No. 26-6181

FILED
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SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

PRESTON W. WALTERS — PETITIONER
(Your Name)

vs.

LAUREL HENRY, ET AL. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

PRESTON W. WALTERS # NX-2444
(Your Name)

SCI FAYETTE, 50 OVERLOOK DR
(Address)

LABELLE, PA 15450
(City, State, Zip Code)

(Phone Number)

QUESTION(S) PRESENTED

1. DID THE THIRD CIRCUIT COURT OF APPEALS COMMIT AN ERROR IN THE PETITIONER'S CASE, AS THEY AFFIRMED THE UNITED STATES DISTRICT COURT'S RULING AT DOCKET NUMBER 22-CV-1803 TO DISMISS THE PETITIONER'S CIVIL COMPLAINT FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED, WHEREAS THE PETITIONER RAISED AN ACCESS TO COURTS CLAIM IN WHICH HE LOST THE CHANCE TO PURSUE A CLAIM FOR SUBJECT MATTER JURISDICTION AND ACTUAL INNOCENSE, WHICH WERE TWO MERITORIOUS CLAIMS THAT WOULD HAVE AWARDED THE PETITIONER THE REMEDY OF A NEW TRIAL OR DISMISSAL OF THE PETITIONER'S CRIMINAL CONVICTION?

AND;

2. WAS AN ACTUAL INJURY OR PREJUDICE PREDICATE NEEDED AS THE PETITIONER PROVED THAT HE WAS DENIED COMPLETE ACCESS TO THE LAW LIBRARY AND LEGAL ASSISTANCE, DUE TO HIS MEDICAL STATUS WHILE HE WAS HOUSED IN THE INFIRMARY FOR OVER 22 MOS?

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

LAUREL HENRY - SUPERINTENDENT AT SCI CAMP HILL, WITHIN THE PA DEPT. OF CORRECTIONS

LORI NEWSOME - INFIRMARY UNIT MANAGER AT SCI CAMP HILL, WITHIN THE PA DEPT. OF CORRECTIONS

LAW LIBRARY SUPERVISOR [illegible] - LAW LIBRARY SUPERVISOR AT SCI CAMP HILL WITHIN THE PA DEPT. OF [illegible]

[illegible] - LAW LIBRARIAN AT SCI CAMP HILL, WITHIN THE PA DEPT. OF CORRECTIONS

SCI CAMP HILL - A CLASSIFICATION AND BOOKING POPULATION INSTITUTION WITHIN THE PA DEPT. OF CORRECTIONS

RELATED CASES

Docket No. 22-CV-1808 (M.D. PA 2025) JUDGMENT ENTERED 11-17-2025

Case No. 25-3519 (3d. Cir. 2026) JUDGMENT ENTERED 5-13-2026

Case No. 25-3579 (3d. Cir. 2026) PETITION FOR REHEARING, JUDGMENT ENTERED 8-21-2026

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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 judgment below.

OPINIONS BELOW

[✓] For cases from **federal courts**:

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

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

The opinion of the United States district court 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.

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

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

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

The opinion of the _____ court appears at Appendix _____ to the petition and is

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

JURISDICTION

[✓] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was MAY 12, 2026.

[ ] No petition for rehearing was timely filed in my case.

[✓] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: AUGUST 21, 2026, and a copy of the order denying rehearing appears at Appendix C.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A_____.

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

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

The date on which the highest state court decided my case was AUGUST 16, 2026. A copy of that decision appears at Appendix _____.

[ ] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A_____.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

UNITED STATES CONSTITUTION'S DUE PROCESS CLAUSE OF THE FIFTH AND FOURTEENTH AMENDMENT ENCOMPASSES MORE THAN MERELY FILING A PETITION. PRISONERS MUST HAVE USE OF THE MAILS TO CORRESPOND WITH THE COURTS, ALTHOUGH THEY DO NOT HAVE A RIGHT TO UNLIMITED FREE POSTAGE. PRISONERS ALSO HAVE A RIGHT TO SOME MEANS OF ASSISTANCE IN THE PREPARATION AND FILING OF LEGAL PETITIONS. THE MOST COMMON ASSISTANCE PROVIDED IS A LAW LIBRARY, BUT ALTERNATIVE MEANS SUCH AS THE ASSISTANCE OF A COURT-APPOINTED ATTORNEY ARE ALSO ACCEPTABLE.

HOWEVER, IN GENERAL, THERE IS NO RIGHT TO APPOINTED COUNSEL FOR THE ASSERTION OF A SECTION 1983 CLAIM. PRISON AUTHORITIES MAY NOT PROHIBIT LAW STUDENTS, PARAPROFFESSIONALS, OR JAILHOUSE LAWYERS FROM GIVING ADVICE TO INMATES, IF PROFESSIONAL ASSISTANCE IS NOT PROVIDED. ONCE LEGAL MATERIALS ARE PREPARED, PRISON OFFICIALS MAY NEITHER CONFISCATE THEM NOR REFUSE TO MAIL THEM TO THE COURT.

THE RIGHT OF ACCESS TO THE COURTS EXTENDS TO ALL INMATES AT ALL TIMES. PRISONERS IN PUNITIVE ISOLATION RETAIN THEIR RIGHT OF ACCESS, AND INDIGENT PRISONERS MUST BE PROVIDED WITH WRITING MATERIALS TO PREPARE LEGAL PETITIONS. WHILE THERE IS NO OBLIGATION TO PROVIDE PRISONERS WITH DAILY NOTARY SERVICE, A NOTARY MUST BE REASONABLY AVAILABLE TO FACILITATE PRISONERS' ACCESS TO THE COURTS. IF PRISONERS ARE TRANSFERRED FROM A STATE PRISON TO A FEDERAL PRISON IN ANOTHER STATE FOR SECURITY REASONS, THE TRANSFERRING STATE OFFICIALS RETAIN RESPONSIBILITY FOR PROVIDING STATE LEGAL MATERIALS.

FURTHERMORE, LAW LIBRARY IS THE PRIMARY METHOD OF ASSISTING INMATES IN GAINING ACCESS TO THE COURTS, THE LIBRARY MUST BE ADEQUATELY STOCKED. LIBRARY FACILITIES SHOULD BE READILY AVAILABLE TO INMATES, ALTHOUGH PRISON AUTHORITIES MAY PLACE RESTRICTIONS ON THE TIMES THAT THE LIBRARY IS AVAILABLE FOR USE. MOREOVER, INMATES IN PROTECTIVE CUSTODY MUST BE AFFORDED REASONABLE USE OF LAW LIBRARY. (SEE STRICKLER V. WATERS, 989 F.2d 1375 (4TH CIR), CERT. DENIED, 510 U.S. 949 (1993); HAMM V. BROOKS, 15 F.3d 110 (8TH CIR. 1994) - UNLESS INMATES ARE COMPLETELY DENIED ACCESS TO THE LAW LIBRARY, THEY MUST ASSERT ACTUAL INJURY OR PREJUDICE)

AS THE PETITIONER WAS DENIED COMPLETE ACCESS TO THE LAW LIBRARY AND LEGAL ASSISTANCE, NO ACTUAL INJURY OR PREJUDICE IS REQUIRED. HOWEVER, DUE TO THE PETITIONER'S NECK INJURY HE WAS PLACED IN THE INFIRMARY AND DENIED COMPLETE ACCESS TO THE NECESSITIES NEEDED TO PREPARE HIS LEGAL PETITIONS FOR OVER 22 MOS, WHICH LED TO HIM BEING TIME BARRED IN HIS CRIMINAL PROCEEDING.

FURTHEMORE, THE DEFENDANTS HAVE VIOLATED THE PETITIONER'S DUE PROCESS RIGHTS UNDER THE FIFTH AND FOURTEENTH AMENDMENT.

STATEMENT OF THE CASE

THE PETITIONER IS A STATE PRISONER IN THE CUSTODY OF THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS AND IS CURRENTLY INCARCERATED AT STATE CORRECTIONAL INSTITUTION FAYETTE IN LABELLE, PENNSYLVANIA. ON NOVEMBER 10, 2022, WHILE HE WAS INCARCERATED AT STATE CORRECTIONAL INSTITUTION CAMP HILL IN CAMP HILL, PENNSYLVANIA, HE COMMENCED THE ABOVE-CAPTIONED ACTION BY FILING A PRO-SE COMPLAINT PURSUANT TO 42 U.S.C. § 1983 (SECTION 1983), ASSERTING VIOLATIONS OF HIS CONSTITUTIONAL RIGHTS WHILE INCARCERATED A S.C.I CAMP HILL. (DOC.NO. 22-CV-1802)

PETITIONER NAMED, AS DEFENDANTS, SCI CAMP HILL AND THE FOLLOWING INDIVIDUALS, ALL OF WHOM WORK AT S.C.I. CAMP HILL: SUPERINTENDANT LAUREL HENRY; INFIRMARY UNIT MANAGER LORI NEWSOME; LAW LIBRARY SUPERVISOR CRILEY; AND LAW LIBRARIAN SCHINBELLY IN THIS ACTION.

ON JANUARY 4, 2023, THE COURT CONDUCTED AN INITIAL REVIEW OF THE PLAINTIFF'S COMPLAINT PURSUANT TO THE PRISON LITIGATION REFORM ACT AND DISMISSED HIS COMPLAINT FOR FAILURE TO STATE CLAIM UPON WHICH RELIEF COULD BE GRANTED. THE COURT THEN GRANTED HIM LEAVE TO FILE AN AMENDED COMPLAINT.

PLAINTIFF FILED AN AMENDED COMPLAINT ON JANUARY 30, 2023. IN RESPONSE, DEFENDANT'S FILED A MOTION TO DISMISS ALONG WITH SUPPORTING BRIEF. PLAINTIFF THEN FILED A MOTION TO AMEND ALONG WITH HIS SECOND PROPOSED AMENDED COMPLAINT. ON AUGUST 15, 2023, THE COURT GRANTED HIS MOTION TO AMEND AND ACCEPTED HIS AMENDED COMPLAINT. HE THEN ORDERED THE DEFENDANTS TO RESPOND TO HIS SECOND AMENDED COMPLAINT. DEFENDANTS FILED A MOTION TO DISMISS ON AUGUST 29, 2023. PLAINTIFF DID NOT FILE A RESPONSE BUT FILED A MOTION TO TAKE LEAVE ON APRIL 1, 2024. DEFENDANTS MOTION TO DISMISS WAS GRANTED ON NOVEMBER 17, 2025. PLAINTIFF APPEALED THIS DECISION TO THE THIRD CIRCUIT COURT OF APPEALS, WHICH WAS DENIED ON MAY 18, 2026. HE THEN FILED A PETITION FOR REHEARING, WHICH WAS DENIED ON AUGUST 21, 2026.

THE PETITIONER THEN INITIATED THE FILING OF THIS COMPLAINT AS FOLLOWS:

REASONS FOR GRANTING THE PETITION

THE PETITIONER ASSERTS THAT THIS PETITION SHOULD BE GRANTED DUE TO THE FACT THAT HE WAS DENIED BY THE STAFF DEFENDANTS OF ANY TYPE OF LEGAL ASSISTANCE DUE TO HIS MEDICAL STATUS IN THE INFIRMARY FOR OVER 22 MOS, WHICH LED TO THE COURTS TIME BARRING HIS APPELLATE RIGHTS, IN VIOLATION OF THE UNITED STATES FIFTH AND FOURTEENTH AMENDMENT PERTAINING TO LEGAL ACCESS TO THE COURTS.

CONCLUSION

WHEREFORE, I RESPECTFULLY ASK THIS COURT TO REVIEW UNDER THE QUESTIONS PRESENTED.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

PRESTON W. WALTERS #NX2444
SCI FAYETTE, 50 OVERLOOK DR. LABELLE, PA 15450

Date: September 22, 2026