No. _____

IN THE SUPREME COURT OF THE UNITED STATES

KATHRYN STILLWELL DRESSLER, Petitioner,

v.

STATE OF FLORIDA, ET AL., Respondents.

On Petition for a Writ of Certiorari Before Judgment (Rule 11)

United States Court of Appeals for the Eleventh Circuit, No. 26-12643-D

Related: S.D. Ga. No. 2:25-cv-00154; S.D. Fla. No. 0:26-cv-60609-EA

PETITIONER'S SWORN DECLARATION OF NONSERVICE IN RESPONSE TO RULE 29.5; ABSENCE OF IDENTIFIED OPPOSING COUNSEL; INCOMPLETE APPELLATE PARTY LIST; AND REQUEST FOR AUTHORIZED ALTERNATIVE SERVICE

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Declaration under 28 U.S.C. § 1746 — THIS IS NOT PROOF THAT SERVICE HAS OCCURRED

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I, Kathryn Stillwell Dressler, declare from personal knowledge and the identified records as follows.

This declaration answers the Clerk's September 9, 2026 statement that no Rule 29.5 affidavit or declaration of service specifying the names and addresses of persons served had been received.

The Clerk's October 26, 2026 return letter again directed service of the corrected petition on opposing counsel. My subsequently completed Rule 39 motion and indigency affidavit address the separate financial-form deficiency, but do not resolve the independently documented service barrier.

I cannot truthfully make that certification because the required Supreme Court service has NOT occurred.

I submit this declaration to establish why service remains impossible and to request a judicially authorized alternative, not to misrepresent compliance.

I. THE UNDERLYING CASE NEVER PROCEEDED TO SERVICE OR APPEARANCES

1. I commenced a federal civil-rights action under 42 U.S.C. § 1983 and related provisions on December 10, 2025 in the Southern District of Georgia, No. 2:25-cv-00154.

2. My original IFP application (ECF 2) was pending when the case was transferred on March 3, 2026 to the Southern District of Florida, No. 0:26-cv-60609-EA.

3. I had sought an Eleventh Circuit mandamus ruling requiring decisions on unresolved threshold matters before the transfer; after transfer, that separate proceeding, No. 26-10221-H, was dismissed as moot on March 10.

4. I had warned in advance that transfer without threshold rulings would recreate the same procedural barrier. (Pet. App. 10–25, 41, 44–53.)

5. In the transferred action, the district judge's May 26 order, entered May 27, 2026 (ECF 50), construed my motion to compel a ruling (ECF 43) as an inadequate new IFP application and denied it, rather than providing the specific adjudication of the original Georgia IFP application that I requested.

6. That order expressly acknowledged that NO DEFENDANTS HAD BEEN SERVED and did not set a service deadline while dismissing the amended complaint.

7. The court later closed the case under Rule 41(b) on July 10 (ECF 56), declaring all remaining motions moot.

8. No named defendant was ever served in that civil action and, to my knowledge, no defense lawyer entered an appearance before its termination. (Pet. App. 1–6, 35–43.)

9. I appealed to the Eleventh Circuit to obtain review and REOPENING of the prematurely terminated case, not to appeal an adversarial merits judgment entered after the defendants had appeared or litigated.

10. Only after that appeal did the same district judge grant IFP for appeal on July 30, 2026 (S.D. Fla. ECF 61; Eleventh Circuit No. 26-12643-D, docket entry 3).

11. This appellate-stage grant did not result in summons service or create opposing counsel in the already-closed district-court action. (Pet. App. 54–57.)

II. NO IDENTIFIED OPPOSING COUNSEL; THE APPELLATE LIST IS INCOMPLETE

12. The amended complaint and underlying federal proceedings identify approximately forty defendants and additional Doe designations, depending on which pleadings and docket entries are counted.

13. The Eleventh Circuit's displayed docket party panel identifies approximately TEN specific appellees.

14. But its own July 29, 2026 notice (docket entry 2) expressly states that, because of the large number of parties, NOT ALL district-court parties were entered on the appellate docket and directs readers to other case documents and the district-court docket.

15. That notice is reproduced at Pet. App. 57; the abbreviated entries appear at Pet. App. 54–56.

16. I telephoned the Supreme Court Clerk's Office and explained, while in tears, that my disabilities prevent me from completing the prescribed IFP financial form or personally carrying out this service, and that I did not understand whom to serve because no defendant had appeared.

17. I was told to serve the ten defendants shown on the Eleventh Circuit docket.

18. That oral instruction did NOT reconcile the expressly incomplete docket with the more numerous original defendants; identify an actual counsel of record; identify the current service addresses of unrepresented parties; or resolve whether those ten constitute every respondent under Rule 12.6.

19. I did not understand the call to constitute a formal judicial order or service waiver.

20. I have not been given the name and address of an opposing lawyer authorized to accept notice for each respondent.

21. I am not asserting that an unserved person can never be a respondent in this Court: Supreme Court Rule 12.6 governs parties entitled to participate, and Rule 29.3 permits direct service on unrepresented parties.

22. I am saying that neither my appeal posture nor the docket notice supplies a reconciled, reliable, complete list of the people to be served or any identifiable "opposing counsel" to whom I can comply with the Clerk's instruction.

III. WHY I HAVE NOT AND CANNOT PERSONALLY COMPLETE SERVICE

23. I HAVE NOT SERVED ANY respondent with the returned September 1 Rule 11 petition or corrective materials. I have not completed service under Rule 29.

24. I cannot provide dates, mailing addresses, or attorney names for service that did not occur.

25. This truthful sworn declaration of nonservice is NOT the completed-service proof contemplated by Rule 29.5(c).

26. My inability is not limited to lack of procedural knowledge.

27. I am federally adjudicated disabled, and I lack the physical, psychological, cognitive, and financial capacity to locate numerous unrepresented individuals, determine legally proper recipients and addresses, reproduce or assemble dozens of lengthy paper packets, and pay for and track those mailings.

28. The Supreme Court petition is lengthy and cites two substantial appendix volumes. The tasks would impose debt that my limited means cannot bear and physical and psychological effort that my documented disabilities prevent.

29. The SSA's August 7, 2026 fully favorable NOTICE is at ME App. APP-0005 and establishes that a favorable decision was issued.

30. The separately available full SSA decision (NOT reproduced there) establishes disability since November 1, 2021 and documents substantial limitations in adapting or managing oneself.

31. The Corey excerpt at APP-0007 records my inability to get a grasp on my financial circumstances.

32. His separately available full examination, not reproduced in that single excerpt, documents significant limitations involving processing, sustained attention, and adaptation to stress.

33. My treating clinician Heather Jackson expressly documented worsening C-PTSD following the removal of my daughter and recurrent retraumatization through forced litigation interactions (ME App. APP-0009-0010). Her letter describes anxiety, impaired concentration, disrupted daily functioning, and clinical deterioration.

34. Requiring me to repeat the same financially, physically and psychologically impossible filing and service tasks exposes me to further disability-related injury.

35. In my view, these burdens are substantially the product of district-court management failures:

> ***no adjudication of my original IFP request in the pending Georgia action before transfer, unresolved threshold access and service issues, and closure before any defendant appeared.***

36. An orderly threshold process could have clarified or reduced the parties and determined available service mechanisms before dismissal.

37. That is a contention about the procedural consequences, not a claim that the Supreme Court has already excluded any of the approximately forty defendants as respondents.

38. I now seek review of the termination itself and cannot personally finance or execute numerous uncertain mailings to present the petition seeking that review.

IV. REQUEST FOR A JUDICIALLY AUTHORIZED MEANS OF NOTICE

39. I respectfully and urgently request:

A. written identification of the parties required to receive the Rule 11 petition and the counsel, if any, authorized for each, reconciling the Eleventh Circuit's incomplete docket with the actual lower-court record;

B. consideration of accessible electronic notice by consent or order, court-officer or U.S. Marshal assistance to the extent available under 28 U.S.C. § 1915(d), or another legally adequate means of notice not dependent on my personal performance of impossible tasks;

C. acceptance of this affidavit for the limited purpose of presenting the service barrier for judicial determination; and

D. such protection of the September 1 submission and the Rule 14.5 correction period as is lawfully available pending prompt resolution.

40. Without an accessible and judicially authorized method of notification, I cannot personally overcome the incomplete party list or complete the numerous, financially prohibitive mailings required for docketing; the result would be the loss of a practical opportunity to present the petition, not merely added inconvenience.

41. Supreme Court Rule 39.3 expressly recognizes that preparation in conformity with Rule 33.2 may be impossible and directs due allowance for pro se filings. I invoke that limited provision because of the disability-related preparation barriers described here.

42. I acknowledge that Rule 39.3 does NOT itself waive service under Rules 29.3-29.5, the proof-of-service requirement for motions under Rule 21.3, or the docketing condition in Rule 39.4.

43. Because service remains unperformed, required recipients remain uncertain, and I cannot independently execute numerous mailings, I request written directions and consideration of a legally authorized, accessible means of notice. This declaration is NOT proof of completed service.

44. I ask that the Clerk REFER THE IMPOSSIBILITY AND RESPONDENT-IDENTIFICATION QUESTIONS to the appropriate Justice or the Court, instead of

requiring me to falsely certify service or undertake medically impossible and financially prohibitive acts before my request can be heard.

45. I respectfully request express consideration of the fact that refusing all effective service alternatives would foreclose my practical exercise, as a disabled and unrepresented petitioner, of the fundamental First Amendment right to petition the courts.

46. I seek a legally adequate means of notice, not relief from the duty to notify persons the Court determines must receive it or a merits ruling without notice.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury under the laws of the United States of America that the foregoing factual statements based on my personal knowledge are true and correct; record descriptions are based on the identified court and medical documents. 28 U.S.C. § 1746.

Executed on: OCTOBER 29, 2026

Signature: _____

Kathryn Stillwell Dressler, Petitioner, Pro Se