ORIGINAL

No. 26-6110

Supreme Court, U.S.
FILED
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IN THE

SUPREME COURT OF THE UNITED STATES

Roberto J Salinas – PETIONER

vs.

Romeo R. Ramirez – RESPONDENT(S)

ON PETITION FOR WRIT OF CERTIORARI

Fifth Circuit Court of Appeals

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

PETITION FOR WRIT OF CERTIORARI

ROBERTO J.SALINAS

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QUESTION(S) PRESENTED

1. Whether the Fourth Amendment Prohibits law–enforcemernt from entering the private residential property of a person through non–public rear portion of the property, without consent, a warrant, or exigent circumstances, and whether the Fifth Circuit erred in deeming Petitioner's constitutional challenge to the warrantless entry abandonment on appeal.

2. Whether the Due Process Clause of the Fourteenth Amendment is violated when jail officials has ordered release on bail, thereby causing the person to remain detained until the bail payment is accepted.

PARTIES TO THE PROCEEDINGS:

Roberto J. Salinas, –PETITIIONER

Romeo R. Ramirez –RESPONDENT(S)

CORPORATE DISCLOSURE STATEMENT

Petitioner is an individual proceeding pro se and has no parent corporation or publicity held stock.

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Cases:

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Manuel v. City of Juliet, 137 S, Ct 991 (2017)

Monell v. Department of Social Services, 436 U.S. 658 (1978)

United States v. Dunn, 480 U.S. 294 (1978)

IN THE

SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

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

OPINION BELOW

[X] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix **App A-1** to the petition and is

[ ] reported at _____; or,
[ ] has been designated for publication but not yet reported: or,
[X]

The opinion of the United States district court appears at Appendix **App A-1** to the petition and is

[ ] reported at _____: or,
[ ] has been designated for publication but has noy yet been: or,
[X] is unpublished.

[ ] For cases from state courts:

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

[ ] reported at _____: or,
[ ] has been designated for publication but is not yet reported: or,
[ ] is unpublished.

JURISICTION

[X] FOR cases from federal courts:

The date on which the United States Court of Appeals decided my case was.

July 8, 2026

[X] no petition for rehearing was filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals On the following date: **August 18, 2026,** and a copy of the order denying rehearing Appears at Appendix A-2.

[ ] an extension of time to file the petition for a writ of certiorari was granted to and including N/A ( ) on NA ( ) in Appendix No. NA .

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

[ ] **For cases from state court:**

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

[ ] A timely petition for rehearing was thereafter denied on the following date:

_____, a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file petition for writ of certiorari was granted to and Including _____ ( ) on _____ ( ) in Appendix.

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

CONSTITUTIONAL PROVISIONS:

U.S. Const. Amend. IV

U.S. Const. Amend. VIII

U.S. Const. Amend. XIV

CONSTITUTIONAL PROVISIONS INVOLVED

"The Fourth Amendment to the Constitution provides in relevant part:

against unreasonable searches and seizures, shall not be violated...."

The Fourteenth Amendment to the United States Constitution provides in relevant part:

".... nor shall any State deprive any person of life, liberty, or property, without due process of law..."

[STATEMENT OF THE CASE]

STATEMENT OF THE CASE

This case presents critical constitutional questions arising from systematic law enforcement and detention abuse in Duval County, Texas, involving unlawful property invasions and prolonged over-detentions.

1. Unlawful Rear Curtilage Intrusion:

Sheriff Romeo R. Ramirez executed multiple warrantless, non-consensual intrusion onto Petitioner's private property, fenced residential property. Rather than approaching the front entrance. Respondent entered the non-public rear yard fence line at 11:35 AM, confronting Petitioner's 5 year old minor son (App C-1), and again at 11:39 Am, confronting Petitioner directly on private land (App C-20). No exigent circumstances , consent, or judicial warrant existed. On appeal, the Fifth Circuit erroneously deemed Petitioner's Fourth Amendment curtilage abandonment despite its clear presence in the record.

2. Arbitrary Detention and Bail Refusal by Sheriff and Jail Personnel:

On August 16, 2021, following an arrest on two misdemeanors charges, Lieutenant Jailer Kimberly Perez unlawfully subjected Petitioner to three-day extrajudicial detention based on her own administrative assessment of the "nature of the crime." Following a magistrate's subsequent release order, jail staff prolonged Petitioner's confinement by arbitrarily refusing to accept a validity tendered bail money order on August 17, 2021 (App B-1c).

This pattern of executive over-reached and arbitrary detention was repeated during an unrecorded "ghost detention" in November 2021 (APP B-2c) when Petitioner was arrested after reporting that an individual, Manuel Molina, pulled a knife and a gun on Petitioner on Petitioner's own private property. During this November 2021 encounter, Petitioner was subjected to an unrecorded "ghost detention" (App. B2c) and a delayed magistrate proceeding in June 2024 (App. B-3b).

[REASONS FOR GRANTING THE PETITION]

REASON FOR GRANTING PETITION

I. THE FIFTH CIRCUIT ABANDONED RULING CONFLICTS WITH THIS COURTS BRIGHT-LINE CURTILAGE JURISPRUDENCE UNDER FLORIDA V. JARDINES

The Fourth Amendment protects the curtilage of a home as an extension of the residence itself. Florida v. Jardines, 569 U.S. 1 (2013). Officers possess no customary invitation to enter the non-public enclosed rear portion of residential property without a warrant, exigent circumstances or consent. Caniglia v. Storm, 141 S, Ci. 1596 (2021). The Fifth Circuit departed from established federal law by treating Petitioner's properly raised constitutional challenge as abandonment, effectively sanctioning warrantless, non-consensual rear-yard intrusions.

II. EXTRAJUDICIAL DETENTION AND REFUSAL TO ACCEPT JUDICIAL ORDERED BAIL VIOLATE THE FOURTEENTH AMENDMENT DUE PROCESS

Executive jail personnel possess no legal authority to impose summary administrative sentences or unilaterally extend pre-trial detention based on their own evaluation of alleged offences. Once a magistrate sets bail or order release, executive jailers have a non-discretionary duty to process release upon lawful tender of bail. When jail personnel intentionally enforce arbitrary detentions and reject valid bail payment, they inflict an unconstitutional deprivation of liberty without due process of law. Manuel v. City of Juliet, 137 S. Ct. 991 (2017).

Certificate of Compliance

I hereby certify that this Petition for Writ of Certiorari complies with the page limitations of Supreme Court Rule 33.2 (b) for documents prepared by an in Forma Pauperis litigant on standard 8.5–inch paper, as it does not exceed 40 pages (excluding the Motion for Leave, Table of Contents, Table of Authorities, Certificate of Service, and Appendix).

I further certify that this document is typed in 12–point normal font and double–spaced in accordance with Supreme Court Rule 34.

I declare under penalty of perjury under the laws of the United States of America that the Foregoing Certificate of Compliance is true and correct to the best of my knowledge.

Executed on **October 12, 2026**

Roberto J. Salinas