26-6112

No. _____

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

FILED
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OFFICE OF THE CLERK
SUPREME COURT, U.S.

**KATHRYN STILLWELL DRESSLER,**

Petitioner,

v.

**STATE OF FLORIDA, ET AL.,**

Respondents.

**ON PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT**

# PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT

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## QUESTIONS PRESENTED

1. **Whether a federal court may dismiss an indigent and disabled civil-rights plaintiff's action under Rule 41(b) for procedural noncompliance when the court has not ruled on timely requests concerning in forma pauperis status, court-directed service, disability-related access, electronic filing, and relief from the operative deadline—and then treat dismissal itself as rendering those unresolved requests moot.**

2. **Whether Rooker-Feldman, Younger abstention, or domestic-relations principles permit wholesale disposition of independently pleaded federal civil-rights claims arising from alleged governmental seizure and deprivation of the parent-child relationship merely because those claims intersect with family-court proceedings, rather than requiring claim-by-claim, injury-specific, judgment-specific, and remedy-specific analysis.**

3. **Whether certiorari before judgment is warranted under Rule 11 where the Eleventh Circuit received verified advance warning that unresolved threshold matters threatened meaningful review; transfer occurred while preventive mandamus was pending and**

**thereafter rendered that proceeding moot; materially the same mechanism recurred in the transferred action; and the resulting direct appeal remains pending while asserted child-safety, familial, and medically documented harm continues.**

## PARTIES TO THE PROCEEDING

Petitioner **Kathryn Stillwell Dressler** was the plaintiff in the district court and is the appellant in *Dressler v. State of Florida, et al.*, No. 26-12643-D (11th Cir.). Petitioner appears pro se.

The respondents and other parties identified in the operative Amended Complaint and underlying district-court record are:

> **State of Florida; Kristin K. Kanner; Annette Szorosy; Paul Gawor; Florida Department of Children and Families; Georgia Division of Family & Children Services; Brenda D. Forman; Broward Clerk Records Custodian; Miami-Dade Sheriff Records Custodian; George A. Sarduy; Carol-Lisa Phillips; Megan E. Zbikowski; Joseph M. D'Amico; Taiwo Akinkunmi; Ariel Garcia; Jason B. Alman; Sara J. Singer; Tyler Wolas; Brett Rogers; Jerome Ivey; Jean-Pierre Dwens; Cerline Hyppolite; Gregg Rossman; Shannon Doolity; Amira Fox; Harold F. Pryor; and Does 1–25.**

The original transferred district-court docket additionally identified:

> **State of Georgia; Charles P. Rose, Jr.; Mark A. Hendrix; McIntosh County Sheriff's Office; Miami-Dade Family Division Clerk's Office; Miami-Dade Police Department/Sheriff's Office; Miami-Dade Domestic Violence Division; Judge Mott; Kevin P. Tynan; Anita**

**Hassell; and Carlo Ricci.**

Because of the number of parties, the Eleventh Circuit docket does not separately display every party identified in the district-court proceedings and directs reference to the notice of appeal and underlying district-court record for complete party information. (Pet. App. 54–58.)

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## CORPORATE DISCLOSURE STATEMENT

Petitioner Kathryn Stillwell Dressler is an individual. She has no parent corporation, and no publicly held corporation owns 10% or more of any interest in Petitioner.

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## DIRECTLY RELATED PROCEEDINGS UNDER RULE 14.1(b)(iii)

The following proceedings are directly related to the federal action from which this Petition arises:

1. **United States District Court for the Southern District of Georgia — *Dressler v. State of Florida, et al.*, No. 2:25-cv-00154-LGW-BWC.**
   Filed December 10, 2025. On March 3, 2026, the court transferred the action to the Southern District of Florida. This is the original district-court docket for the same federal civil-rights action now on appeal. (Pet. App. 10–22.)
2. **United States District Court for the Southern District of Florida — *Dressler v. State of Florida, et al.*, No. 0:26-cv-60609-EA.**
   The transferred action was opened in the Southern District of Florida on March 3, 2026. The district court entered the order now principally challenged on May 27, 2026, ECF No. 50, and closed the action without prejudice under Federal Rule of Civil Procedure 41(b) on July 10, 2026, ECF No. 56. (Pet. App. 1–6.)
3. **United States Court of Appeals for the Eleventh Circuit — In re Kathryn Dressler, No. 26-10221-H. While the same district-court**

**action remained pending in Georgia, Petitioner sought mandamus requiring rulings on unresolved emergency and threshold matters before further procedural advancement. The underlying action was transferred while mandamus remained pending, and the Eleventh Circuit thereafter dismissed the proceeding as moot on March 10, 2026. (Pet. App. 10–25, 44–53.)**

4. **United States Court of Appeals for the Eleventh Circuit — *Dressler v. State of Florida, et al.*, No. 26-12643-D.**

   This is the pending direct appeal from S.D. Fla. No. 0:26-cv-60609-EA. The appeal was docketed July 29, 2026. Petitioner filed her opening brief and appendix on August 24, 2026. No Eleventh Circuit judgment has been entered. This is the proceeding from which certiorari before judgment is sought. (Pet. App. 54–58.)

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## PETITION FOR A WRIT OF CERTIORARI BEFORE JUDGMENT

Petitioner **Kathryn Stillwell Dressler** respectfully petitions for a writ of certiorari before judgment to review the federal civil-rights action now pending in the United States Court of Appeals for the Eleventh Circuit, **No. 26-12643-D**, pursuant to Supreme Court Rule 11 and 28 U.S.C. §§ 1254(1) and 2101(e).

## OPINIONS AND ORDERS BELOW

No judgment has been entered by the Eleventh Circuit; the appeal remains pending. The Southern District of Florida's **July 10, 2026 Order Closing Case Without Prejudice**, ECF No. 56, is reproduced at **Pet. App.** ***1–2***. The district court's **May 27, 2026 Order**, ECF No. 50, addressing Petitioner's IFP-related request and dismissing the Amended Complaint with leave to amend, is reproduced at **Pet. App.** ***3–6***. The **March 23, 2026 repleader order**, ECF No. 39, is reproduced at **Pet. App.** ***7–9***.

The **March 3, 2026 transfer order** entered by the Southern District of Georgia in No. 2:25-cv-00154-LGW-BWC, ECF No. 28, transferred the same action to the Southern District of Florida and is reproduced at **Pet. App.** ***10–22***. The district-court orders are unpublished.

## JURISDICTION

The Southern District of Florida entered its order closing the action on **July 10, 2026**. Petitioner timely filed a notice of appeal on **July 27, 2026**. The Eleventh Circuit docketed the appeal as **No. 26-12643-D** on **July 29, 2026**. The district court granted Petitioner leave to appeal **in forma pauperis**, and Petitioner filed her opening brief and appendix on **August 24, 2026**. The appeal remains pending, and no Eleventh Circuit judgment has been entered. (Pet. App. 1–2, 54–58.)

The district court's jurisdiction rested on 28 U.S.C. §§ 1331 and 1343. The operative Amended Complaint asserted federal claims under 42 U.S.C. §§ 1983 and 1985, Title II of the Americans with Disabilities Act, and § 504 of the Rehabilitation Act, among other federal theories. (S.D. Fla. No. 0:26-cv-60609-EA, ECF No. 41 at 4.)

This Court has jurisdiction under **28 U.S.C. § 1254(1)**, which authorizes review by writ of certiorari of cases in the courts of appeals "before or after rendition of judgment." **28 U.S.C. § 2101(e)** permits an application for certiorari before judgment at any time before judgment is entered in the court of appeals. (Pet. App. 26, 28.)

Petitioner invokes **Supreme Court Rule 11**, which permits certiorari before judgment when a case is of "such imperative public importance as to justify deviation from normal appellate practice and to require immediate determination in this Court." (Pet. App. 28.)

The reasons this case satisfies that exceptional standard—including the prior preventive mandamus proceeding, prospective warning, intervening transfer, recurrence of the challenged procedural mechanism, and continuing asserted harm—are set forth below.

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## CONSTITUTIONAL, STATUTORY, AND RULE PROVISIONS INVOLVED

The principal provisions involved are the **First, Fourth, and Fourteenth Amendments to the United States Constitution**; **28 U.S.C. §§ 1254(1), 1915, 2101(e), and 2106**; **29 U.S.C. § 794**; and **42 U.S.C. §§ 1983, 1985, 12132, and 12203**.

The principal procedural provisions involved are **Federal Rules of Civil Procedure 4(c)(3) and 41(b)** and **Supreme Court Rules 10 and 11**.

The pertinent text of these provisions is reproduced at Pet. App. 26–28.

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## PRELIMINARY STATEMENT

This case presents an **ongoing human-rights, domestic-violence, disability, and child-safety emergency**, together with an extraordinary failure of federal adjudication.

On May 27, 2025, armed Georgia law-enforcement officers located Petitioner and her minor daughter, A.G., at a hotel in McIntosh County, Georgia and compelled A.G.'s transfer to the father through Florida-generated pick-up process.

The seizure occurred against an already documented record materially inconsistent with the "custody" narrative later used to characterize Petitioner's federal claims. (ME App. 0050–0054.)

The official Florida record reflects a prosecution for **Battery (Child Present)** arising from violence against Petitioner in A.G.'s presence, the father's November 29, 2022 guilty plea, and acceptance into Broward County's Domestic Violence Misdemeanor Diversion Program. (ME App. 0014–0020.) Existing family-court orders had restricted paternal contact to supervised F.A.C.E.S. timesharing; Judge Dale Cohen's May 3, 2023 order required four supervised therapeutic sessions followed by further judicial review before additional timesharing consideration.

A.G. was also medically vulnerable immediately before the seizure. Georgia records document emergency medical treatment on April 29 and May 7, 2025, a pediatric-surgery referral, and specialty follow-up that remained pending when she was removed from Georgia. (ME App. 0046–0048.)

**Yet the central legal predicate remains unidentified**:

***What adjudicated custody order transferred A.G. to the father before May 27, 2025?***

The record Petitioner has repeatedly invoked contains no final custody judgment, custody-modification judgment, injunction awarding custody to the father, or other antecedent adjudication transferring A.G. from Petitioner to him after constitutionally sufficient notice and hearing. Florida did issue May 22 and

May 27 pick-up orders, but those instruments are themselves part of the governmental process challenged as unlawful; they do not establish a prior adjudicated custody award.

**No such antecedent custody adjudication has been identified**. Nevertheless, Petitioner's federal claims were subsequently recharacterized as dissatisfaction with "custody" proceedings or an adverse "custody" determination. Petitioner expressly alleges that repeated reliance upon that materially false factual premise, despite notice of the contrary record and repeated demands that the supposed predicate judgment be identified, constitutes **judicial fraud, fraud upon the record, and material distortion of the controversy**.

That alleged mischaracterization had dispositive legal consequences. It became the premise for invoking **Rooker-Feldman, Younger abstention, and domestic-relations principles** against independently pleaded claims alleging unconstitutional interstate seizure, deprivation of procedural and substantive due process, interference with familial integrity, denial of access to courts and records, disability discrimination, retaliation, conspiracy under color of law, and damages. The chronology independently exposes the problem. Petitioner commenced the principal federal civil-rights action on December 10, 2025. The Broward Final Judgment was not entered until March 25, 2026. That later judgment cannot retroactively become the preexisting judgment supposedly causing federal injuries already pleaded more than three months earlier.

The consequences to Petitioner are independently documented. Petitioner has a fully favorable federal disability determination and has repeatedly placed the courts on notice of serious functional limitations during the continuing separation. Private SSA and clinical records are not reproduced in the public harm appendix.

After transfer, Petitioner repleaded as directed. ECF No. 50 again characterized the action through its supposed "custody" gravamen while leaving unresolved the existing Georgia IFP application and related access and service issues. (Pet. App. 3–6, 35–41.)

On June 10—fifteen days before the operative compliance date—Petitioner sought clarification and a limited stay. The stay was not adjudicated before the deadline. On July 10, the district court closed the action under Rule 41(b) and denied the remaining unresolved motions as moot. (Pet. App. 1–2, 29–34, 42–43.)

Thus, **the danger was identified prospectively; preventive appellate relief was sought; the intervening procedural event occurred first; materially the same mechanism recurred; and termination itself eliminated the unanswered requests.**

**Further delay is not neutral. It preserves the consequences of the challenged governmental act.** Childhood cannot be restored by mandate. Lost parent-child time cannot later be recreated. And an allegedly unlawful governmental seizure cannot become lawful merely because its consequences are preserved long enough to harden into permanence.

Rule 11 exists for the exceptional case in which ordinary sequencing threatens to perpetuate the very failure of adjudication presented for review. **This is such a case.**

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## STATEMENT OF THE CASE

### A. The May 27, 2025 seizure did not execute an identified antecedent custody award to the father.

Before the seizure, the record included the father's Battery (Child Present) prosecution and guilty plea, domestic-violence proceedings, supervised-contact restrictions, and Judge Cohen's May 3, 2023 order requiring four supervised therapeutic F.A.C.E.S. sessions followed by further judicial review. (ME App. 0014–0020.) A.G. had also received emergency medical care on April 29 and May 7, 2025 and had pediatric-surgery follow-up pending. (ME App. 0046–0048.)

Florida thereafter issued pick-up orders dated May 22 and May 27, 2025. Petitioner does not contend that no judicial paper existed. She contends that **no antecedent custody judgment or adjudicated award transferring A.G. to the father has been identified**, and that the pick-up instruments themselves are part of the governmental process challenged as unconstitutional.

On May 27, armed McIntosh County officers located Petitioner and A.G. at a hotel, obtained their room information, contacted them in Room 105, and

transferred A.G. to the father. Petitioner alleges that no custody judgment awarding him custody was served and that the transfer occurred without constitutionally sufficient notice, hearing, or established interstate jurisdictional authority. (ME App. 0050–0054.)

Petitioner has repeatedly demanded identification of the custody adjudication supposedly authorizing that transfer. No such antecedent adjudication has been identified.

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**B. <u>The principal federal action presented the access-and-non-adjudication problem prospectively before transfer.</u>**

On December 10, 2025, Petitioner commenced the principal § 1983/§ 1985 action in the Southern District of Georgia. From inception, the docket included an IFP application, emergency requests, disability-access motions, and requests for written rulings on threshold matters. (Pet. App. 10–22, 41.)

In January 2026, Petitioner sought Eleventh Circuit mandamus requiring rulings before further procedural advancement, expressly stating that she sought only decisions—not predetermined results. (Pet. App. 44–53.)

On February 2, 2026, she warned that transfer before resolution of the outstanding threshold matters would "foreseeably recreate the same procedural misclassification loop." (S.D. Ga. No. 2:25-cv-00154-LGW-BWC, ECF No. 27 (Feb. 2, 2026).)

The action was transferred to the Southern District of Florida on March 3 while the mandamus proceeding remained pending. The Eleventh Circuit thereafter dismissed the mandamus proceeding as moot. (Pet. App. 10–25.)

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**C. <u>After transfer, Petitioner repleaded as directed.</u>**

On March 23, 2026, the Southern District of Florida dismissed the original complaint without prejudice as a shotgun pleading and authorized repleading. Petitioner filed ECF No. 41, an Amended Complaint, on April 2. (Pet. App. 7–9.)

She thereafter filed ECF Nos. 42, 43, 44, and 49 seeking counsel and disability accommodation, adjudication of the pre-existing IFP application and related access matters, emergency relief, and necessary records. See, e.g., ECF No. 43 (Pet. App. 35–40).

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**D. <u>ECF No. 50 adopted the disputed "custody" characterization and left material threshold matters unresolved.</u>**

On May 27, 2026, ECF No. 50 characterized the "gravamen" of Petitioner's Amended Complaint through child-custody proceedings and invoked Rooker-Feldman, Younger, and domestic-relations principles. ECF No. 50 states: "The gravamen of the plaintiff's amended complaint is that she is unsatisfied with the outcome of child custody proceedings." (Pet. App. 3–6.)

The order did not identify an antecedent custody judgment awarding custody to the father before the May 27, 2025 seizure; did not identify which judgment caused which pleaded federal injury; and did not explain how an action commenced December 10, 2025 could constitute an appeal from the Broward Final Judgment entered March 25, 2026.

Petitioner alleges that repeated reliance upon this materially false custody premise, despite her prior objections and demands that the supposed predicate judgment be identified, constitutes judicial fraud and fraud upon the adjudicative process.

ECF No. 50 also treated ECF No. 43—which requested adjudication of the already-pending Georgia IFP application—as though ECF No. 43 itself were the financial application. It stated that Petitioner "must" submit a compliant IFP application or pay the filing fee by June 25, while stating that she "may" file a second amended complaint by that date. (Pet. App. 3–6, 35–41.)

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**E. <u>Petitioner sought clarification and a stay before the deadline.</u>**

On June 10, 2026—fifteen days before the June 25 deadline—Petitioner filed ECF No. 52 seeking clarification, adjudication of IFP, service and access matters, and a limited stay of the amendment obligation pending those determinations. ***The stay was not granted or denied before the deadline.*** (Pet. App. 29–34, 42–43.)

Petitioner continued prosecuting the action and filed the formal AO 240 financial application on July 7. (Pet. App. 42–43.)

On July 10, ECF No. 56 stated that Petitioner had failed to comply and had "instead filed other motions," closed the action under Rule 41(b), and denied the remaining motions as moot. It ordered: "All pending motions are DENIED AS MOOT and all deadlines are TERMINATED." (Pet. App. 1–2.)

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## REASONS FOR GRANTING

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### I. FEDERAL ADJUDICATION CANNOT LAWFULLY REST ON A MATERIALLY FALSE "CUSTODY" PREMISE THAT THE RECORD DOES NOT CONTAIN.

This case presents an imperative question concerning the integrity of federal adjudication itself: **whether independently pleaded constitutional claims may be foreclosed through jurisdictional and abstention doctrines when the factual premise used to invoke those doctrines—an antecedent state custody adjudication awarding the child to the father—has never been identified in the record.** Related Georgia dispositions likewise used custody framing: Ga. Sup. Ct. No. S26M1802 described "mandamus-type relief related to an underlying child-custody matter," and Ga. Ct. App. No. A27O0001 described "immediate enforcement of a Florida judgment awarding him custody."

**No such antecedent adjudication has been identified.** That absence is consequential because the May 2025 pick-up orders do not supply the missing predicate. Those orders are themselves part of the governmental process challenged as unconstitutional. They do not establish that, before their issuance, a court had adjudicated custody away from Petitioner and awarded it to the father after constitutionally sufficient notice, hearing, and jurisdictional determination.

Petitioner expressly alleges that **continued reliance upon that materially false factual premise, after repeated notice that no antecedent custody adjudication had been identified and repeated demands that one be produced, constitutes judicial fraud, fraud upon the record, and material distortion of the controversy.**

That allegation is not peripheral rhetoric. The challenged characterization altered the legal framework through which Petitioner's federal claims were evaluated. ECF No. 50 used the supposed custody character of the case as a premise for invoking **Rooker-Feldman, Younger abstention, and domestic-relations principles** against independently pleaded claims alleging interstate governmental seizure, deprivation of due process and familial integrity, denial of access to courts and records, disability discrimination, retaliation, conspiracy under color of law, and damages. The problem is objectively testable: (Pet. App. 3–6.)

A jurisdictional doctrine cannot acquire a necessary factual predicate through repetition. **If the judgment supposedly causing the federal injury cannot be identified, an action challenging independent governmental conduct**

**cannot lawfully be converted into an appeal from that judgment merely by calling the controversy "custody."**

The chronology independently reinforces the defect. Petitioner commenced the principal federal civil-rights action on **December 10, 2025**. The Broward Final Judgment was not entered until **March 25, 2026**. That later judgment cannot retroactively become the preexisting judgment that supposedly caused federal injuries already pleaded more than three months earlier.

If some earlier order supplied the asserted jurisdictional predicate, the court was required to identify it and determine **which claim challenged it, which injury it caused, and which requested remedy required its review or rejection.** ECF No. 50 did not do so. (Pet. App. 3–6.)

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## II. THE EXTRAORDINARY CHARACTER OF THIS CASE IS OBJECTIVELY DEMONSTRATED BY PROSPECTIVE APPELLATE NOTICE FOLLOWED BY THE PROCEDURAL FAILURE PETITIONER WARNED WOULD OCCUR.

In **January 2026**, while the principal civil-rights action remained pending in the Southern District of Georgia, Petitioner invoked the Eleventh Circuit's mandamus jurisdiction. See In re Kathryn Dressler, No. 26-10221-H (11th Cir.) (Pet. App. 44–53).

She expressly disclaimed any request for a predetermined merits result: **"This petition seeks only to compel action, not to dictate the substance of**

**any ruling."** She sought written decisions on unresolved emergency, jurisdictional, indigency, disability-access, and related threshold matters before continued procedural advancement eliminated meaningful compliance guidance and appellate review. (Pet. App. 44–53.)

The warning became more specific on **February 2, 2026.** In opposing transfer, Petitioner warned that transfer before resolution of IFP, disability-access, and emergency matters would **"foreseeably recreate the same procedural misclassification loop"** she had previously encountered in Florida federal court. (S.D. Ga. No. 2:25-cv-00154-LGW-BWC, ECF No. 27 (Feb. 2, 2026).)

The action was transferred on **March 3, 2026**, while the preventive mandamus proceeding remained pending. (Pet. App. 10–22.)

The Eleventh Circuit thereafter dismissed the mandamus proceeding as moot following transfer. Thus, the court of appeals did not adjudicate and reject the underlying access and non-adjudication concerns. **The intervening procedural event occurred first; only afterward did the preventive proceeding terminate without resolution of the issues that had prompted it.** (Pet. App. 23–25.)

When ECF No. 50 established a June 25 compliance date, Petitioner again acted prospectively. On **June 10—fifteen days before that date**—she filed ECF No. 52 seeking clarification of the district court's ruling, adjudication of threshold indigency and access matters, and a **limited stay of the amendment obligation**

**pending those determinations.** The court did not grant or deny the requested stay before the deadline. (Pet. App. 3–6, 29–34, 42–43.)

The district court thereafter closed the action under Rule 41(b), stated that Petitioner had "instead filed other motions," and denied the remaining motions as moot. The resulting sequence materially reproduced the procedural danger Petitioner had previously identified: **unresolved threshold requests were overtaken by continuing procedural advancement, and termination itself eliminated the requests that could have determined whether the asserted noncompliance was affected by those unresolved conditions.** (Pet. App. 1–2, 42–43.)

The significance of this chronology does not depend upon whether every position Petitioner advanced was correct. A court may deny IFP status, refuse ADA accommodation or stay, reject jurisdictional arguments, or dismiss legally insufficient claims. What is extraordinary is that **Petitioner repeatedly sought those determinations before procedural consequences attached and warned in advance of the consequences of proceeding without them.**

For Rule 11 purposes, the objective chronology is therefore independently significant. **The danger was identified before the event; the court of appeals received the warning; the intervening event occurred; preventive review ended without resolving the warning; and materially the same mechanism later recurred.**

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## III. ONGOING DOCUMENTED HARM MAKES ORDINARY APPELLATE DELAY CONSEQUENTIALLY INADEQUATE, WHILE THE RELIEF SOUGHT REMAINS NARROWLY FEDERAL.

The asserted ongoing harm is accompanied by objective materials. The public harm appendix includes the sworn emergency record, child medical records, and official Georgia documentation of the May 27 hotel encounter and transfer. Petitioner has separately placed the courts on notice of a fully favorable federal disability determination and serious functional limitations; private SSA and clinical records are not reproduced here. Those materials do not adjudicate causation or liability. Their narrower significance is that continued procedural delay has occurred against a documented background of serious disability and asserted ongoing familial harm. (ME App. 0022–0054.)

The constitutional interest is correspondingly substantial. This Court has repeatedly recognized the parent-child relationship as a fundamental liberty interest. See *Troxel v. Granville*, 530 U.S. 57, 65–66 (2000); *Santosky v. Kramer*, 455 U.S. 745, 753 (1982); *Stanley v. Illinois*, 405 U.S. 645, 651 (1972). Those decisions do not resolve the disputed facts here. They demonstrate why delay affecting asserted governmental interference with that relationship cannot automatically be treated as inconsequential.

Petitioner does **not** ask this Court to determine whether subsequent abuse occurred, adjudicate disputed child-safety allegations, impose criminal liability, or

issue a custody decree. Nor must the Court determine the ultimate validity of every challenged state order.

The questions presented are predominantly federal and procedural: whether independently pleaded federal claims may be disposed of wholesale through domestic-relations classifications; whether IFP, service, disability-related access, and timely requests for relief may remain unresolved until procedural termination renders them moot; and whether Rule 41(b) may be employed after a pre-deadline request for clarification and stay was left undecided.

Those questions can be resolved without determining custody or becoming a factfinder. A federal court need not decide who should have custody of a child to determine whether governmental conduct constituted an unconstitutional seizure, denied due process, obstructed access to courts, discriminated on the basis of disability, retaliated against protected activity, or caused an independently compensable constitutional injury.

The ongoing-harm record therefore performs a precise Rule 11 function: **it demonstrates why the difference between preventive and retrospective review matters here.** A later appellate ruling may restore a federal docket. It cannot restore the time lost while an asserted fundamental familial deprivation, serious disability-related impairment, and unresolved child-safety concerns continue.

**The severity of the circumstances thus supplies urgency without expanding the relief requested. Petitioner asks not for this Court to**

**become the family court or factfinder, but to ensure that a lawful, accessible, claim-specific federal adjudicative process exists before further delay makes meaningful relief progressively less effective.**

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## IV. ROOKER-FELDMAN, YOUNGER, AND DOMESTIC-RELATIONS PRINCIPLES REQUIRE CLAIM-, PROCEEDING-, JUDGMENT-, AND REMEDY-SPECIFIC ANALYSIS.

Petitioner's Amended Complaint did not merely request reversal of a state custody determination. It separately alleged injuries arising from asserted interstate governmental seizure, lack of constitutionally adequate notice and process, interference with the parent-child relationship, denial of access to courts and records, disability discrimination, retaliation, conspiracy, and other governmental conduct. It sought damages as well as equitable relief. Whether any particular claim is jurisdictionally barred therefore required analysis of that claim and remedy.

**Rooker-Feldman.** In *Exxon Mobil Corp. v. Saudi Basic Industries Corp.*, 544 U.S. 280, 284 (2005), this Court confined Rooker-Feldman to suits brought by state-court losers complaining of injuries caused by state-court judgments **rendered before the federal proceeding commenced** and inviting federal district-court review and rejection of those judgments. The doctrine does not authorize dismissal of every federal claim factually connected to state litigation.

The Eleventh Circuit applied that principle in the family-law context in *Behr v. Campbell*, 8 F.4th 1206 (11th Cir. 2021), requiring examination of the **particular claim, injury asserted, and relief requested** rather than treatment of the action as one indivisible custody controversy.

ECF No. 50 did not conduct that analysis. It characterized the "gravamen" of the Amended Complaint through its child-custody setting and invoked jurisdictional doctrines in case-wide terms without identifying which federal claim challenged which state judgment, whether the asserted injury was caused by that judgment or by independent conduct, or which requested remedy would require federal review and rejection of a state-court decision. (Pet. App. 3–6.)

The timing sharpens the problem. Petitioner commenced this federal action on **December 10, 2025**. The Broward Final Judgment was entered on **March 25, 2026**. If that later judgment supplied the basis for Rooker-Feldman, the chronology does not fit *Exxon Mobil*. If earlier state orders supplied the relevant judgments, ECF No. 50 did not identify them claim by claim or determine which alleged injuries they caused.

**Younger.** The existence of ongoing domestic-relations proceedings likewise does not itself establish abstention. *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013), confines Younger to limited categories of exceptional state proceedings. A federal court therefore must first identify a qualifying proceeding and determine whether the particular federal relief would impermissibly interfere with it. ECF No. 50 did not perform that claim- and remedy-specific inquiry.

Nor does abstention automatically permit dismissal of damages claims that cannot be resolved in the state proceeding. *Deakins v. Monaghan*, 484 U.S. 193, 202 (1988), requires preservation of such claims where abstention otherwise applies but the state forum cannot award the requested damages. Petitioner's damages claims were not separately analyzed on that basis.

**Domestic-relations principles.** *Ankenbrandt v. Richards*, 504 U.S. 689, 703–04 (1992), recognizes a domestic-relations exception directed to the issuance of divorce, alimony, and child-custody decrees. Petitioner does not ask the federal courts to issue a replacement custody decree. The domestic-relations context therefore cannot itself operate as a general exception to federal-question jurisdiction over independently pleaded constitutional injuries.

The governing rule is narrow: **Rooker-Feldman, Younger, and domestic-relations principles must be applied to particular claims, injuries, proceedings or judgments, and remedies. A family-law factual background cannot substitute for that analysis or extinguish independently pleaded federal claims wholesale.**

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## V. THIS CASE IS A SUITABLE VEHICLE FOR IMMEDIATE REVIEW, AND THE DOCUMENTED PROCEDURAL HISTORY SHOWS WHY ORDINARY APPELLATE SEQUENCING IS INADEQUATE.

The appeal is not embryonic. The district-court record has been transmitted for appellate review, and Petitioner filed her opening brief and appendix on **August 24, 2026**. That brief squarely presents the district court's case-wide "gravamen" treatment of independently pleaded federal claims; the IFP and service sequence; unresolved access matters; the pre-deadline ECF No. 52 request for clarification and stay; the Rule 41(b) closure; and the requested remedy of vacatur and claim-specific remand. (Pet. App. 54–58.)

The Court therefore need not reconstruct an unpreserved theory or resolve competing factual narratives to reach the questions presented. It can determine from the federal record whether independently pleaded federal claims were subjected to the analysis required by governing jurisdictional doctrines; whether unresolved IFP, service, and access matters affected downstream compliance obligations; and whether Rule 41(b) was invoked after a timely request for clarification and relief from the operative obligation remained undecided.

Supreme Court Rules 10 and 11 therefore converge here. The record presents not simply alleged district-court error, but an objective sequence of **prospective appellate warning, preventive mandamus, intervening transfer, mootness without resolution of the threshold concerns, recurrence of materially similar access problems, case-wide jurisdictional treatment, an unresolved pre-deadline stay request, Rule 41(b) closure, and consequent mootness of the remaining requests.**

The vehicle is correspondingly strong. **The operative facts are documentary, the legal issues are preserved, the appellate record is developed, and the Questions Presented can be resolved without deciding the most contested allegations in the broader controversy.**

The relevant Rule 11 question is therefore not merely whether the Eleventh Circuit might ultimately correct the district court. It is whether ordinary sequencing remains adequate when **preventive review has already been overtaken once, the challenged mechanism materially recurred, the asserted consequences remain ongoing, and further procedural fragmentation threatens to make effective adjudication progressively more difficult.**

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## VI. THE UNRESOLVED IFP DETERMINATION DIRECTLY AFFECTED SERVICE, ACCESS, AND THE COMPLIANCE OBLIGATIONS LATER INVOKED AGAINST PETITIONER.

The Southern District of Georgia docket contained an **in forma pauperis application from the commencement of the action**, and the March 3, 2026 transfer order expressly recognized that application as pending. After transfer, Petitioner filed ECF No. 43 asking the Southern District of Florida to adjudicate the existing IFP application and resolve the related service and access consequences. The transfer order states: "Plaintiff has moved the Court for leave to proceed in forma pauperis. Dkt. No. 2." (Pet. App. 20; see also Pet. App. 41.)

ECF No. 50 instead treated **ECF No. 43 itself** as the operative IFP application and denied it because that access-focused motion did not contain the financial information required by 28 U.S.C. § 1915(a)(1). The order did not adjudicate the Georgia IFP application that the transfer record had identified as pending. ECF No. 50 states: "This Court construes such motion as a motion for leave to proceed in forma pauperis." (Pet. App. 3.)

That distinction mattered because **IFP status determines the applicable service mechanism.** Section 1915 permits qualifying litigants to proceed without prepayment of fees, and Federal Rule of Civil Procedure 4(c)(3) provides that when a plaintiff is authorized to proceed under § 1915, the court must order service by the United States marshal, a deputy marshal, or another specially appointed person. See *Rance v. Rocksolid Granit USA, Inc.*, 583 F.3d 1284, 1286–88 (11th Cir. 2009).

The sequence therefore presents a concrete access problem: **the district court left unresolved a gateway determination that affected service and practical compliance, while continuing to impose procedural obligations whose performance depended in part upon that determination.**

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## VII. RULE 41(b) CANNOT CONVERT AN UNRESOLVED, TIMELY REQUEST FOR RELIEF INTO THE NONCOMPLIANCE USED TO TERMINATE THE ACTION.

Petitioner filed ECF No. 52 on **June 10, 2026—fifteen days before the June 25 compliance date**. The motion sought clarification of ECF No. 50; rulings

concerning unresolved indigency, service, disability-related access, and filing mechanisms; and a **limited stay of the amendment obligation pending those determinations**. The docket set a response date of June 24, one day before the operative deadline. The requested stay was neither granted nor denied before June 25, 2026. (Pet. App. 29–34, 42–43.)

The record likewise did not reflect abandonment. Petitioner continued filing and seeking rulings and, on **July 7**, before closure, submitted the formal AO 240 financial application requested by the court. Yet on **July 10**, ECF No. 56 stated that Petitioner had "instead filed other motions," treated both an amended IFP submission and a second amended complaint as required, closed the action under Rule 41(b), and denied the remaining motions as moot. (Pet. App. 1–2, 42–43.)

The resulting mechanism is circular:

- **the litigant timely seeks relief from an obligation;**
- **the request remains undecided;**
- **the deadline passes;**
- **the action is dismissed for noncompliance; and**

**dismissal then renders the unresolved request moot.**

Instead, termination came first, and the unanswered motions disappeared afterward. The narrow principle Petitioner seeks does not diminish legitimate Rule 41(b) authority: **a federal court should not terminate a civil-rights action for violation of an obligation from which the litigant timely sought relief**

**where the court leaves that request, and materially related threshold access issues, unresolved until termination itself makes them moot.**

Without that boundary, Rule 41(b) may become the final step in a self-validating procedural cycle: **non-adjudication produces uncertainty; uncertainty produces asserted noncompliance; noncompliance produces dismissal; and dismissal eliminates the requests that could have prevented or explained the supposed default.**

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## VIII. CROSS-DOCKET FRAGMENTATION AND PRIOR PROCEDURAL OVERTAKING SHOW WHY ORDINARY APPELLATE SEQUENCING IS INADEQUATE HERE.

The Rule 11 showing does not require this Court to accept allegations of conspiracy, corruption, abuse, or improper motive.

The extraordinary chronology is established by objective record events: the unresolved threshold requests; the January 2026 mandamus petition; the February 2 prospective warning; the March transfer; the ensuing mootness disposition; ECF Nos. 50, 52, and 56; the related federal dockets; and the documented disability evidence accompanying the ongoing litigation.

Supreme Court Rule 10(a) recognizes the Court's supervisory concern where a lower federal court has departed sufficiently from the accepted and usual course of judicial proceedings to warrant intervention.

Rule 11 imposes the further requirement of imperative public importance. Here, those concerns converge in an unusually concrete sequence: **prospective appellate warning; preventive review overtaken by an intervening procedural event; unresolved access and IFP issues; case-wide treatment of independently pleaded federal claims; a timely pre-deadline request for clarification and stay left undecided; Rule 41(b) termination; and mootness of the unresolved requests by operation of that termination.**

The question is therefore not simply whether the Eleventh Circuit might eventually correct the July 2026 closure. It is **whether ordinary appellate sequencing is adequate when preventive review has already been overtaken once, materially the same mechanism has recurred, and further fragmentation risks again displacing the federal questions before they receive effective adjudication.**

Under those circumstances, immediate review serves the narrow function reserved by Rule 11 for a case in which waiting is not merely inefficient, but risks allowing the challenged adjudicative mechanism itself to continue defeating meaningful review.

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## IX. THE PETITION SEEKS A NARROW, GENERALIZABLE RULE OF FEDERAL ADJUDICATION—NOT A GUARANTEE OF SUCCESS ON THE MERITS.

**First**, when IFP status, service, disability-related access, filing mechanisms, or a timely request for relief from a compliance obligation materially bear on a litigant's ability to proceed, those threshold matters should be adjudicated before unresolved court-controlled conditions are converted into grounds for termination.

**Second**, a court should not leave a timely request to clarify or stay an obligation undecided, later treat expiration of that obligation as noncompliance, and then rely upon dismissal itself to moot the request that could have determined the governing obligation before default occurred.

**Third**, Rooker-Feldman, Younger, and domestic-relations principles must be applied to the particular **claim, asserted injury, state proceeding or judgment, and requested remedy**, rather than through a case-wide label that may obscure independently cognizable federal injuries.

Petitioner therefore seeks no entitlement to prevail. Federal courts remain free to deny relief, reject legally deficient claims, recognize immunity, abstain where governing law requires it, and enforce valid procedural obligations. The rule sought is more fundamental: **those outcomes should follow explicit, reviewable adjudication of the threshold questions that determine whether federal jurisdiction exists and whether the litigant can meaningfully comply.**

Rule 11 review is warranted because the principle presented is both narrow and broadly applicable: **independent federal claims should be analyzed according to their substance; court-controlled access questions should be**

**decided before they become grounds for procedural default; and termination should follow adjudication rather than substitute for it.**

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## X. ALTERNATIVELY, THE COURT SHOULD GRANT CERTIORARI BEFORE JUDGMENT, VACATE THE RULE 41(b) CLOSURE, AND REMAND FOR EXPEDITED PROCEEDINGS UNDER THE CORRECT FEDERAL STANDARDS.

Under **28 U.S.C. § 2106**, this Court may vacate or set aside an order properly before it and require such further proceedings as are just under the circumstances. Here, the dispositive procedural sequence is ascertainable from the federal record and can be corrected without resolving contested factual allegations.

At minimum, the **July 10, 2026 Rule 41(b) closure, ECF No. 56, should be vacated**. On remand, the district court should address Petitioner's June 10 pre-deadline request for clarification and stay; determine the status and effect of the transferred Georgia IFP application and subsequent AO 240 filing; resolve the resulting service consequences under § 1915 and Rule 4(c)(3); and determine the court-controlled access mechanisms materially affecting compliance before imposing further access-dependent procedural consequences.

The case-wide jurisdictional treatment reflected in **ECF No. 50** likewise should not govern further proceedings without individualized analysis. Each federal claim should be considered according to the **injury alleged, conduct challenged, relevant state proceeding or judgment, and relief requested**. Rooker-

Feldman should be applied consistently with *Exxon Mobil* and *Behr*; Younger only after the inquiry required by *Sprint*; domestic-relations principles within the limits recognized in *Ankenbrandt*; and damages claims consistently with *Deakins*. Ordinary pleading, immunity, causation, preclusion, venue, joinder, and merits defenses would remain available for adversarial adjudication.

If necessary to preserve both the actuality and appearance of neutral federal adjudication, the Court should also authorize consideration of **reassignment on remand under 28 U.S.C. § 2106**, without requiring any finding of improper motive.

The requested relief is therefore substantial but narrow: **vacate the procedural closure; restore the federal action; require adjudication of the unresolved access, IFP, service, and compliance questions before they can generate another procedural default; require individualized treatment of the independently pleaded federal claims; and remand for an expedited, reviewable federal adjudicative process.**

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## XI. THE PRINCIPAL ANTICIPATED OBJECTIONS DO NOT DEFEAT CERTIORARI BEFORE JUDGMENT.

### A. The availability of ordinary appellate review does not eliminate the exceptional Rule 11 circumstances presented here.

Petitioner does not dispute that ordinarily the court of appeals should decide first. The exceptional feature here is that **preventive appellate review was already invoked before the procedural injury now challenged, but the intervening event occurred before the underlying concerns were adjudicated.**

The relevant question is therefore not whether appellate review remains theoretically available. It does. The Rule 11 question is whether waiting is adequate where **preventive review has already been overtaken once, the challenged mechanism materially recurred, and asserted ongoing familial and medically documented harm continues while the direct appeal remains pending.**

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### B. Characterizing the controversy as "custody" does not answer the federal questions presented.

Petitioner does not ask this Court to award custody or substitute itself for a state family court. The operative pleading asserted independently alleged federal injuries arising from governmental conduct, including seizure, lack of constitutionally adequate process, denial of access to courts and records, disability discrimination, retaliation, conspiracy, and claims for damages.

Whether particular claims or remedies are barred must be determined under the doctrines applicable to those particular claims. *Exxon Mobil*, *Sprint*, *Ankenbrandt*, *Deakins*, and *Behr* require attention to the **injury asserted, state proceeding or**

**judgment implicated, and relief requested.** A case-wide "custody" characterization cannot itself perform that analysis.

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### C. Disputed ultimate allegations do not impair the vehicle because the decisive procedural facts are documentary.

The critical facts are ascertainable from official filings and orders: the original Georgia IFP application; the January 2026 mandamus petition; the February 2 transfer warning; the March 3 transfer order; ECF Nos. 43, 50, 52, 54, and 56; the commencement date of the federal action; the later Broward Final Judgment; and the present Eleventh Circuit docket.

Whether ECF No. 52 requested a stay before the deadline, whether ECF No. 50 stated that Petitioner "may" amend while ECF No. 56 later treated amendment as required, whether the transferred IFP application had been recognized as pending, and whether ECF No. 50 conducted individualized jurisdictional analysis are all matters ascertainable from the record itself.

The Court therefore can resolve the Questions Presented **without deciding disputed allegations of abuse, criminal intent, conspiracy, corruption, or judicial motive.**

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### D. The number of proceedings does not defeat review; their relevance is the documented procedural continuity they reveal.

Petitioner does not contend that every claim, defendant, or remedy was legally required to remain within a single action. Nor does she ask this Court to review every state, administrative, investigative, or disciplinary proceeding associated with the broader controversy.

Finally, the absence of an Eleventh Circuit judgment is not a jurisdictional defect; it is the posture contemplated by **28 U.S.C. §§ 1254(1) and 2101(e)** and Supreme Court Rule 11. Petitioner need not establish that ordinary appellate relief could never occur. She must establish the exceptional circumstances making immediate determination warranted before it does.

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## XII. THE COURT CAN PROVIDE IMMEDIATE AND STRUCTURALLY EFFECTIVE RELIEF WITHOUT BECOMING A FACTFINDER OR FAMILY COURT.

At minimum, the Court should **grant certiorari before judgment, expedite consideration, vacate the July 10, 2026 Rule 41(b) closure, and remand for proceedings under the correct federal standards**. On remand, the district court should address the unresolved threshold matters materially affecting compliance, including the operative IFP status, the effect of the transferred Georgia IFP application and subsequent AO 240 filing, the resulting service mechanism under § 1915 and Rule 4(c)(3), disability-related access, available filing procedures, and timely requests for clarification or relief from access-dependent obligations.

The case-wide jurisdictional treatment reflected in ECF No. 50 likewise should not govern further proceedings without individualized analysis. Each independently pleaded federal claim should be considered according to the **injury alleged, conduct challenged, relevant state proceeding or judgment, and remedy requested**. Rooker-Feldman should be applied consistently with *Exxon Mobil* and *Behr*; Younger only after the inquiry required by *Sprint*; domestic-relations principles within the limits recognized by *Ankenbrandt*; and damages claims consistently with *Deakins*. Ordinary defenses—including immunity, pleading sufficiency, causation, preclusion, venue, joinder, and merits defenses—would remain available for adversarial adjudication.

If necessary to preserve both the actuality and appearance of neutral federal adjudication, the Court should also authorize consideration of **reassignment on remand under 28 U.S.C. § 2106**, without requiring a finding of improper motive.

Petitioner further requests **appointment of counsel at the earliest appropriate stage under Supreme Court Rule 39.7** if this Court grants review or otherwise determines that appointed advocacy would materially assist resolution of the issues presented. The proceeding involves intertwined questions of federal jurisdiction, abstention, §§ 1983 and 1985, disability-related access, IFP and Marshal service, interstate governmental conduct, and multiple federal proceedings against a substantial record.

The remedy therefore can be **narrow in jurisdiction yet effective in operation**: vacate the procedural closure; require resolution of court-controlled

access prerequisites before they can generate another default; require individualized treatment of independently pleaded federal claims; preserve ordinary defenses for adversarial adjudication; expedite the remand; and permit reassignment or lawful coordination where appropriate.

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## XIII. THIS CASE CONCERNS THE DIFFERENCE BETWEEN FORMAL RIGHTS—INCLUDING FUNDAMENTAL LIBERTY INTERESTS—AND RIGHTS THAT REMAIN PRACTICALLY ENFORCEABLE.

The procedural questions presented here arise in the context of one of the liberty interests this Court has repeatedly recognized as fundamental: **the parent-child relationship and the right of parents to the care, custody, and companionship of their children.** See *Troxel v. Granville*, 530 U.S. 57, 65–66 (2000); *Santosky v. Kramer*, 455 U.S. 745, 753 (1982); *Stanley v. Illinois*, 405 U.S. 645, 651 (1972).

Constitutional and statutory rights have little practical force if the procedures for invoking them make adjudication unreachable. **A fundamental liberty interest is not meaningfully protected if the litigant cannot obtain adjudication of whether governmental interference with that interest complied with the Constitution. Access is not meaningful if the litigant must first overcome the very court-controlled barrier for which judicial relief is sought. An IFP and Marshal-service framework cannot function as**

**intended if indigency remains unresolved while consequences dependent upon that determination continue to accrue.**

This Court has likewise treated meaningful access to judicial process as constitutionally significant where the State controls the avenue for adjudication, particularly when family relationships are at stake, and has upheld Title II's application to access to courts. See Boddie v. Connecticut, 401 U.S. 371, 376–77 (1971); M.L.B. v. S.L.J., 519 U.S. 102, 113–16 (1996); Tennessee v. Lane, 541 U.S. 509, 522–23, 533–34 (2004).

The distinction is constitutionally important. A federal court need not determine custody to adjudicate whether governmental actors allegedly violated the Fourth or Fourteenth Amendments, denied procedural due process, obstructed meaningful access to courts, discriminated on the basis of disability, or otherwise inflicted an independently cognizable federal injury. **Domestic-relations subject matter does not extinguish the underlying fundamental liberty interest or eliminate federal protection against independently unconstitutional governmental conduct.**

That issue extends beyond Petitioner. An indigent, disabled, or unrepresented civil-rights litigant may possess substantial federal claims implicating fundamental constitutional interests yet lack a practical means to obtain their adjudication if court-controlled prerequisites to participation remain unresolved while procedural obligations continue to accumulate. If those unresolved matters contribute to asserted noncompliance, and dismissal then renders the

underlying requests moot, **procedure can effectively determine the fate of a fundamental right without adjudicating whether the governmental interference with that right complied with federal law.**

Federal courts remain free to deny relief, reject legal theories, recognize immunity, enforce valid deadlines, abstain where governing law requires it, and dismiss legally deficient claims. **But where fundamental liberty interests are implicated, those outcomes should follow identifiable and reviewable legal determinations—not a sequence in which the absence of a threshold ruling contributes to the procedural consequence that ensures the ruling will never occur.**

**Rule 11 exists for the exceptional case in which continued ordinary sequencing risks perpetuating the very failure of effective adjudication presented for review. The question is therefore not merely whether fundamental federal rights formally exist, but whether the federal judicial process will preserve a practical means by which those rights—including the fundamental liberty interest in the parent-child relationship—can actually be invoked, adjudicated, and reviewed before procedure itself makes meaningful relief progressively less effective.**

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## CONCLUSION

This case presents the extraordinary circumstances contemplated by Supreme Court Rule 11. ***The emergency is not hypothetical, historical, or adequately remediable years later.***

Before the dismissal now on appeal, Petitioner had already placed the Eleventh Circuit on verified notice that unresolved emergency, indigency, service, disability-access, jurisdictional, and failure-to-rule issues threatened meaningful adjudication. (Pet. App. 44–53.)

She sought preventive mandamus expressly requesting rulings rather than predetermined outcomes. She separately warned that transfer would "foreseeably recreate the same procedural misclassification loop." (S.D. Ga. No. 2:25-cv-00154-LGW-BWC, ECF No. 27; Pet. App. 44–53.)

Transfer occurred while that mandamus proceeding remained pending. The proceeding was then dismissed as moot because the transfer had occurred. (Pet. App. 10–25.)

Materially the same mechanism thereafter recurred. Petitioner sought clarification and a limited stay fifteen days before the operative deadline. The requested stay was not adjudicated before the deadline. The district court subsequently closed the action under Rule 41(b) and used that closure to render the unresolved motions moot. (Pet. App. 1–2, 29–34, 42–43.)

Thus, **the danger was identified before it occurred; preventive appellate review was invoked; the intervening procedural event overtook**

**that review; materially the same failure recurred; and procedural termination again displaced adjudication.**

**Further delay is not neutral. It preserves the consequences of the challenged governmental act.**

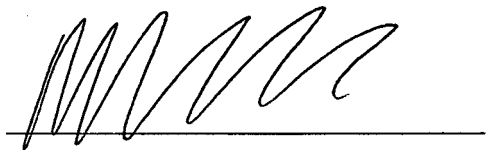
Childhood cannot be restored by mandate. Lost parent-child time cannot later be recreated. Medical continuity, birthdays, deaths, grief, developmental milestones, and family relationships cannot be returned after appellate proceedings conclude.

Petitioner therefore respectfully requests that this Court **grant certiorari before judgment and provide expedited consideration; vacate the July 10, 2026 Rule 41(b) closure; set aside the case-wide jurisdictional treatment reflected in ECF No. 50; and require further proceedings based upon the actual record and claim-specific, injury-specific, judgment-specific, proceeding-specific, and remedy-specific federal analysis.** (Pet. App. 1–6.)

The lower federal court should first resolve the threshold matters materially affecting Petitioner's ability to proceed—including **IFP status, court-directed service, disability-related access, electronic filing access, and timely requests for relief from access-dependent compliance obligations—before unresolved court-controlled conditions may generate another procedural default.** (Pet. App. 26–43.)

***At some point, process must produce adjudication.*** That point has been reached. **The petition should be granted.**

Respectfully submitted,



Kathryn Stillwell Dressler

Petitioner, Pro Se

September 1, 2026

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