Omnibus Orders on December 23, 2025 (Ex. S-3, App J), February 18, 2026 (App. D; Ex. S-5), and June 8, 2026. The June 8, 2026 order is the subject of the pending appeal in No. A26D0618 and is not at issue here.

On October 8, 2026 The Superior Court of Stephens County entered another subsequent omnibus order.

JURISDICTION

The Supreme Court of Georgia denied certiorari in No. S26C1212 on July 7, 2026, and denied reconsideration on August 11, 2026. (App. A, B.) This Court's jurisdiction is invoked under 28 U.S.C. § 1257(a), which authorizes review of final judgments "rendered by the highest court of a State in which a decision could be had." Petitioner contends that this petition is timely under Sup. Ct. R. 13.1 and Sup. Ct. R. 13.3 because it was filed within 90 days of the denial of reconsideration.

The judgment for which review is sought is the Georgia Supreme Court's action in No. S26C1212, not the Superior Court's February 18, 2026 order standing alone. By denying certiorari and reconsideration, the Georgia Supreme Court left undisturbed the Georgia Court of Appeals' denial of discretionary review and, in turn, the Superior Court of Stephens County's February 18, 2026 Omnibus Order (App. C, D; Ex. S-5; Dkt. #119). That order denied

Petitioner's motions for recusal and mistrial and left in place the challenged findings and rulings, including the finding concerning Petitioner's 2024 tax returns and the related attorney's-fee ruling. The July 23, 2025 Final Judgment and Decree of Divorce contains the underlying custody, support, property, and fee determinations. (App. E; Dkt. #40.)

The federal questions presented concern whether the proceedings resulting in the February 18 order and the underlying decree provided the process required by the Fourteenth Amendment, including whether Petitioner had a meaningful opportunity to be heard concerning the financial finding and whether the decree's speech restriction was imposed without adequate notice and an opportunity to be heard. Petitioner raised these federal objections in the state proceedings identified in the petition. The Georgia appellate courts denied discretionary review and certiorari without issuing opinions addressing those questions. Petitioner does not contend that those denials themselves decided the federal questions on their merits. He seeks review of the state-court judgment that left the challenged rulings in place.

The February 18 order resolved the post-judgment motions addressed in that order. The Georgia Court of Appeals denied discretionary review of it in No. A26D0390, and the Georgia Supreme Court denied certiorari and reconsideration in No. S26C1212. Petitioner understands that no further state review of the February 18 order remains available.

A separate appeal, No. A26D0618, remains pending. It concerns the Superior Court's later June 8, 2026 order, which addressed ownership and sale of the marital residence, post-December 2025 attorney's fees, Petitioner's request to amend the decree, and his request to modify support. Petitioner does not seek review of the June 8 order in this petition. The present petition instead challenges the process surrounding the February 18 order and the underlying July 23, 2025

decree. Although the pending appeal includes a support-modification ruling, the record provided does not indicate that it places the February 18 order before the Court of Appeals or asks that court to decide the federal procedural questions presented here. Petitioner therefore contends that the pending appeal will not alter the Georgia Supreme Court's action in No. S26C1212 or resolve the federal questions presented in this petition. See Cox Broadcasting Corp. v. Cohn, 420 U.S. 469 (1975).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Fourteenth Amendment provides, in Section 1: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State 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."

The First Amendment provides in relevant part: "Congress shall make no law . . . abridging the freedom of speech, or of the press . . . ."

The Eighth Amendment provides: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

O.C.G.A. § 5-6-46 (supersedeas; bond requirement and exceptions)

O.C.G.A. § 9-11-52(a) (findings of fact and conclusions of law in nonjury trials)

O.C.G.A. § 9-15-14 (attorney's fees for abusive litigation)

O.C.G.A. § 19-5-13 (divorce; judgment and decree)

O.C.G.A. § 19-6-15 (child support guidelines, including imputation of income)

O.C.G.A. § 19-9-3 (child custody; parenting plans)

O.C.G.A. § 23-3-110 (bill of peace)

STATEMENT OF THE CASE

Petitioner Christopher Randall Mathis is a minister who operates an online ministry reaching fourteen countries. He is indigent, has no legal training, and has never had the means to retain counsel. The record contains no finding that he committed any crime or act of violence, and Respondent has never alleged that he is an unfit parent. Respondent Julie Mae Mathis has been represented by counsel throughout. This statement is confined to the procedural record and proceeds chronologically.

A. The Complaint and the Financial Disclosures (November 2024 to May 2025)

On November 13, 2024, Petitioner filed a Complaint for Divorce in the Superior Court of Stephens County, No. SUCV2024000466, alleging that Respondent had committed adultery with Jonathan Swing, pastor of New Beginnings Ministries. Respondent's attorney engagement contract, signed April 5, 2024, lists Pastor Swing's address as Respondent's address. (Ex. X; Dkt. #94.)

On January 27, 2025, Petitioner filed his 2021, 2022, and 2023 tax returns, a summary of income, a Domestic Relations Financial Affidavit, and supporting financial records. (App. N . Ex. S-6; Dkt. #15-26.)

At the April 8, 2025 hearing, where Patricia Ann Pickett appeared for Respondent, the court acknowledged receipt of the disclosure and noted that the information appeared sufficient. (App. P. Ex. T-1 (Tr. 138:8-24, 139:16-18)).

At a second hearing on May 6, 2025, Ms. Pickett represented that Petitioner had previously been directed to produce his 2024 tax returns. The record of the April 8 hearing reflects no such directive. App. Q . Ex. T-2 (Tr. 7:8-9 and context). Following that representation, the court ordered Petitioner to produce his 2024 returns within fifteen days. App. F. Dkt. #36 (May 7, 2025). The hearing was then terminated abruptly. (App. Q . Ex. T-2 (Tr. 7:8-9)

On May 19, 2025, within the fifteen days, Petitioner filed his 2024 returns and a financial summary with the Clerk. Clerk-stamped copies appear at App. N, and O. Ex. S-6 and Ex. S-8; see Dkt. #37-38. He also mailed the filing to Ms. Pickett, and the postal receipt shows delivery and signature on May 21, 2025. (Ex. S-10 see Dkt. #144.)

B. The Competing Proposed Decrees and the July 23, 2025 Judgment (June to July 2025)

Email correspondence among court staff and counsel from June 10 through July 23, 2025 (App K. Ex. B, Emails 1-35) shows the following :

- Ms. Pickett left Respondent's firm at the end of May 2025 and joined the District Attorney's Office for the Mountain Judicial Circuit, the circuit in which this case was pending. App K. Ex. B, Emails 1, 27.
- Court staff acknowledged in writing the additional financial information submitted after the second hearing. App K. Ex. B, Email 3.
- **June 20, 2025 (Order #1).** The court signed the proposed decree submitted by Respondent's counsel. That day, Petitioner objected by email that the order rested on a false premise about his compliance. App K. Ex. B, Emails 8, 11, 12.

- **June 23, 2025.** Petitioner itemized the ten documents he had filed on May 19. App K. Ex. B, Email 13. Court staff then held the signed order so that Petitioner could submit an alternate proposed order. App K. Ex. B, Email 16.
- **July 15, 2025 (Order #2).** The court signed Petitioner's proposed decree, which Petitioner had submitted on June 26. Respondent's counsel then wrote to the court questioning that order and asserting that Petitioner "was unable to provide the requested supplemental information." App K. Ex. B, Email 27. Petitioner responded the same day that he had filed the information on time. App K. Ex. B, Email 28.
- **July 22-23, 2025 (Order #3).** The court signed a third order, substantially identical to Respondent's original proposal, and it was entered on July 23, 2025 as the operative Final Judgment and Decree of Divorce. Dkt. #40; Ex. K-2; App. D. On July 23, Petitioner asked the court to hold the order and reconsider, stating that he had complied with every order and that the income attributed to him was nowhere near his actual income. App K. Ex. B, Email 32.

The decree found that Petitioner had neglected to provide his 2024 returns. It imputed annual income of $107,006 to him, awarded primary physical custody to Respondent with restricted parenting time for Petitioner, ordered the sale of the marital residence, calculated child support on the imputed figure, and awarded attorney's fees under O.C.G.A. § 9-15-14(b). App. D. Dkt. #40; Ex. K-2. The decree contains no finding that Petitioner is unfit or committed misconduct.

C. The Provisions at Issue

1. Imputed income. At page 2, Finding of Fact ¶ 7 states: (App. D at 2)

"To the extent the Plaintiff has represented to the Court that his income is less than $107,006.00, the Court finds that the Plaintiff is underemployed and has not adequately represented his gross income."

2. Child support and contempt exposure. Child support was calculated on the imputed figure. Petitioner told the court on July 23, 2025 that he could not make even the first payment. App. K. Ex. B, Email 32. The court found him indigent on the same financial record, granting in forma pauperis status on August 26, 2025. App. H. Ex. V; Dkt. #64. Respondent has since alleged arrears of $13,503, and the trial court's October 8, 2026 order recites that amount. Dkt. #184.

3. The fee award. The fee award rests on a single paragraph under "Miscellaneous Provisions," App. D at 5:

"The Plaintiff has unnecessarily expanded these proceedings by his neglect in providing the Court with proof of his updated income, including neglecting to submit to the Court his income tax returns for 2024. This neglect has delayed a final judgment in this matter, necessitated that the parties attend a second hearing to remedy this oversight, and still did not supply his income tax returns for 2024, delaying a final judgment even further. The Court hereby awards the Defendant reasonable and necessary attorney's fees pursuant to the authority of O.C.G.A. § 9-15-14(b). Defendant shall pay the amount of $2,500.00 to the Law Firm of Sanders, Ranck & Skilling, P.C. on or before July 1, 2025. The Plaintiff shall also reimburse the Defendant half of the cost of the appraisal of the marital property in the amount of $162.50, to be submitted to the Law Firm of Sanders, Ranck & Skilling P.C. on or before July 1, 2025."

4. The speech restriction. At page 4, the decree contains a paragraph on harassment. Its opening clauses incorporate the Franklin County Consent Civil Restraining Order, which expired on August 22, 2025, and impose ordinary prohibitions on harassment and threats; those clauses are not at issue. The paragraph continues, App. D at 4:

> "Furthermore, neither Party shall harass, threaten or intimidate the other, nor shall either Party make any derogatory or disparaging remarks to or about the other Party. The Parties shall not, at any time whatsoever, make any social media posts, blog entries, comments, or other statements on the internet or any other publicly distributed forum (i.e., television, radio, newspaper, billboard, mailer, or other method of mass advertising or distribution) that describes or details, in any manner whatsoever, the alleged factual causes of the parties' separation or conduct related complaints that either party has regarding the other. Neither party shall, at any time whatsoever and in any manner whatsoever, contact the other party's business contacts, recreational contacts, or social contacts regarding the alleged factual causes of the parties' separation or conduct related complaints that either party has regarding the other. Neither party shall encourage or suggest that a third party cease their business, recreational, or social relationship with the other party."

The restriction applies "at any time whatsoever," is not limited by duration or by the Consent Order's expiration, and is enforceable by contempt. It reaches public statements on the internet, a medium that is the sole vehicle of Petitioner's ministry. Petitioner has asserted that it has ended his online ministry.

D. Post-Judgment Proceedings (July 2025 to February 2026)

Petitioner moved to reconsider and to stay enforcement on July 27, 2025, Dkt. #44-45, and filed a notice of appeal on July 31, 2025, Dkt. #48. On August 8, 2025, the trial court issued an Order Clarifying the Record, stating that the wrong decree had been signed through administrative error. The order did not alter the findings. App, G. Dkt. #56 (Ex. S-4, Dkt. #106). Petitioner contends the order misstates the record by reporting two signed orders when three were signed.

The Court of Appeals denied Petitioner's emergency motion to stay on August 20, 2025 (No. A26E0023). On August 26, 2025, the trial court granted Petitioner leave to proceed in forma pauperis. App. H. Ex. V. The Court of Appeals dismissed Petitioner's application in No. A26D0070 on September 24, 2025.

Petitioner then filed a motion to modify child support (Sept. 19, 2025, Dkt. #66), a motion to vacate (Oct. 7, 2025, Dkt. #76), a motion for mistrial (Dec. 22, 2025, Dkt. #88), and a motion to recuse (Dec. 26, 2025, Dkt. #101). Each motion pressed that the 2024 returns had been timely filed and relied on the clerk-stamped filings, transcript excerpts, and emails described above. App. K, N, O, P, Q; Exs. B, S-6, S-8, T-1, T-2; Dkt. #68, #89-96, #110,. The motion to modify support also raised that the support obligation exceeded his means.

On December 12, 2025, the Superior court dismissed Petitioner's notice of appeal for failure to timely file the transcript. Dkt. #87; Ex. V-2.

December 23rd omnibus Order

On December 23, 2025, the court entered an Omnibus Order denying reconsideration, vacatur, and modification of support, and adopted a self-resetting Amended Final Parenting Plan that restricted Petitioner's parenting time further than the court's original order and the court's oral

ruling of December 11. App. I, J; Dkt. #98-99; Exs. S-2, S-3. Respondent's counsel prepared both. The findings on income and "neglect" were left intact.

Petitioner sought discretionary review in No. A26D0311, which the Court of Appeals denied on February 13, 2026.

He moved for reconsideration on February 18, 2026, raising First Amendment, Eighth Amendment, and Fourteenth Amendment objections. The motion was denied March 4, 2026.

E. The February 18, 2026 Omnibus Order (the Order Under Review)

On February 18, 2026, the trial court entered an Omnibus Order. (App. D. Ex. S-5; Dkt. #119). It:

1. denied the motion for mistrial;
2. denied the motion to recuse, holding the motion timely but the supporting affidavit legally insufficient because it relied on conclusory allegations of bias from judicial rulings rather than extrajudicial facts;
3. granted in part Respondent's motion to amend, correcting as a scrivener's error the payor in the fee paragraph so that "Plaintiff[, not Defendant,] shall pay the amount of $2,500.00" (see Dkt. #108-109, #114-115);
4. left in place the findings on income, custody, and property; and
5. denied Respondent's separate February 6, 2026 motion for fees.

The order did not address Petitioner's First Amendment objection to the speech restriction, his objection to the imputed income, or the contention that the support obligation exposes him to contempt incarceration despite indigency. The Court of Appeals denied discretionary review on

March 26, 2026, without opinion (No. A26D0390). App. C ; Ex. V-7. The Supreme Court of Georgia denied certiorari on July 7, 2026 (No. S26C1212, with S26C0920) and denied reconsideration on August 11, 2026. App. A, and B; Ex. V-10.

F. Later Proceedings (June to October 2026)

June 8th Omnibus Order

On June 8, 2026, the trial court granted Respondent's motion for reconsideration and awarded her sole and exclusive ownership of the marital residence at 888 Hardeman Farm Road for purposes of sale. It ordered Petitioner to pay Respondent's post-December 2025 attorney's fees by July 1, 2026, and denied Petitioner's cross-motion to amend the decree and his motion to modify support. Dkt. #153; Ex. S-9. The motion to modify support was supported by Dkt. # 144; Ex. S-10 (the signed postal receipt) and by the August 2025 in forma pauperis order. App. H; Dkt. #64 (Ex. V; refiled Dkt. #92)

- Located at:

Petitioner noticed an appeal on June 15, 2026, Dkt. #154-155, and the Court of Appeals granted review in No. A26D0618, which remains pending and is not at issue here.

On June 20, 2026, Petitioner filed a petition in the Superior Court of Stephens County for a GBI inquiry into connections between the circuit's accountability courts and New Beginnings Ministries, No. SUCV2026000229. Court staff rejected it by email. Respondent's counsel, Casey Wilson, entered a special limited appearance for Stephens County on July 23, 2026, and the petition was dismissed with prejudice on September 1, 2026.

On September 21, 2026, the trial court heard Petitioner's renewed motion to proceed in forma pauperis (Dkt. #161) and Respondent's traverse (Dkt. #168), motion for attorney's fees and bill of peace (Dkt. #149), together with her further requests for fees, a supersedeas bond, and contempt for $13,503 in alleged arrears.

Oct 8th Omnibus order

On October 8, 2026, the Superior Court of Stephens County entered an order (Dkt. #184) granting Petitioner in forma pauperis status for his appeal and denying Respondent's motion for a supersedeas bond. In the order the Court acknowledged Petitioner's indigent status and found that Respondent had not proven any basis for imposing a bond despite that status. The Court stated: "the Court further finds that respondent has not established by a preponderance of the evidence that petitioner is dissipating secreting or diverting assets outside the ordinary course of business, so as to warrant imposing a bond not withstanding his indigent status OCGA section 5–6–46. Accordingly respondents motion for a supersedeas Bond is denied." The Court further indicated that – "imposing a bond would be inconsistent with that status." referring to Petitioner's IFP status. The order also granted Respondent's request for a bill of peace under O.C.G.A. § 23-3-110. The bill of peace enjoins further procedurally barred actions that relitigate the July 2025 decree or seek to modify support on the same misrepresentation theory.

G. The Institutional Relationships

Ms. Pickett represented Respondent at the April 8 and May 6, 2025 hearings, which produced the order that framed the "neglect" finding. She left Sanders, Ranck & Skilling, P.C. at the end of May 2025 and by June 10, 2025 had joined the District Attorney's Office for the Mountain

Judicial Circuit. (App. K; Ex. B, Emails 1, 27.) Ms. Wilson of the same firm then assumed Respondent's representation. (App. K; Ex. B, Email 27.)

The circuit's published description of its Accountability Court states that its team includes a judge and the District Attorney, that the District Attorney's Office is the "gatekeeper," and that confidentiality binds participants and staff. Ex. A-5. (Dkt. #178) The master calendar lists Drug Court sessions alongside family-law matters. Ex. A-6. (Dkt. #179) Petitioner contends that the program operates in partnership with treatment providers, including New Beginnings Ministries, with which Respondent is affiliated and whose pastor is the person Petitioner alleged to be Respondent's paramour.

Petitioner's December 26, 2025 recusal motion was prepared before he learned of the accountability-court relationship. It raised Ms. Pickett's move to the District Attorney's Office, the termination of the October 8 and December 11 hearings when he sought to present documentary evidence of extrinsic fraud, the court's finding of indigency alongside its denial of support modification, the Amended Parenting Plan, and the court's October 8, 2025 statement, made three times while Petitioner was presenting evidence of opposing counsel's alleged misconduct, "I don't believe you've done anything wrong, Ms. Wilson." The email record also shows that court staff exchanged proposed decrees and procedural guidance with opposing counsel while telling Petitioner on January 2 and January 22, 2026 that his emails would not be considered. App. K, L, M; Exs. B, (Dkt. #68 (refiled #89, #110, #127, #133) B-2, (Dkt. #111) B-3 (Dkt, #117). The February 18 order denied recusal on the ground that the affidavit was insufficient and did not address these relationships. Petitioner raised the accountability-court relationship in later filings, and no order has addressed it.(App, D; Dkt. #119 (Ex. S-5))

H. Where the Federal Questions Were Raised

First Amendment (speech restriction). Ga. Sup. Ct. No. S26C1212, motion for reconsideration, at 3; Ga. Ct. App. No. A26D0618, application at 6, 8 and reply at 10, 12; No. A26D0311, application at 8, 14-15 and motion to reconsider at 6-7 (Feb. 18, 2026); Ga. Sup. Ct. No. S26C0920, petition, Question 5, at 3-4, 15-16; and in argument against the final judgment at the October 8 and December 11, 2025 hearings in the Superior Court.

Eighth Amendment (excessive fines; cruel and unusual punishment). Petitioner raised that a support obligation he cannot meet, owing to proven indigency, exposes him to civil-contempt incarceration without criminal conduct or present ability to pay. Motion for Reconsideration, No. A26D0311 (Feb. 18, 2026).

Fourteenth Amendment (due process). No. A26D0311: application (filed Jan. 16, 2026) at 11, 14, 16; motion for reconsideration at 2, 3, 5, 6. Superior Court: Dkt. #66 at 1, 3, 5; Dkt. #76 at 3; Dkt. #88 at 8-9; Dkt. #101 at 6; Dkt. #109 at 2-4, 6-7.

Misrepresentation that the 2024 returns were not submitted. Emergency Motion to Stay, No. A26E0032, at 2; No. A26D0070: application at 1-2, 3, 6, 8; No. A26D0311: application at 11, motion for reconsideration at 5. Superior Court: Dkt. #44 at 2-4; Dkt. #48 at 2; Dkt. #66 at 1, 3, 5 and attached affidavit; Dkt. #76 at 1-2; Dkt. #88 at 1, 2, 4, 5, 6, 8 and attached affidavit; Dkt. #101 at 4-5; Dkt. #109 at 5-6; and in argument against the final judgment at the October 8 and December 11, 2025 hearings in the Superior Court.

REASONS FOR GRANTING THE PETITION

I. The Trial Court's Reliance on Materially False Factual Findings Violates Due Process

This petition asks what the Fourteenth Amendment requires when a state court rests custody, support, property, and fee determinations on a finding its own file and subsequent orders refute, writes a permanent speech restriction into the decree without any party or court examining it, and does so against institutional relationships no court has addressed. The party affected is an indigent parent with no counsel and no practical means of obtaining any. It does not ask the Court to retry a Georgia divorce, reweigh evidence, or decide a disputed fact. The questions are important and unsettled, and the State's discretionary-review mechanisms declined to examine any of them. Sup. Ct. R. 10(b), (c).

A parent's interest in the care and custody of his child is fundamental. *Santosky v. Kramer*, 455 U.S. 745, 753 (1982); *M.L.B. v. S.L.J.*, 519 U.S. 102, 116–17 (1996). Before the State impairs it, the parent is entitled to be heard "at a meaningful time and in a meaningful manner." *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965). What process is due turns on the private interest, the risk of erroneous deprivation under the procedures used, and the government's interest. *Mathews v. Eldridge*, 424 U.S. 319, 333, 335 (1976). Petitioner invokes *Santosky* only for the principle that parental liberty is not a second-class interest. He does not contend that its clear-and-convincing standard governs an ordinary custody or fee award. *Mathews* supplies the framework.

II. The record shows the finding was false when made.

The question under *Mathews* is whether a state court may treat as conclusive, and thereafter refuse to reopen, a predicate finding that its own clerk's stamps and subsequent orders show to be false, when that finding is the sole basis for imputing income, calculating support, awarding fees, and restricting parental time. The finding is not a credibility call on conflicting testimony.

The decree states that Petitioner "still did not supply his income tax returns for 2024." App. E at 5 (Final Judgment and Decree of Divorce, entered July 23, 2025, Docket #40).

The Clerk's file-stamps are dated January 27 and May 19, 2025. App. N; Ex. S-6 (Docket #132 & #141; original filings Docket #15–26 and #37–38); App. O; Ex. S-8 (Docket #126 & #143; original filing Docket #38). The court acknowledged the sufficiency of the financial evidence at the April 8 hearing. App. P; Ex. T-1 (Docket #95 & #130). Court staff acknowledged receipt in writing. App. K; Ex. B, Email 3 (Docket #68). The trial court twice found Petitioner indigent and granted in forma pauperis status on the same financial evidence: first by order entered August 27, 2025 H; (Docket #64; Ex. V, Docket #92), and again in the Omnibus Order of October 8, 2026 (Docket #184). Opposing counsel's contrary representation at the May 6 hearing finds no support in the April 8 record. App. Q; Ex. T-2 (Docket #96 & #131).

III. The court refused to reopen the issue after the contradiction was brought to its attention.

The court had these materials when it signed the decree App. E; (Docket #40). It had them again when it entered the December 23, 2025 order App. J; (Ex. S-3, Docket #99/#105) and the February 18, 2026 order App. D; (Ex. S-5, Docket #119; App. D). Its scrivener's correction of the payor in the February order shows that the fee paragraph was before it. The finding stayed in place. The court never made an alternative finding of underemployment or failure to produce reliable proof once the documents were shown to be on file. A parent who was present, whose papers sat in the clerk's file, was not permitted to have either matter.

The consequences were substantial. The same finding was used to impute $107,006 in annual income, to calculate support, and to award $2,500 in fees and $162.50 in appraisal costs. The

December 2025 order further limited Petitioner's parenting time on that footing. App. I; Ex. S-3 (Docket #99/#105). The decree makes no finding of unfitness or misconduct.

Georgia law explains why the finding mattered. Imputation under O.C.G.A. § 19-6-15 presupposes a failure to produce reliable proof of income. Section 9-11-52(a) requires findings supported by the evidence. Section 9-15-14(b), the statute the decree invokes, authorizes fees only where a party has unnecessarily expanded the proceeding by improper conduct. A finding that a party "still did not supply" documents he had supplied cannot be that conduct. These statutes, with O.C.G.A. §§ 19-5-13 and 19-9-3, are not the federal question. The federal question is what due process requires when a finding contradicted by the clerk's stamp becomes the predicate for every adverse determination that follows.

Mathews answers the question.

The private interest is the parent-child relationship. The risk of erroneous deprivation is at its maximum when the predicate is refuted by the record and the court will not look again. The State's legitimate interests in finality and in sanctioning discovery abuse are not served by preserving a sentence the clerk's stamp disproves. Parenting time lost is not restored by later correction, and a fee award against a litigant of limited means compounds. The record also shows conflicting orders and administrative errors that the court acknowledged without correcting the findings. App. K, G; Ex. B; Ex. S-4 (Docket #56/#106). Reconsideration, discretionary appeal, and state certiorari each declined to examine the finding, so an unsupported predicate is now permanently insulated. Exhaustion is no cure if no court ever looks at the documents the judgment says were missing.

IV. Petitioner's indigence and lack of counsel made correction practically impossible.

The trial court found him indigent and granted in forma pauperis status. App. H: Ex. V (Docket #64/#92). Petitioner consulted Georgia's Legal Aid Program in person at its offices and by telephone on multiple occasions and was told he did not qualify for assistance. He was informed that, because he owns real property, he is ineligible for court-appointed counsel. Each family-law attorney he consulted either declined the matter or required a retainer he could not afford. Respondent was represented at every stage. Petitioner did what the process permits an unrepresented parent to do. He filed the financial documents, served them, itemized them by email when the first proposed decree was signed, submitted an alternate proposed decree, and filed written submissions identifying the exhibits. App. K; Ex. B (Docket #68.). The court nevertheless entered a decree substantially identical to Respondent's original proposal after Respondent's counsel wrote that Petitioner "was unable to provide the requested supplemental information." A lawyer would have known how to put the contradiction before the court in a form it could not pass over. The absence of counsel does not excuse a court from reading its own record. It makes that obligation more pressing.

There is no automatic right to appointed counsel in every civil case. *Lassiter v. Department of Social Services*, 452 U.S. 18, 31–32 (1981). *Lassiter* requires a case-by-case balance, and the balance shifts when parental status is at stake and the other side has counsel. *Turner v. Rogers*, 564 U.S. 431 (2011), held that counsel is not automatically required at a civil-contempt child-support hearing where the opposing custodian is also unrepresented, but only if the State supplies substitute safeguards. Those safeguards are notice that ability to pay is the critical issue, a fair opportunity to present and contest the financial facts, and an express finding of ability to pay. *Id.* at 447–48. The Court reserved the case in which the other side has counsel.

This is that case. Opposing counsel appeared, Petitioner did not, and no counsel was appointed. The court supplied none of the substitute safeguards *Turner* requires. It did not identify ability to pay as the critical issue, did not permit the documents already on file to be used to contest ability to pay, and made no express finding of present ability to pay. Because opposing counsel appeared and Petitioner remained unrepresented, the case falls in the category *Turner* expressly reserved.

V. The later orders show that the violation compounded, not that it was cured.

Petitioner does not ask this Court to review the orders entered after February 18, 2026. They are offered because they show what the finding has done in the state courts, and because the due process violation is plainest in them. Four features of the record matter.

First, the trial court's own orders contradict the finding. The decree states that Petitioner

> "still did not supply his income tax returns for 2024." at 5.

Within weeks, the same court granted him in forma pauperis status on the financial evidence the decree says was never supplied. App. H; Dkt. #64; Ex. V. On October 8, 2026, it did so again on a record that now includes five years of returns, summaries, and supporting affidavits. Dkt. #184. That order states:

> "Having granted Petitioner in forma pauperis status, the Court finds that imposing a supersedeas bond requirement would be inconsistent with that status."

It also finds that Respondent

> "has not established by a preponderance of the evidence that Petitioner is dissipating, secreting, or diverting assets outside the ordinary course of business so as to warrant imposing a bond notwithstanding his indigent status."

A court cannot find a litigant indigent, and find no hidden assets, on the same documents it says he withheld, without also recognizing that the "neglect" finding does not match its own file.

Second, each later order added a burden and none examined the predicate. The sequence is in the record:

- The Order Clarifying the Record attributed the signing of the wrong decree to administrative error and stated that two orders were signed, though three were. App. G; Ex. S-4. (Dkt. #56)
- The court dismissed Petitioner's notice of appeal (Dkt. #87).
- It denied reconsideration, vacatur, and support modification, and adopted an Amended Parenting Plan, drafted by Respondent's counsel while fraud allegations were pending, that restricted parenting time beyond its oral ruling of December 11, 2025 App. J; (Dkt. #99).
- It amended the fee paragraph so that "Plaintiff[, not Defendant,] shall pay the amount of $2,500.00" (Dkt. #119, App. D.)
- It denied support modification and a cross-motion to amend, awarded Respondent the marital property for sale within sixty days, and added attorney's fees (Dkt. #153).

Each time the court had the clerk-stamped filings, the transcript excerpts, and the email record. In the October 8 order it recited that it had considered "the pleadings, evidence, --- arguments, and record." (Dkt. #184). Yet no order addresses whether the 2024 returns were filed. Under

Mathews, a procedure that corrects nothing despite repeated, documented notice presents the greatest risk of erroneous deprivation. 424 U.S. at 335. Due process requires a hearing "at a meaningful time and in a meaningful manner." *Armstrong*, 380 U.S. at 552. A hearing at which the court acknowledges the documents but declines to read them for the one purpose they serve is not meaningful.

Third, the court has now treated the debt that the finding created as the basis for closing the courthouse. The October 8 order recites $13,503 in unpaid child support, which is calculated on the imputed income. It grants Respondent's BILL OF PEACE under O.C.G.A. § 23-3-110 and provides that Petitioner is "permanently enjoined from initiating, maintaining, or prosecuting in any court any further procedurally barred action or proceeding seeking to relitigate the Final Judgment and Decree of Divorce or to modify child support based on the same alleged misrepresentation in that judgment." (Dkt. #184). The "same alleged misrepresentation" is the finding that the court's own file refutes. The State has monopolized the dissolution of marriage and the fixing of support, so it may not deny access to that forum because of inability to pay. *Boddie v. Connecticut*, 401 U.S. 371, 374, 380-83 (1971); *M.L.B.*, 519 U.S. at 107, 120-28. A court that finds a litigant indigent, finds no dissipation of assets, and then recites his unpaid debt while barring any further attempt to correct the error that created it has not just declined to hear him. It has made the first uncorrected error the justification for refusing to hear him about it.

Fourth, the same logic reaches the Eighth Amendment and the protection against punishing poverty. Petitioner raised in No. A26D0311 that a support obligation he cannot meet exposes him to civil-contempt incarceration without criminal conduct and without present ability to pay. A State may not imprison a person for failing to pay a debt he cannot pay without first inquiring into the reasons. *Bearden v. Georgia*, 461 U.S. 660, 672–73 (1983). Civil contempt for

nonpayment of support likewise requires notice that ability to pay is the critical issue, a fair opportunity to present the financial facts, and an express finding of present ability to pay. *Turner*, 564 U.S. at 447–48. The same court that found Petitioner indigent has recited an arrearage built on imputed income of $107,006, and Respondent has requested contempt on it. No finding of present ability to pay supports it. The sanction exposure is real, and the one court that could correct the basis for it has now barred him from asking.

The question is not whether any one of these later orders was wrong. It is whether due process allows a state court to enter a predicate finding its own records contradict, add penalties with each motion Petitioner files to correct it, and then enjoin further correction while reciting the resulting debt. The orders are the best evidence that the state's review process, from reconsideration to discretionary appeal to certiorari, has not examined the finding.

VI. The Content-Based Prior Restraint Violates the First Amendment Due Process

The decree's speech restriction independently warrants review. The Fourteenth Amendment makes the First Amendment's free speech guarantee applicable to the States, *Near v. Minnesota*, 283 U.S. 697 (1931), and independently guarantees notice and an opportunity to be heard before the State imposes such a restraint. The restriction was written into the decree without any pleading, motion, brief, or ruling addressing its constitutionality. When Petitioner objected, no court ruled on the objection. The February 18, 2026 order (Ex. S-5, Docket #119, App. D) did not address it, and the appellate courts denied review without explanation.

Prior restraints come to this Court "bearing a heavy presumption against [their] constitutional validity." *New York Times Co. v. United States*, 403 U.S. 713, 714 (1971) (per curiam). The party who would justify one carries a heavy burden. *Organization for a Better Austin v. Keefe*, 402

U.S. 415, 419 (1971). Prior restraints are "the most serious and the least tolerable infringement on First Amendment rights." *Nebraska Press Ass'n v. Stuart*, 427 U.S. 539, 559 (1976). This Court has not applied that doctrine to a permanent, content-based public-speech ban written into a divorce decree and enforced by contempt.

The restriction binds the parties "at any time whatsoever," is not limited to the children's presence or minority, and has no sunset. It forbids "any derogatory or disparaging remarks to or about the other Party" with no limit on audience, and it forbids any post or statement in any "publicly distributed forum" that describes the alleged factual causes of the parties' separation. (App. E at 4.) It is content-based on its face. Petitioner is a minister whose public speech is his vocation and the means by which his global online ministry operates, and the restriction has impaired that ministry. The restriction is in a final decree, its operative words are quoted in the Statement, and no further state proceeding will revise it. The expired Franklin County order and the ordinary prohibitions on harassment, intimidation, and threats are severable.

VII. The Appearance of Structural Bias Deprives Petitioner of an Impartial Tribunal

The third question concerns the constitutional floor for an impartial tribunal. Due process requires recusal where "the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable," even without proof of actual bias. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 872 (2009) (quoting *Withrow v. Larkin*, 421 U.S. 35, 47 (1975)); see *In re Murchison*, 349 U.S. 133, 136 (1955); *Tumey v. Ohio*, 273 U.S. 510 (1927). The standard is objective. *Williams v. Pennsylvania*, 579 U.S. 1, 8 (2016). Petitioner does not contend that this case is *Caperton* on its facts, which the Court called "extreme by any measure." 556 U.S. at 887. The configuration here is different and recurs in small and mid-sized circuits.

Counsel who tried the critical hearings for one party became, during the same case, a prosecutor in the same circuit. The trial judge and that prosecutor jointly administer an accountability court that meets weekly in working partnership with a faith-based ministry. That ministry is not a stranger to the divorce, because its pastor is the person Petitioner alleged was romantically involved with Respondent. See Statement, Part E. The same judge entered the "neglect" finding, the restriction on parenting time, the imputation of income, and the speech restriction, and ended hearings before Petitioner could argue the issue. App. Q; Ex. T-2 (Docket #96/#131). Successor counsel from the same firm later appeared for the county that houses the trial court in a related action seeking an inquiry into the same connections. The record also reflects court staff communicating with Respondent's counsel while advising Petitioner that his substantive submissions would not be considered. App. L, M; Ex. B-2 (Docket #111); Ex. B-3 (Docket #117).

Due process does not require proof that the judge and the prosecutor agreed on the outcome. It requires an objective assessment of whether the probability of bias is too high to be tolerated. A judge who collaborates every week with a party's former counsel and with a nonparty aligned with the other side is not situated as an ordinary judge who once saw a lawyer in an unrelated matter. The February 18, 2026 order App. D; (Ex. S-5, Docket #119,) denied recusal without addressing these relationships, which Petitioner raised in later filings. No court has examined them.

VIII. The Questions Presented Are Important and Recurring

Self-represented litigants occupy a large share of domestic-relations dockets. Production disputes, imputed-income findings, and fee-shifting are routine. What is unsettled is whether due

process has anything to say when a predicate finding is incompatible with the court's own file and the court will not look again. The speech question recurs because family courts enter permanent public-speech clauses in decrees regularly. The impartiality question recurs in circuits where the bar is small, lawyers move from private family practice into the prosecutor's office, and they keep working with the same judges in accountability courts and similar partnerships. Self-represented litigants have little practical ability to detect those relationships and less ability to obtain a reasoned ruling when they do. Each question is cleanly presented on a final decree, and each was left unexamined by every Georgia court that was asked to look.

CONCLUSION

The February 18, 2026 Omnibus Order left standing a finding that the clerk's file refutes and a permanent speech restriction that no court has examined. It also denied recusal without addressing the institutional relationships described above. (Ex. S-5, Docket #119, App. D) The Georgia Court of Appeals and the Supreme Court of Georgia declined to take the case. The consequences of the unexamined finding fall on an indigent, self-represented parent facing a represented adversary: lost parenting time, an imputed income of $107,006, support and fee awards built on it, and a later bill of peace barring any avenue of correction.

The petition does not ask the Court to determine what Petitioner's income actually was or what parenting-time schedule is best for the child. It asks only whether due process permits a state court to rest those determinations on a finding its own file refutes and then to refuse to reopen the issue.

The petition for a writ of certiorari should be granted.

Petitioner respectfully requests that the Court vacate the judgment and remand with instructions that

(1) the income finding be reconsidered on the documents actually filed;

(2) support, fees, and custody be redetermined on that record;

(3) no contempt sanction or bill of peace be imposed without an express finding of present ability to pay, entered after a meaningful opportunity to present those documents; and

(4) if Respondent remains represented and Petitioner remains indigent, the court conduct the inquiry into appointment of counsel that Lassiter requires.

The requested remand does not require the Court to resolve any disputed fact; it requires only that the state court reconsider the income finding on the documents actually filed and that it do so before using any resulting arrearage to bar further proceedings.

Respectfully submitted, Date: October 19, 2026

/s/ _____

Christopher Randall Mathis, Petitioner, Pro Se
888 Hardeman Farm Road,
Carnesville, Georgia 30521
christfollowermedia@gmail.com

NOTARY ACKNOWLEDGMENT

Subscribed and sworn to (or affirmed) before me on this 10th day of October, 2026, by Christopher Randall Mathis, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument. DDS GA License S628

Notary Public _____

MITEN ALKESH SHAH
NOTARY PUBLIC
Hall County
State of Georgia
My Comm. Expires February 21 2027

My Commission Expires: 02-21-27