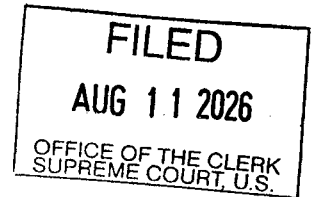


26-5940

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES
located at 1 First Street, NE, Washington, DC 20543



Petition for Writ of Certiorari
Application Number: 26A168

ROBERT JONES

PLAINTIFF-APPELLATE,

versus

THE LAMAR COMPANY LLC. ET. AL.

DEFENDANTS-APPELLEES.

Petitioner Respectfully Prays that this Court issue a Writ of Certiorari to Review the Judgment
of the United States Court of Appeals for the Eleventh Circuit entered in this case
(March 02, 2026) Case Number: **24-12949-AA** / Non-Argument Calendar.

L.T. United States District Court
for the Middle District of Florida
D.C. Docket No. 8:23-CV-1461-CEH-AAS

ROBERT JONES
POST OFFICE BOX 32
PORT RICHEY, FL. 34673
Phone: 813.293.2778
Email: Need4Speed377@yahoo.com.

QUESTIONS PRESENTED

1. Whether the **Rooker-Feldman** doctrine bars a Federal District Court from exercising Subject-Matter Jurisdiction over an Independent Federal Complaint seeking damages for Fraudulent Property Liens under state law, where the alleged injury stems from the Defendants' Out-of-Court Misconduct rather than the State Court Three Judgments themselves, thereby conflicting with *Skinner v. Switzer* 562 U.S. 521, 531 (2011) App. B, also *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005), and rulings from the Fifth and Sixth Circuits.

***Explanation:** This question addresses the widening split among the Circuit Courts regarding the scope of Rooker-Feldman. It asks the Court to clarify whether Federal jurisdiction is stripped when a plaintiff challenges an independent injury (the Fraudulent Liens under Fla. Stat. § 817.535) rather than asking the Federal Court to undo a state Court order directly. It highlights that a judgment issued without notice or hearing cannot bar a subsequent Federal suit on jurisdictional grounds.*

2. Whether a **Federal Court sitting in Diversity** under 28 U.S.C. § 1652 may expand state litigation privileges and judicial notice rules in a novel manner to dismiss an independent statutory claim with prejudice, where the underlying actions involved entirely *different causes of action and distinct injuries*. The Lower Court's decision conflicts with Supreme Court rulings, precedents of this Circuit, or other Circuits, warranting review by this Court to maintain consistency in this Court's rulings—notably, the Supreme Court case *Erie Railroad Co. v. Tompkins*, 304 U.S. 64 (1938).

***Explanation:** This question targets the lower Court's failure to apply Florida substantive law properly. It focuses on the legal distinction between the 2017/2018 Eviction proceedings and the 2023 Fraudulent Lien action. It asks the Court to determine whether Federal Courts exceed their authority by expanding state preclusion doctrines and litigation privileges to defeat a valid statutory claim, especially when the state's own laws would not bar the action.*

IDENTITIES OF PARTIES

CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE

STATEMENT (CIP): ROBERT JONES/Petitioner Vs. THE LAMAR COMPANY LLC; ET.

AL./Respondents.

- Petitioner to file a Certificate of Interested Persons and Corporate Disclosure Statement

(CIP) as required by Rule 29.6

(a). LAMAR ADVERTISING COMPANY

(b). LAMAR MEDIA CORPORATION

(c). THE LAMAR COMPANIES

(d). THE LAMAR COMPANY, L.L.C.

[If Petitioner is a corporation, include a corporate disclosure statement here under Rule 29.6. If you are an individual, state: "Petitioner is an individual and has no parent corporations or publicly held companies to disclose."]

RELATED CASES

THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT,
Case Number: 24-12949-AA

THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE OF FLORIDA TAMPA DIVISION
Case Number: 8:23-CV-1461-CEH-AAS

THE COUNTY COURT OF THE 13th JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
Case Number: 17CC012407 & 17CCO26201

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OPINIONS BELOW

The United States Court of Appeals for the Eleventh Circuit entered its Opinion denying the Petition for Rehearing and Rehearing En Banc on **May 13, 2026**, and it is attached as Appendix A. The Eleventh Circuit's Opinion refusing to vacate the lower Court's Order was entered on **March 2, 2026**, and is attached at App. B. On **August 13, 2024**, the United States District Court for the Middle District of Florida, Tampa Division, entered an Order, attached at App. C.

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

JURISDICTION

The United States Court of Appeals for the Eleventh Circuit entered its Opinion on March 2, 2026. The Court denied a timely petition for Rehearing and Rehearing En Banc on May 13, 2026. This Petition for a Writ of Certiorari was filed within 90 days of that date pursuant to Supreme Court Rule 13.1. The Petition was refiled within 60 days, in compliance with the notice received on August 27, 2026, to correct the filing.

This Court's Jurisdiction is Invoked under **28 U.S.C. § 1254(1)**.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

- **U.S. Const. Amend. XIV, § 1 (Due Process Clause):** "...nor shall any State deprive any person of life, liberty, or *property, without due process of law*.....4, 14
- **Florida Statutes § 817.535 (8)(b)** (or applicable sections of Chapter 817.535 regarding fraudulent Liens) 5, 6, 9, 10, 14, 15
- 28 U.S.C. § 1652 1, 7, 14, 15
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INTRODUCTION

Under 28 U.S.C. § 1257(a), only the Supreme Court is “vested with Appellate authority over state Courts.” *Sykes v. Cook County Circuit Court Probate Div.*, 837 F.3d 736, 741 (7th Cir. 2016). This case presents an ideal vehicle to resolve confusion over the reach of the Rooker-Feldman doctrine. The doctrine today is guided by the Supreme Court’s authoritative restatement in *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 125 S. Ct. 1517, 161 L. Ed. 2d 454 (2005). *Exxon Mobil* emphasized the “limited circumstances” in which Rooker-Feldman should apply, cautioning that the doctrine has no place “overriding Congress’ conferral of Federal-Court jurisdiction concurrent” with the jurisdiction of state Courts or “superseding the ordinary application of preclusion law. . .” 544 U.S. at 283, 291. Our application of Rooker-Feldman must neither interfere with our “‘virtually unflagging obligation’ to exercise the jurisdiction that Congress” has granted, *Huon v. Johnson & Bell, Ltd.*, 657 F.3d 641, 645 (7th Cir. 2011), quoting *Colorado River Water Conservation Dist. v. United States*, 424 U.S. 800, 817, 96 S. Ct. 1236, 47 L. Ed. 2d 483 (1976), nor swallow up issues that are properly resolved under abstention or claim- and issue-preclusion doctrines. In short, Rooker-Feldman must stay in its lane, allowing comity and abstention doctrines to do the work, when necessary, “to stay or dismiss the Federal action in favor of the state-Court litigation,” and using preclusion principles to prevent a party from relitigating “in Federal Court a matter previously litigated in state Court. *Exxon Mobil*, 544 U.S. at 292-93. Rooker and Feldman are the only two cases in which the Supreme Court itself has applied the doctrine to reject Federal jurisdiction. However, given disappointed litigants’ tendency to seek new forums to vindicate their claims or defenses, the

doctrine has been invoked in tens of thousands of Circuit and District Court decisions since Exxon Mobil. Along with abstention and jurisdictional doctrines, it is part of the arsenal of Federalism doctrines Circuit and District judges must consider regularly. Exxon Mobil teaches that District Courts should disclaim jurisdiction only in “cases brought by state-Court losers complaining of injuries caused by state-Court judgments rendered before the District Court proceedings commenced and inviting District Court review and rejection of those judgments.” 544 U.S. at 284. Phrased that way, the doctrine blocks Federal jurisdiction when four elements are present.

First, the Federal plaintiff must have been a state-Court loser.

Second, the state-Court judgment must have become final before the Federal proceedings began.

Third, the state-Court judgment must have caused the alleged injury underlying the Federal claim.

Fourth, the claim must invite the Federal District Court to review and reject the state-Court judgment.

Our case law has added a **Fifth** element to the four elements in Exxon Mobil

that the Supreme Court has not directly addressed. *Rooker-Feldman does not bar jurisdiction*

over a plaintiff's Federal claim if a party did not have a reasonable opportunity to raise its

Federal issues in the state Courts. Andrade, 9 F.4th at 950, quoting Jakupovic, 850 F.3d at 902.

U.S. Const. Art. III. Congress granted District Courts broad original jurisdiction, 28 U.S.C. §

1331, while also funneling all appeals from state Courts to this Court, id. § 1257. Understanding

the interaction between those two grants requires careful statutory interpretation. An

overexpansive Rooker-Feldman doctrine misinterprets statutory text, “overrid[es] Congress’

conferral of Federal-Court jurisdiction,” Exxon Mobil, 544 U.S. at 283, and conflicts with the

Federal Courts’ “virtually unflagging obligation” to exercise their jurisdiction.

The Court should grant the petition.

STATEMENT OF THE CASE

This case presents an exceptional opportunity for this Court to clarify the boundaries of the Rooker-Feldman doctrine, ensuring it is not weaponized to shield extrinsic fraud or to insulate State Court actions that completely abandon and conflict with due process.

These lower Courts severely misapplied the narrow Rooker-Feldman doctrine, effectively immunizing Defendants/Respondents from liability for Recording Fraudulent Real Estate Liens.

Respondents recorded three fraudulent Liens on Petitioner's Commercial Real Estate. They did so by exploiting an indemnified landlord/tenant contract tied to a third-party insurance claim. Crucially, the contract was executed in the name of an individual who did not own the property, a fact confirmed by "First American Title Insurance Company."

To recover funds paid in 2021 to clear those fraudulent Liens, Petitioner filed a Federal complaint in August 2023 in the U.S. District Court for the Middle District of Florida, Tampa Division. On August 13, 2024, the District Court dismissed Petitioner's Second Amended Complaint with prejudice, erroneously citing a lack of subject-matter jurisdiction under the *Roquer-Feldman* doctrine (App. C).

The state lower County Court judgments on which the lower Federal Courts relied lacked fundamental due process. Defendants/Respondents failed to set a Court date before the County Court entered an attorney's fee judgment. The underlying state proceedings featured no consideration of the merits in any of the three rulings in September 2017 (App. D), no scheduled hearing dates on December 8, 2017 (App. E), and an absolute deprivation of Petitioner's opportunity to present evidence and be heard on December 8, 2017 (App. F). Furthermore, prior eviction complaints filed by Petitioner in 2017 involved distinct causes of action and remedies. The injuries alleged in the Federal action occurred after the County Court rendered its judgments, none of which mention Florida Statutes, Chapter 817, Section 535, Unlawful Records Against Real Property.

On March 2, 2026, the Eleventh Circuit affirmed the District Court's dismissal (App. A), and subsequently denied a timely Petition for Rehearing En Banc on May 13, 2026 (App. B).

Factual Background

Petitioner owned Commercial Real Estate in Florida from 1994 to 2021. In 2017, Petitioner filed Eviction complaints against Respondents. Years later, without a proper evidentiary hearing or adjudication on the merits, the State Court entered an attorney's fee judgment against Petitioner Commercial Real Estate.

Exploiting this landscape, Respondents engaged in a fraudulent scheme under **Florida Statutes Chapter 817.535, Sec. (8)**. Respondents recorded "**Three Fraudulent Liens**" against

Petitioner's Commercial Real Estate. They did so by using a third-party insurance claim in the name of an individual who, according to verified records from *First American Title Insurance Company*, had no ownership interest in the property. To protect the property, Petitioner was forced to pay funds in **2021** to clear these fraudulent Lien instruments.

Proceedings Below

In **August 2023**, Petitioner filed an independent Federal complaint in the U.S. District Court for the Middle District of Florida (Tampa Division) to recover the funds paid on those fraudulent liens. On August 13, 2024, the District Court erroneously dismissed the action based on the **Rooker-Feldman doctrine**.

Petitioner timely Appealed. On **March 2, 2026**, the U.S. Court of Appeals for the Eleventh Circuit affirmed the dismissal and refused to vacate the lower District Court's Order. On **May 13, 2026**, the lower Court denied a timely Petition for Rehearing En Banc.

REASONS FOR GRANTING THE PETITION

A. The Eleventh Circuit's Decision Deepens a Circuit Split by Expanding the Rooker-Feldman Doctrine to Bar Independent Federal Claims Based on Fraudulent Liens and Post-Judgment Injuries

The Eleventh Circuit's decision directly conflicts with this Court's precedent in *Skinner v. Switzer*, 562 U.S. 521 (2011). It deepens an existing conflict among the Courts of Appeals over the boundaries of the Rooker-Feldman doctrine. This Honorable Court has repeatedly emphasized that Rooker-Feldman is a narrow doctrine confined to "cases brought by state-Court losers complaining of injuries caused by *state-Court judgments*." *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005).

Contrary to this authority, the Court below misapplied the doctrine to bar Petitioner's independent Federal complaint seeking damages under Florida Statutes § 817.535(8), for Recording Three Fraudulent Real Estate Liens.

- **The Conflict with Skinner and Sister Circuits:** Under *Skinner*, a Federal Court retains

subject-matter jurisdiction if the Plaintiff asserts an independent claim, even if that claim contradicts a legal conclusion reached by a state Court. The Sixth and Fifth Circuits strictly adhere to this limitation:

- **The Sixth Circuit** holds that Rooker-Feldman does not apply when the injury stems from a Defendant's party misconduct (*such as fraud*) rather than from the state Court judgment itself. *McCormick v. Braverman*, 451 F.3d 382 (6th Cir. 2006); *HPIL Holding, Inc. v. Harry Zhang*, No. 25-1595 (6th Cir. Mar. 6, 2026).
- **The Fifth Circuit** likewise affirms that the doctrine does not bar Federal jurisdiction over claims alleging independent fraudulent conduct by an adverse party. *Truong v. Bank of Am., N.A.*, 717 F.3d 377 (5th Cir. 2013).
- **An Independent Cause of Action:** The injury here stems directly from the Defendants/Respondents' illegal acts of recording fraudulent Commercial Real Estate Liens under an indemnified contract in the name of a non-owner. Because this misconduct caused an independent injury after the County Court entered its non-merits orders, Rooker-Feldman cannot strip Federal Courts of Diversity Jurisdiction under **28 U.S.C. § 1652**.

B. The Eleventh Circuit in Conflict by Applying Rooker-Feldman to a State Court Judgment That Lacked Due Process and Was Adjudicated Lacked the Merits

The Rooker-Feldman doctrine assumes that the state court proceeding provided a meaningful avenue for adjudication. It cannot be invoked to shield state court actions that are fundamentally void for a complete lack of due process.

- **Complete Absence of Due Process:** Respondents failed to set a Court date before the County Court entered its attorney's fee judgment (App. D, E). *Petitioner was entirely deprived of the opportunity to present evidence or be heard* (App. F).
- **No Merits Adjudication:** Because the underlying state order lacked a single merits hearing, there is no substantive state Court adjudication to which the Federal Court must defer. Extending Rooker-Feldman to uncalendared, non-merits orders effectively insulates systemic due process violations from Federal oversight.

C. The Court Below Expanded Novelty-Preclusion Doctrines and State Litigation Privileges to Defeat a Valid Statutory Claim Under Florida Law

By dismissing Petitioner's second amended complaint with prejudice, the lower Court conflicts with other Districts and Circuits on the same matter by applying state preclusion laws and judicial notice rules in a novel way that strips Federal Diversity Courts of their duty to apply substantive state law.

No Res Judicata or Collateral Estoppel: The underlying 2017 Eviction Complaints involved a *different cause of action, different facts, and separate remedies*. The Court also indicated it would abstain under *Younger v. Harris*, 401 U.S. 37 (1971). The Court dismissed the plaintiffs' claims with prejudice, prompting an appeal that we reversed. See also *Janson v. Katharyn B. Davis, LLC*, No. 15-1381 (8th Cir. 2015). The plaintiff argued that *Rooker-Feldman* does not bar jurisdiction when a plaintiff alleges an illegal act by the opposing party that is independent of the state-Court judgment. Many claims involve misconduct in completed state-Court cases, but prior litigation alone does not trigger *Rooker-Feldman*. *Target Media Partners, Ed Leader, Plaintiffs-Appellants, v. Specialty Marketing Corporation, Defendant-Appellee*. Docket No. 16-10141. Eleventh Circuit. Feb. 5, 2018.

The Fraud Exception: A final judgment is generally invalid and may be subject to a "collateral attack" if it is based on fraud. Courts have ruled that *Res Judicata* does not necessarily bar claims by "**fraudsters**" who obtained a prior judgment through deceptive schemes. In *Janson*, the doctrine didn't bar federal jurisdiction where the injury stemmed from the defendant's conduct rather than the state court decision. **The plaintiff claimed injury from a False Affidavit**, not the judgment. On February 17, 2004, the defendant filed a motion for judgment on the pleadings on four grounds: lack of subject-matter jurisdiction under *Rooker-Feldman*, *Res judicata*, immunity, and the FDCPA's irrelevance. The District Court denied this motion on August 3, 2004, as documented in *Van Hoven v. Buckles & Buckles, P.L.C.*, Nos. 18-2399/19-1078. **A law firm cannot falsely claim that state law allows seizing a debtor's house within thirty days when it does not.**

This conflicting ruling in App. B, because it applied all of the Defendants' common-law doctrines simultaneously, thereby preventing the Plaintiff from pursuing justice on Count 1. *Res*

Judicata (claim preclusion) and Collateral Estoppel (issue preclusion) are fundamental common law doctrines.

- **The Litigation Privilege Does Not Apply:** Florida's litigation privilege cannot serve as an absolute shield against statutory conflicts with Florida Statutes § 817.535(8), which specifically prohibits the filing of fraudulent Liens and provides Civil Remedies.
- **Conflict of Judicial Notice:** Taking judicial notice of conflicting, pending judgments across various District and Circuit Courts to dismiss a valid, independent cause of action summarily creates an unpredictable framework that deviates from standard Federal practice. The Defendants presented several baseless arguments in their motion to dismiss the complaints, which they failed to substantiate or meet their burden of proof, as outlined in the briefs. Under Florida law, collateral estoppel prevents relitigating an issue when "(1) an identical issue (Clearly an Eviction is Not a § 817.535 (8.b.2) has been fully litigated." (Clearly No Way Plaintiff had a Chance to defend Without a Court Date and being deprived of the opportunity to speak as the Property Owner). The same applies to Res Judicata, which was conflicting, and litigation privilege, which is completely at odds with F. R. C. P. The lower Court relied on these doctrines to deny the amended complaint a chance at justice and to determine that Rooker-Feldman would apply, but that doctrine does not apply to this case. Franklin Vasquez, Plaintiff - Appellant, versus YII Shipping Company, LTD., Defendant - Appellee. No. 11-15141 (Date Filed: 08/30/2012). Appeal to the Eleventh Circuit: Franklin Vasquez, a seaman and former employee of YII Shipping Company, Ltd. ("YII"), a Bahamian corporation, appeals the dismissal of his complaint against YII alleging violations of the Jones Act, 46 U.S.C. § 30104 (2006). Vasquez seeks review of the District Court's order that federal maritime law does not apply to his case, an issue the state Court did not resolve.

In HPIL Holding, Inc. v. Harry Zhang (6th Cir. Mar. 6, 2026), the Sixth Circuit reversed a district court's sua sponte dismissal for lack of subject-matter jurisdiction under 28 U.S.C. § 1257(a), applying the so-called Rooker-Feldman doctrine—the Sixth Circuit **Disagreed**.

Opinion: HPIL's claims, by contrast, alleged injuries caused by **defendants' independent misconduct (fraudulent service/notice tactics and subsequent looting/pump-and-dump**

activity), not injuries caused by a state-Court judgment. Nor did HPIL seek appellate-style review, reversal, or modification of a state judgment. **Any tension with state-Court rulings implicated preclusion doctrines, not Article III subject-matter jurisdiction.**

The Court therefore reversed and remanded. *McCormick v. Braverman*, 451 F.3d 382 (6th Cir. 2006): Central to the holding is that fraud or misconduct in obtaining a state-Court outcome is an “independent claim” when the plaintiff does not allege that the judgment itself violates Federal law.

- *Van Hoven v. Buckles & Buckles, P.L.C.*, 947 F.3d 889 (6th Cir. 2020); *Powers v. Hamilton Cnty. Pub. Def. Comm'n*, 501 F.3d 592 (6th Cir. 2007): ***Clarify that challenges to wrongdoing in the process are not challenges to the judgment itself.*** *GASH Assocs. v. Village of Rosemont*, 995 F.2d 726 (7th Cir. 1993)

D. Although Jones's Opinion below, the Eleventh and Sixth Circuits take the narrow, formal approach to Rooker-Feldman. The Sixth and Eleventh Circuits take an Opposing view.

These Circuits, like the Jones Opinion below, take the narrow and formal approach to “review and rejection.” They view the element as comparing the relief requested in Federal Court with the relief the state Court granted or denied. To invite “Review and Rejection” of a state Court judgment, a Federal plaintiff must ask to “undo, reverse, or overturn the state Court judgment.” Appendices’ D, E, and F. By contrast, when a Federal Plaintiff seeks damages (under § 817.535(8)) and the state Court judgment neither granted nor denied monetary relief, the plaintiff does not invite “Review and Rejection.” As a result, Rooker-Feldman “*will rarely apply*” in these Circuits. *Behr*, 8 F.4th at 1212. And it would not bar Jones’s claims. Eleventh Circuit. In the Sixth Circuit, when a state-Court judgment “[does] not award anyone monetary relief,” “[d]amages [in Federal Court] would not amount to ‘*review and rejection*.’” *Hohenberg v. Shelby Cnty.*, 68 F.4th 336, 341 (6th Cir. 2023). After losing their homes in enforcement actions in the Shelby County Environmental Court, plaintiffs sued for damages under § 1983, alleging the Environmental Court and Shelby County violated their due process rights. *Id.* at 338–39.

The Sixth Circuit held that Rooker-Feldman did not apply. Comparing the relief requested in Federal Court to the state-Court judgment's relief, the Sixth Circuit reasoned that a damages claim does not seek to vacate or modify "a Court order awarding relief not measured by money." *Id.*; see also *Kovac v. Cuyahoga Cnty. Dep't of Children & Family Servs.*, 606 F.3d 301, 310 (6th Cir. 2010) (holding, in a case about state child-custody proceedings, that Rooker-Feldman did not bar damages claim because it "[did] not seek review or reversal of the decision of the juvenile Court to award temporary custody to the state"). Eleventh Circuit. The lead opinion below is a split in authority with the Sixth Circuit. App. A. In *Behr*, after losing custody of two children in state Court, a father and his other children filed a § 1983 damages suit for Fourth and Fourteenth Amendment violations. 8 F.4th at 1208–09. Homing in on the relief sought, the Eleventh Circuit explained that the plaintiffs "[did] not raise these constitutional claims to undo the state Court's child custody decision" but rather to ask the Federal Court "to consider whether their constitutional rights were violated during the proceedings and whether they are entitled to damages for those violations." *Id.* at 1213. Rooker-Feldman did not apply. *Id.*; see *Brucker v. City of Doraville*, 38 F.4th 876, 882 (11th Cir. 2022).

The Eleventh Circuit's April 2026 Opinion deepens a division among Circuits regarding independent claims versus intrinsic state Court challenges (*McCormick v. Braverman*, 451 F.3d 382 (6th Cir. 2006); *Truong v. Bank of Am., N.A.*, 717 F.3d 377 (5th Cir. 2013); *HPIL Holding, Inc. v. Harry Zhang*, No. 25-1595 (6th Cir. Mar. 6, 2026), alongside aligned frameworks in the Fifth (*Truong v. Bank of Am.*, 717 F.3d 377) and Seventh (*GASH Assocs.*, 995 F.2d 726) Circuits, which hold that claims alleging fraud or misconduct in obtaining or executing a state outcome constitute independent claims. *GASH Assocs. v. Village of Rosemont*, 995 F.2d 726 (7th Cir. 1993).

E. The other Circuits take varied and unclear approaches to Rooker-Feldman. The remaining Circuits are in Disarray.

Their approaches to Rooker-Feldman do not fall neatly on either side of the split. Some

Circuits have even created intra-Circuit conflicts, further underscoring Rooker-Feldman's proclivity to "creat[e] needless complications." Vander Kodde, 951 F.3d at 405 (Sutton, J., concurring). Whether Jones's claims would be barred in these Circuits remains unclear, underscoring the need for this Court's intervention.

Third Circuit. The Third Circuit has issued competing published opinions on the question presented. Most recently, in *Merritts v. Richards*, state-Court condemnation proceedings transferred title to a strip of land for a road. 62 F.4th 764, 769–70, 774, 777–78 (3d Cir. 2023). The condemner sued public officials under § 1983, seeking damages. Without comparing the relief sought in Federal Court to the non-monetary relief in state Court, the Third Circuit held that Rooker-Feldman applied because the condemner was inviting "review and reject[ion] [of] the legality of the [state] judgment." *Id.* at 778 (emphasis added). But an earlier case, *Great Western Mining & Mineral Co. v. Fox Rothschild LLP*, 615 F.3d 159 (3d Cir. 2010), goes the other way. After Great Western lost a bid to vacate an arbitration award in state Court, it brought a § 1983 damages claim in Federal Court, alleging that various private individuals and public officials conspired to deprive it of due process. *Id.* at 162–63. The Third Circuit held that Great Western's damages claim did not invite "review and rejection," because the state "judgments would not have to be rejected or overruled for Great Western to prevail." *Id.* at 173.

First Circuit. The First Circuit is similarly conflicted. Compare *McKenna v. Curtin*, 869 F.3d 44, 45 (1st Cir. 2017) and *Silva v. Massachusetts*, 351 F. (1st Cir. 2009) (both holding that Rooker-Feldman barred § 1983 claims for damages even when the state judgment neither granted nor denied monetary relief), with *Miller v. Nichols*, 586 F.3d 53, 56, 59–60 (1st Cir. 2009) (opposite).

Second Circuit. The Second Circuit applies the "review and rejection" element inconsistently—even in the same case. In *Dorce v. City of New York*, 2 F.4th 82 (2d Cir. 2021), the Court reasoned that the plaintiffs' first claim invited "review and rejection" because "in order to prevail, Plaintiffs would need to persuade the District Court that the state Court had erred"—regardless of any comparison of relief. *Id.* at 105. On other claims, though, the Court compared relief and reasoned that the plaintiffs were not inviting "review and rejection" because, even with a damages award, the state-Court

judgments would neither “lose their legal force” nor “amount to a reversal in substance by imposing an obligation on Defendants that is incompatible with the dictates of a state Court judgment.” *Id.* at 107.

Fourth Circuit. Isolated statements suggest that the Fourth Circuit follows the formal, narrow approach. See *Hulsey v. Cisa*, 947 F.3d 246, 251–52 (4th Cir. 2020); *Adkins v. Rumsfeld*, 464 F.3d 456, 464 (4th Cir. 2006). But the circuit has also held that plaintiffs were inviting “review and rejection” because their damages claims, despite “not seek[ing] to ‘undo’ the state court [foreclosure] judgment,” nevertheless asked the Federal Court to “pass[] . . . on” the same issues as the state Court. *Smalley v. Shapiro & Burson, LLP*, 526 F. (4th Cir. 2013).

Fifth Circuit. Somewhat similarly, the Fifth Circuit has adopted language suggesting it follows the broad approach: *Rooker-Feldman* applies “[i]f a federal plaintiff asserts as a legal wrong an allegedly erroneous decision by a state Court and seeks relief from a state court judgment based on that decision.” *Truong v. Bank of Am., N.A.*, 717 F.3d 377, 382–83 (5th Cir. 2013) (quoting *Noel v. Hall*, 341 F.3d 1148, 1164 (9th Cir. 2003)). But it has also decided cases on the ground that the Federal plaintiff “seeks relief other than review and reversal of the adverse state-Court judgment: he requests damages for alleged constitutional violations and torts.” *Avdeev v. Royal Bank of Scotland, P.L.C.*, 616 F. (5th Cir. 2015) (emphasis added); see also *Blessett v. Garcia*, 816 F. (5th Cir. 2020).

Eighth Circuit. Finally, although the Eighth Circuit does not appear to extend *Rooker-Feldman* to claims for damages where the state judgment was not measured by money, its reasoning does not depend on the “review and rejection” element. E.g., *Fochtman v. Hendren Plastics, Inc.*, 47 F.4th 638, 643 (8th Cir. 2022); *Webb as next friend of K. S. v. Smith*, 936 F.3d 808, 817 (8th Cir. 2019).

I. THE QUESTIONS PRESENTED are Recurring and Important.

Deployed in “tens of thousands of Circuits and District Court decisions,” App. B, the *Rooker-Feldman* doctrine bars lower Federal Courts from exercising appellate jurisdiction over state judgments. Along with other elements required for the doctrine to apply, claims are barred if they invite “District Court review and rejection” of a state judgment. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U. S. 280, 284 (2005). The Circuits have split over the meaning of

“review and rejection.” Some Circuits read “review and rejection” broadly to mean disagreement, thus extending Rooker- Feldman to bar Federal claims for damages even where the state judgment neither awarded nor denied damages—meaning the Federal claim could never vacate or modify the state judgment’s relief. Other Circuits read “review and rejection” narrowly, properly limiting Rooker- Feldman to bar Federal claims seeking appellate relief that would vacate or modify the state judgment.

The question presented is also: “[t]he very purpose of [§] 817.535 Diversity under 28 U. S. C. § 1652 was to interpose the Federal Courts between the States and the people, as guardians of the people’s Federal rights—to protect the people from unconstitutional action under state fraudulent laws, ‘whether that action be executive, legislative, or judicial. *Mitchum v. Foster*, 407 U. S. 225, 242 (1972); see *Monroe v. Pape*, 365 U. S. 167 (1961). Jones is particularly illustrative of the kinds of plaintiffs harmed and erroneous by an overexpansive Rooker- Feldman rule, given that “Rooker- Feldman has arisen most often in child- custody cases and mortgage foreclosures.” App. B. Not only does Rooker- Feldman matter for those “tens of thousands” of plaintiffs and defendants, App. B, but it also matters for the judicial system writ large. The doctrine goes to the heart of Congress’s choices in granting and withholding Federal subject-matter jurisdiction. U. S. Const. Art. III. Congress granted District Courts broad original jurisdiction, 28 U. S. C. § 1331, while also funneling all appeals from state Courts to this Court, *id.* § 1257. Understanding the interaction between those two grants requires careful statutory interpretation. An overexpansive Rooker-Feldman doctrine misinterprets statutory text, “overrid[es] Congress’ conferral of Federal-Court jurisdiction,” *Exxon Mobil*, 544 U. S. at 283, and conflicts with the Federal Courts’ “virtually unflagging obligation” to exercise their jurisdiction, *Colo. River*, 424 U. S. at 817; App. B.

II. CONCLUSION Why Grant Certiorari

The Alleged Injury Flows from Independent Tortious Conduct, Not the State Court Judgments

- **Independent Source of Injury:** The core of the Plaintiff’s complaint is the fraudulent recording of three Commercial Real Estate Liens under Fla. Stat. § 817.535, utilizing an indemnified landlord/tenant contract for an unrelated insurance claim.

- **No Review of State Merits Requested:** Because these fraudulent Liens were recorded against property with a non-owner name, the injury exists independently of any state Court litigation. The District Court misapplied the doctrine by conflating a state-Court attorney's fee judgment with the independent, underlying fraud perpetrated by the Defendants.
- **Novel Expansion of Litigation Privilege:** The lower Courts erroneously applied state-law judicial notice and litigation privilege in novel ways that completely eliminate a valid, statutory cause of action for Fraudulent Real Estate Liens, violating the mandate of the **Rules of Decision Act (28 U.S.C. § 1652)**.

The State Court Judgment Lacked Procedural Due Process and Had No Merits-Based Adjudication

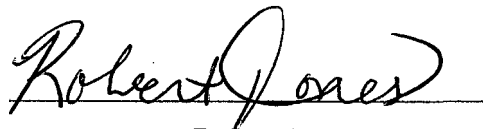
- **Absence of a Hearing:** The State County Court issued an attorney's fee order without setting a Court date, holding an evidentiary hearing, or allowing the Plaintiff an opportunity to present evidence or be heard (Appendices D, E, F).
- The decision below conflicts with core limits on the Rooker-Feldman rule by barring a separate statutory tort.
- **Independent injury** arises from the fraudulent conduct and extra-judicial filing of false records, not an appeal of the State County Court judicial act itself.
- **Out-of-State acts** and procedural invalidity outside the strict four corners of the state ruling remove this action from jurisdictional bars.
- **A clear split** or confusion among lower Courts regarding statutory fraud-based property claims requires this Court's intervention.
- **CLARIFICATION NEEDED:** The lower Federal Courts stretch Rooker-Feldman past its constitutional boundaries to dismiss valid legislative civil enforcement remedies.
- **Statutory enforcement:** Florida Statute § 817.535, Section (8.b.2), (Unlawful filing of false documents or records against real or personal property), provides an independent damage remedy for deceptive and fraudulent record filings that lower Courts conflict treat as barred Appeals.

- This case involves a severe misapplication of the Rooker-Feldman doctrine to bar an independent civil complaint about fraudulent property liens, even though the Petitioner was entirely excluded as a party to the State-Court judgments invoked to trigger the bar. Federal Courts of Appeals are deeply split over whether Rooker-Feldman applies when the underlying state Court judgment is void for lack of *fundamental due process* or was procured through extrinsic fraud. As shown in Appendices D, E, and F, no hearing was set, no merits were reached, and the Petitioner was entirely deprived of an opportunity to be heard.
- The decision below directly conflicts with the boundaries of 28 U.S.C. § 1257. It permits a Fraudulent State-Court maneuver—executed by non-owners using fraudulent contract provisions to cloud real estate titles—to insulate itself from Federal Diversity or Federal-question jurisdiction under the guise of an overextended jurisdictional bar. This conflict urgently requires review to clarify that Rooker-Feldman cannot be weaponized against non-parties when *Petitioner has been denied a day in Court*.

Federalism balance: Proper application allows state judgments to stand while holding parties accountable for unlawful extra-judicial conduct. For the foregoing reasons, Petitioner respectfully requests that this Court grant the Petition for a writ of certiorari and permit an initial brief on the merits to seek reversal and to vacate the erroneous rulings in the Eleventh Circuit's Opinion.

Dated: October 20, 2026.

Respectfully submitted,



Robert Jones

Address: P. O. BOX 32,
PORT RICHEY, FLORIDA, 34673

PH #: (813) 293-2778

Email: Need4Speed377@yahoo.com

CERTIFICATE OF FILING AND SERVICE

I, Robert Jones, hereby certify that on October 20, 2026, I Emailed the foregoing Respondent's copy of this Writ of Certiorari.

DEFENDANTS

ATTORNEY FOR NOTICED:

LYDIA STURGIS ZBRZEZNJ

Southern Atlantic Law Group, PLLC.

520 6TH Street NW.

WINTER HAVEN, FL. 33881

(863) 656-6672

Email: lydia@southernatlanticlaw.com

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