ORIGINAL

No. 26-652

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SUPREME COURT, U.S.

In the Supreme Court of the United States

RAHUL CHATURVEDI,

Petitioner,

v.

SIDDHARTH SIDDHARTH,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE APPEALS COURT OF MASSACHUSETTS

PETITION FOR WRIT OF CERTIORARI

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NOVEMBER MMXXVI

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QUESTIONS PRESENTED

1. Whether the Supremacy Clause and the Fourteenth Amendment permit state judicial process to compel disclosure of impounded information asserted to constitute federally protected trade secrets under 18 U. S. C. §1839(3), including technical information implicating federal export controls, notwithstanding documented federal regulatory notification and objections to unauthorized dissemination, through continuing discovery sanctions and coercive enforcement without adjudicating the applicable federal protections or providing effective procedures for confidential examination?

2. Whether dismissal of an appeal under Massachusetts Rule of Appellate Procedure 16(a) constitutes an adequate state procedural ground foreclosing review of federal constitutional and statutory objections to an alias execution allegedly obtained through materially disputed representations concerning a lost original execution, where the appellate briefs identified those objections, governing authorities, and supporting record citations, while the challenged execution and ensuing coercive enforcement remained undisturbed without merits adjudication?

3. Whether the Fourteenth Amendment permits continuing coercive enforcement affecting federally protected property interests and constitutional rights where the asserted authority for enforcement rests upon disputed sworn representations concerning the existence of an original execution, and the subsequent judicial record included filings attributed to unauthorized or unverified identities, some later struck or

vacated, without determining their materiality, resulting prejudice, or the availability of meaningful corrective relief?

PARTIES TO THE PROCEEDINGS

Petitioner and defendant-appellant below is Rahul Chaturvedi.

Respondent and plaintiff-appellee below is Siddharth Siddharth.

RELATED PROCEEDINGS

Boston Municipal Court, Criminal Division:

- Nos. 2501AC007025 and 2501AC007026 (criminal complaint applications and related record-access proceedings).

Falmouth District Court:

- No. 2489SP000012 (supplementary-process enforcement).

Barnstable Superior Court:

- *Siddharth* v. *Chaturvedi*, No. 1772CV00144 (judgment entered June 2, 2021).
- *Siddharth* v. *Chaturvedi*, No. 1772CV00144 (alias execution allowed September 9, 2024).
- *Siddharth* v. *Chaturvedi*, No. 1772CV00144 (motion to set aside judgment denied November 25, 2025).
- No. 2372CV00018 (related denial of motion to set aside judgment).

Norfolk Superior Court:

Bridge Over Corp. v. *Chaturvedi*, No. 2182CV00699 (civil litigation, discovery, and enforcement proceedings; related appeal pending).

No. 2482CV01024 (related civil proceeding).

Appeals Court of Massachusetts:

No. 2024–P–1162 (interlocutory appellate proceedings; decision entered May 23, 2025).

Siddharth v. *Chaturvedi*, No. 2024–P–1166 (consolidated appeals dismissed March 25, 2026).

Bridge Over Corp. v. *Chaturvedi*, No. 2026–P–0501 (appellate briefing completed; decision pending).

Supreme Judicial Court of Massachusetts:

Proceeding arising from Appeals Court No. 2024–P–1162 (further appellate review denied September 4, 2025).

Siddharth v. *Chaturvedi*, No. FAR–30856 (further appellate review denied June 11, 2026).

In re Rahul Chaturvedi, No. SJC–13867 (appeal from the denial of supervisory relief under Mass. Gen. Laws, ch. 211, §3; judgment after rescript entered October 15, 2026).

United States Court of Appeals (CA1):

Chaturvedi v. *Jaiswal*, et al., No. 25–2187 (submitted to the merits panel July 6, 2026; decision pending).

Petition for a Writ of Certiorari

Supreme Court of the United States:

Chaturvedi v. *Bridge Over Corporation*, et al., No. 25–1174 (certiorari denied June 15, 2026).

Chaturvedi v. *Siddharth*, No. 26A329 (time to petition for certiorari extended to November 8, 2026, on September 15, 2026).

Chaturvedi v. *Siddharth*, No. 26A542 (time to petition for certiorari extended to December 28, 2026, on October 22, 2026).

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OPINIONS BELOW

The Massachusetts Appeals Court's March 25, 2026, memorandum and order dismissing the consolidated appeals in No. 2024–P–1166 is reproduced in the Appendix at App. 1–3.

The order of the Supreme Judicial Court denying further appellate review on June 11, 2026 (FAR–30856) is reproduced in the Appendix at App. 4.

The relevant single-justice orders of the Massachusetts Appeals Court, including those in No. 2024–J–0624, are reproduced in the Appendix at App. 5 and App. 14. Selected judicial orders entered in No. 2024–P–1166 are reproduced in the Appendix at App. 6–12. The underlying Barnstable Superior Court orders concerning the alias execution, including the September 9, 2024 allowance, are reproduced in the Appendix at App. 15–19.

JURISDICTION

The Appeals Court of Massachusetts entered its judgment dismissing the consolidated appeals in No. 2024–P–1166 on March 25, 2026. The Supreme Judicial Court of Massachusetts denied discretionary review on June 11, 2026. This Court has jurisdiction under 28 U. S. C. §1257(a). On September 15, 2026, Justice Jackson extended the time to petition for certiorari until November 8, 2026. Because November 8, 2026, falls on a Sunday, the filing period extends through Monday, November 9, 2026. See this Court's Rule 30.1.

This petition is filed protectively to preserve review of the judgment in No. 2024–P–1166, including the

federal questions raised concerning the disputed alias execution, the procedural dismissal of the consolidated appeals, and the resulting enforcement proceedings implicating federally protected property and liberty interests. Related proceedings in Massachusetts state courts and the United States Court of Appeals for the First Circuit involve overlapping records and federal questions. This petition does not seek independent review of judgments entered in those proceedings or prejudice separate petitions and pending appeals.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The following provisions of the Constitution, statutes, and regulations of the United States are implicated by the questions presented:

1. U. S. Const., Art. I, §8, cl. 8 (Intellectual Property Clause).
2. U. S. Const., Art. III, §§1–2 (Judicial Power).
3. U. S. Const., Art. VI, cl. 2 (Supremacy Clause).
4. U. S. Const., Amdt. 5 (Due Process Clause).
5. U. S. Const., Amdt. 14, §1 (Due Process and Equal Protection Clauses).
6. 18 U. S. C. §§1831–1839 (Economic Espionage Act and Defend Trade Secrets Act), particularly §§1835, 1836, and 1839(3), concerning protection of trade-secret confidentiality, civil remedies, and the statutory definition of trade secrets.
7. 50 U. S. C. §4801 *et seq.* (Export Control Reform Act of 2018), including §4819.

8. 15 CFR §734.13(b) (release of technology or source code to foreign persons within the United States).

The verbatim quotations of the relevant portions of these provisions are reproduced at App. 36–64 (Appendix K).

INTRODUCTION

This petition seeks review of the Massachusetts Appeals Court's dismissal of No. 2024–P–1166. Respondent repeatedly invoked state judicial process in 2022 and 2024, allegedly to evade joint and several defaulted secured payment liabilities exceeding $150 million, while seeking enforcement of a disputed judgment whose underlying claims were already pledged under the parties' licensing and security agreements. The 2022 supplementary-process proceeding commenced during the pendency of No. 2021–P–1142, which was subsequently remanded, and the renewed proceeding commenced in August 2024 while appellate proceedings in No. 2023–P–0427 remained unresolved and before issuance of the November 29, 2024 rescript.

In 2023, Respondent refused Petitioner's offer of secure review of the licensing and security-control agreements before Petitioner submitted the protected materials in a confidential federal agency inquiry. Nevertheless, Respondent pursued expansive discovery and open disclosure of trade secrets, organizational identifiers, and related information protected by asserted federal rights under 18 U. S. C. §§1836–1839 and state confidentiality protections. The resulting proceedings imposed coercive disclosure

demands and sanctions notwithstanding repeated requests for protective adjudication. Unauthorized filings attributed to impersonating identities, including open disclosures, compounded documented threats beginning in 2024. On July 28, 2025, the Massachusetts Appeals Court struck Paper #27 from the docket of No. 2024–P–1166 upon determining that it had been filed by a nonparty. App. 371, 699. An additional filing, Paper #38, was subsequently challenged by Petitioner as an impersonated submission. App. 700–701. On October 14, 2025, the Falmouth District Court expressly vacated Papers #18, #37, #91, and #92, finding that they had been filed by nonparties and inadvertently entered on the docket, notwithstanding the Falmouth court's February 2025 order against third-party filings, to which Respondent's counsel expressly acknowledged assent during the April 3, 2025 hearing. App. 23, 276, 278, 1245, 1261.

Beginning in December 2024, the Falmouth court imposed broad restraints upon Petitioner's asserted interests in multimillion-dollar defaulted pledged collateral, which Petitioner identified as his only available nonexempt assets. App. 20–23. On April 3, 2025, the court found that Petitioner had no present ability to pay. App. 23, 409. Extensive subsequent depositions and financial discovery failed to establish identifiable nonexempt assets or income available for payment, while Petitioner filed evidence of compliance and a separate Notice of Readiness. App. 1200–1202.

Nevertheless, at the December 18, 2025 hearing, the court invoked Mass. Rule Civ. Proc. 37 to preclude evidence of inability to pay and imposed $2,000

monthly payments under threat of contempt and incarceration, notwithstanding Mass. Rule Civ. Proc. 81(a) and the requirements of Mass. Gen. Laws, ch. 224, § 16, including the creditor's burden of proof, statutory exemptions, and mandatory protections for qualifying judgment debtors aged sixty or older. App. 24–27, 354–363.

On April 9, 2026, the Falmouth court continued restrictions upon Petitioner's asserted interests in the defaulted pledged collateral. App. 29, 424.

Threats of incarceration directed at Petitioner, coercive contempt proceedings involving nonparty household members, attendant professional risks to Petitioner's physician spouse, and escalating extrajudicial intimidation have necessitated continued payments through borrowing and severe hardship.

These cumulative deprivations persisted while the Appeals Court's dismissal under Rule 16(a) foreclosed merits review of the challenged execution and the federal constitutional and statutory questions presented.

STATEMENT OF THE CASE

I. The Appeals Court's Procedural Dismissal and the Federal Questions Presented

A. The March 25, 2026 Dismissal Under Rule 16(a)

On March 25, 2026, the Massachusetts Appeals Court dismissed the consolidated appeals in No. 2024–P–1166 under Mass. Rule App. Proc. 16(a), concluding that Petitioner's briefing was materially noncompliant with the appellate rules and that the panel could not adequately discern his contentions.

App. 1–3. The consolidated appeals arose from single-justice orders denying relief concerning the issuance of a disputed alias execution in Barnstable Superior Court No. 1772CV00144 and denying an emergency stay and additional time for appellate briefing. App. 1–3, 5, 14.

The dismissal occurred notwithstanding the earlier reinstatement of the appeals and acceptance of Petitioner's principal brief and record appendices on July 28, 2025. App. 7, 371. That order expressly subjected the accepted submissions to subsequent panel review and preserved the requirement of appropriate appellate argument and a sufficient record appendix. The March 25 panel relied upon those reserved procedural requirements in dismissing the consolidated appeals without reaching the statutory and federal questions identified in Petitioner's submissions. App. 1–3.

Those questions included whether an alias execution could issue when no previously issued original execution had been established; whether the statutory prerequisites under Mass. Gen. Laws, ch. 235, §§16–19 had been satisfied; whether materially disputed sworn representations could support issuance of the execution; and whether continuing enforcement implicated federally protected property, confidentiality, and due process interests. Petitioner challenged both the authority for the execution and the consequences of its use in supplementary-process enforcement. App. 65–127, 128–144.

The Appeals Court did not adjudicate whether an original execution had issued, whether the conditions for an alias execution were satisfied, or whether the

asserted federal constitutional and statutory protections were implicated by the challenged state enforcement. App. 1–3. The Supreme Judicial Court denied further appellate review on June 11, 2026. App. 4.

B. The Docketed Briefing and Federal Issues Identified for Review

Petitioner's principal brief, filed July 14, 2025, addressed the single-justice proceedings, statutory execution requirements, disputed representations supporting the alias execution, and constitutional limitations upon enforcement. App. 65–127. The appellee's brief, received September 23 and docketed September 24, defended the alias execution as a ministerial act and maintained that the underlying appeal had been properly dismissed. Selected portions of Arguments I–III are reproduced at App. 499–508.

Petitioner's October 17, 2025 reply expressly challenged the asserted existence of an earlier original execution, the sufficiency of the lost-execution representations, and the statutory authority for issuance of the alias execution. It further identified the consequences of supplementary-process enforcement, disputed third-party filings, and federal constitutional objections, including due process and equal protection under the Fourteenth Amendment. App. 128–144.

The briefing thus presented identifiable statutory objections, disputed factual predicates, record citations, legal authorities, and federal constitutional questions. The controversy raised by the March 25 dismissal is not whether an accepted nonconforming brief was automatically immune from procedural

review. It is whether dismissal under the state procedural rule, in the circumstances reflected by the accepted briefing and record, constituted an adequate ground for foreclosing review of the federal questions raised while the disputed execution continued to be invoked in enforcement proceedings.

C. The Documentary Record and Maps M-1 Through M-9

The appendix contains nine documentary maps. Map M-1 identifies the accepted briefing, federal objections, and Rule 16(a) dismissal. App. 1287–1296. Map M-2 identifies related proceedings. App. 1297–1300. Maps M-3 through M-5 address pledged collateral, execution records, protective submissions, and unauthorized filings. App. 1301–1308. Maps M-6 through M-8 document nonparty discovery, the inability-to-pay finding, Rule 37 sanctions, and asset restraints. App. 1309–1318. Map M-9 identifies asserted disclosures, threats, and evidentiary limitations. App. 1319–1323. Each map distinguishes reproduced documents from docketed, referenced, or impounded materials.

II. The Disputed Judgment, Pledged Collateral, and Alias Execution

A. The CA-System Licensing and Security Agreements and the Underlying Judgment

The underlying dispute concerns a June 2, 2021 judgment in Barnstable Superior Court No. 1772CV00144, arising from a promissory note that

Petitioner maintained was integrated into the parties' broader licensing and security agreements. Respondent's motion for alias execution identified the original action as involving a May 19, 2015 promissory note, an August 2019 determination of liability, and an April 26, 2021 damages trial. App. 524–525, 581–583.

Petitioner disputed the treatment of that note as an independently enforceable obligation without adjudication of the parties' related contractual and secured-property interests. The agreements arose within the proprietary CA-System, an integrated electronic-control and licensing framework embodied in the Founder Member Agreement and associated promissory note, loan, security, and control agreements. Petitioner asserted that the system incorporated digitally authenticated contractual obligations, pledged electronic chattel, and commercial-claim collateral, including the underlying claim and proceeds of any resulting judgment. App. 549–558, 574–578, 607–613 (identifying the integrated contractual framework and pledged judgment claim); App. 971–975, 984–987 (describing the CA-System's electronic-control architecture, authenticated agreements, and collateral provisions); see App. 1301–1302 (Map M-3).

Under those agreements, Petitioner asserted that Respondent had pledged an uncertificated security with a face value of $1.25 million, whose control and default provisions were triggered by enforcement against the pledged judgment claim. Separately, Petitioner alleged that material defaults beginning June 21, 2021, under agreements with Respondent and other ex-licensees gave rise to aggregate joint and

several secured payment obligations exceeding $150 million. App. 576–578, 607–613, 682, 687–690 (distinguishing the pledged uncertificated security from aggregate secured defaults); App. 860–862, 876–877, 985–986 (identifying the alleged contractual defaults and secured enforcement rights).

The $150 million figure represents Petitioner's asserted aggregate contractual claims, not the amount of the Barnstable judgment or a judicial determination of liability. Petitioner maintained that Respondent's repeated attempts to execute upon the pledged judgment claim impaired separately enforceable collateral rights and triggered additional contractual consequences. App. 687–690, 984–987.

B. The 2021 Execution Request and the Earlier Supplementary Process

The June 2021 judgment was followed by disputed appellate proceedings, including No. 2021–P–1142. Respondent's counsel transmitted a request for execution by email on November 8, 2021. App. 601–603. The transmitting correspondence and request establish the attempted submission, but do not independently demonstrate that an original execution issued.

Respondent nevertheless commenced supplementary-process proceedings in Falmouth in 2022 while appellate proceedings remained unresolved. Petitioner challenged that action, including its asserted lack of an operative execution and its effect upon the pledged collateral. The proceeding was subsequently dismissed. App. 515–518, 607–610, 677–680

(describing the 2022 proceedings and Petitioner's objections); see App. 1301–1302 (Map M-3).

Petitioner maintained that the repeated enforcement efforts were not merely attempts to collect the judgment, but implicated the parties' preexisting secured obligations, the asserted material default, and the disposition of pledged collateral. Those objections were raised before the renewed supplementary-process proceeding commenced in August 2024. App. 509–514, 515–523, 574–580.

C. The August 2024 Rejection and the Disputed Lost-Execution Representations

On August 8, 2024, Respondent requested issuance of an ordinary execution. Petitioner opposed the request, invoking outstanding appellate review, the statutory limitations governing executions, and the contractual security interests in the judgment claim. App. 569–580. On August 9, the clerk rejected the ordinary-execution submission. App. 571–573.

Respondent commenced a renewed Falmouth supplementary-process action on August 9, 2024, before securing the subsequently requested alias execution. App. 677–681 (identifying the sequence of the supplementary-process filing, rejected execution request, and ensuing alias-execution motion).

On August 22, 2024, Respondent sought an alias execution under Mass. Gen. Laws, ch. 235, §35. The motion acknowledged that the court's docket did not reflect issuance of an earlier execution and expressly stated that the purported original execution might have been lost or never issued. App. 581–587

(creditor's motion and representations concerning the uncertain existence of the original execution). Supporting affidavits addressed the purported earlier request and unsuccessful efforts to locate an execution. App. 604–606.

Petitioner challenged these representations by comparing the November 2021 correspondence, the absence of a docketed original execution, the August 9, 2024 rejection, and the outstanding appellate proceedings. App. 527–548 (declaration identifying disputed filing history and asserted inconsistencies); App. 601–606 (underlying request and affidavits); App. 607–646 (opposition and supporting exhibits). Petitioner further asserted that material facts concerning the earlier rejection and ongoing appellate review were omitted from Respondent's motion. App. 509–523, 530–535.

The dispute therefore concerned the statutory predicates for the requested alias execution, including whether a qualifying original execution had issued and whether appellate review had been exhausted as required by Mass. Gen. Laws, ch. 235. Respondent's express uncertainty concerning issuance and Petitioner's contrary evidentiary submissions were material to the requested relief, but the Barnstable court allowed the alias execution on September 9, 2024, without resolving those contested representations in an evidentiary hearing. App. 15, 581–587, 607–646.

D. The Resulting Appeal and Continuing Enforcement

Petitioner filed a notice of appeal from the September 9 allowance and challenged the subsequent

dismissal of that appeal. App. 647–649, 658–665. Respondent's emergency motion to dismiss the appeal invoked the contemporaneous Falmouth supplementary-process proceeding and its scheduled hearing, directly linking the appeal from the execution to its enforcement consequences. App. 524–526.

The resulting appellate proceedings included the single-justice orders challenged in No. 2024–P–1166. Petitioner's accepted principal brief and subsequent reply identified the statutory execution objections, the disputed representations supporting the alias execution, and the resulting deprivation of asserted property and constitutional rights. App. 65–127, 128–144 (presenting the statutory and federal objections); see App. 1287–1296 (Map M-1).

The March 25, 2026 dismissal under Rule 16(a) left those objections without a merits determination in the consolidated appeals, while the alias execution continued to serve as the asserted basis for supplementary-process enforcement. App. 1–3, 145–147 (dismissal and further-appellate-review application identifying the continuing execution controversy).

III. Federal Trade-Secret Protections, Impoundment, and Contemporaneous Confidentiality Objections

A. The Protected CA-System Information and the Norfolk Impoundment Order

The licensing and security agreements implicated information extending beyond the financial terms of the disputed promissory note. Petitioner identified proprietary algorithms, computational methodologies,

digital authentication and non-repudiation systems, electronic-control procedures, commercial relationships, and organizational information developed and deployed through the CA-System. He asserted that these materials possessed independent economic value, were subject to confidentiality measures, and included technical information relevant to interstate and foreign commerce. App. 549–558, 971–976 (identifying proprietary categories and proposed differentiated access); App. 989–996 (presenting the asserted trade-secret interests and protective measures).

During the August 21, 2024 evidentiary hearing in Norfolk Superior Court No. 2182CV00699, Petitioner submitted licensing and security materials relating to the disputed collateral and requested protection against public dissemination. On September 9, 2024, the Norfolk court found good cause to impound the provisionally protected exhibits, expressly recognizing Petitioner's claim that public disclosure would deprive him of a property interest in trade secrets. App. 960–961.

The court distinguished impoundment from sealing, permitted party access subject to the protective-order framework and specified exceptions, and established September 9, 2029 as the expiration date of the impoundment order. *Ibid.* The ruling thus recognized a sufficient asserted confidentiality interest to warrant judicial protection, without adjudicating the merits of every claimed trade secret or prohibiting all discovery.

Petitioner separately requested *in camera* review, controlled disclosure, differentiated access, and protective provisions governing technical information,

authenticated agreements, audit records, and related materials. App. 549–558, 969–976, 989–996 (identifying the requested safeguards and the asserted consequences of unrestricted disclosure); see App. 1303–1305 (Map M-4).

B. The Federal Statutory Interests and the August 2024 Notice of Confidentiality

Petitioner invoked the Defend Trade Secrets Act, 18 U. S. C. §§1836–1839, and associated federal confidentiality protections concerning the proprietary technical and commercial information. The categories identified in his pleadings included information of the kinds described in §1839(3), including methods, processes, programs, financial information, and business information alleged to derive economic value from secrecy. App. 971–975, 989–996.

The Norfolk submissions also identified encryption, digital authentication, computing technologies, and asserted export-related restrictions. Petitioner sought protective determination before technical materials were disclosed to counsel, experts, or persons outside the authorized contractual framework. App. 972–975.

On August 25, 2024, Petitioner transmitted correspondence addressing the pending Norfolk proceedings, the pledged security interests, and proposed confidentiality-controlled review. The correspondence identified technical and contractual materials requiring differentiated access and requested measures to avoid unnecessary public disclosure while allowing judicial examination of disputed transactions.

App. 549–558 (describing proposed protective procedures and technical access categories).

The federal questions subsequently raised were therefore grounded in identified categories of proprietary information, particular confidentiality requests, and the Norfolk court's actual impoundment ruling. Their application to later Falmouth discovery remained disputed, particularly where the creditor sought financial or organizational information that Petitioner alleged would expose protected methods, relationships, or identifiers.

C. The January 2025 Deposition and Protected Discovery Responses

The renewed Falmouth proceeding resulted in discovery extending into the parties' contractual and business relationships, including matters already addressed in the impounded Norfolk record. During the January 23, 2025 deposition, Petitioner identified the relevant agreements and objected to unprotected examination or dissemination of information subject to asserted confidentiality restrictions. App. 155–272 (deposition and exhibit identification).

On January 24, Petitioner supplied supplemental responses identifying provisions of the promissory note, loan agreement, and security agreement, while expressly distinguishing impounded Norfolk information from public Falmouth records. He requested that protected material be impounded before its use as evidence in the supplementary-process proceeding. App. 933–941 (identifying contractual provisions and requesting protected treatment).

In February 2025, Petitioner further documented his discovery responses, identifying previously supplied materials and additional responsive documents under the existing impoundment framework. His responses described approximately 401 pages of impounded discovery and offered further deposition or interrogatory responses concerning matters determined to be responsive. App. 942–950, 951–959 (responses to document requests and interrogatories, identifying prior production and conditions governing protected materials).

These filings are relevant to the later characterization of Petitioner's conduct as obstruction. They document participation in discovery and contemporaneous requests for protective handling, although the extent of compliance with each particular discovery directive remained disputed. See App. 1303–1305, 1309–1312 (Maps M-4 and M-6).

D. Continuing Objections to Disclosure and Judicial-Record Integrity

Petitioner alleged that confidential discovery information had entered unauthorized communications and filings, exposing protected financial and trade-secret identifiers. He sought authentication, restricted examination, and preservation. App. 1164–1175, 1230–1286. At the October 14 hearing, Respondent's counsel denied unauthorized disclosure of the joint tax returns. App. 1240–1249. The Falmouth court vacated nonparty Papers #18, #37, #91, and #92 as inadvertently docketed. App. 23, 1245, 1261. The rulings established unauthorized docket entries without determining responsibility for alleged

dissemination. Petitioner continued requesting *in camera* review, Attorneys' Eyes Only restrictions, and protection of contractual and financial information. App. 1164–1175, 1203–1217; see App. 1306–1308, 1319–1323 (Maps M-5 and M-9).

E. Federal Objections Preserved in the Enforcement Record

Petitioner's federal objections identified particular technical and commercial information under 18 U. S. C. §1839(3), the Norfolk impoundment order, protected discovery responses, and alleged unauthorized dissemination. App. 933–959, 960–961, 1164–1175. At the December 18, 2025 hearing, Petitioner expressly invoked §1839(3), which the court permitted to be marked. App. 354–355. The court rejected asserted federal protection for household financial arrangements and imposed Rule 37 sanctions. App. 355–363. Section IV addresses the resulting discovery and enforcement orders, whose federal constitutional implications remained unresolved in the March 25 dismissal.

IV. The Alias Execution and Falmouth Supplementary-Process Enforcement

A. The December 2024 Asset Restraint and Protected Collateral

Falmouth supplementary process commenced August 9, 2024, before the September 9 allowance of the disputed alias execution. Petitioner identified the judgment claim as pledged collateral under the licensing and security agreements, including a defaulted

$1.25 million uncertificated security and asserted aggregate secured obligations exceeding $150 million. App. 607–613, 677–690; see App. 1301–1302 (Map M-3).

Following the December 5 hearing, at which the court warned that its supplementary-process authority included jail, App. 154, the December 19 order compelled financial discovery and restrained Petitioner from disposing of, transferring, or encumbering personal, real, business, or financial assets. Petitioner identified these restraints as encompassing his asserted interests in multimillion-dollar defaulted pledged collateral, previously presented in the August 21, 2024 Norfolk evidentiary hearing and associated impoundment proceedings, which he maintained constituted his only available nonexempt assets. App. 20–23, 960–961, 984–987; see App. 619–620.

The order remained operative while the contractual status of the pledged collateral, the asserted defaults, and the validity of the alias execution continued to be contested. App. 20–23, 382–399, 400–438 (judicial restraint and contemporaneous Barnstable and Falmouth dockets).

B. January 2025 Discovery and the April 3 Finding of Inability to Pay

At the January 23, 2025 deposition, Respondent examined Petitioner's income, assets, organizational arrangements, and previously impounded Norfolk agreements, identifying the Security Agreement, Loan Agreement, and Promissory Note as exhibits. App. 155–272. Petitioner's January 24 and February 5 supplemental responses identified contractual

provisions, prior production, and approximately 401 pages of impounded materials requiring protected handling. App. 933–959.

On April 3, 2025, after examination under oath, the Falmouth court found Petitioner presently unable to pay. App. 23, 273–309, 409.

C. Expansion of Nonparty Discovery and Continuing Confidentiality Objections

On February 3, 2025, a purported nonparty, Tikam Chaturvedi, filed Paper #37 containing allegations concerning Petitioner's arrest, deportation, and nonparty entity finances. Petitioner responded through a February 6 affidavit of compliance (Paper #38), a motion seeking sanctions for pseudonymous interventions (Paper #39), and a February 10 supplemental sanctions motion (Paper #40). On February 27, the court denied Petitioner's motions for protective relief and sanctions, including Paper #39, without acting upon Paper #40. A renewed sanctions motion (Paper #45) was denied April 3. App. 406–409 (Falmouth docket, Papers #37–46).

At the April 3 hearing, Petitioner requested protection against misuse of joint tax returns containing his physician spouse's independent income. The court reminded counsel of his confidentiality responsibilities, which counsel acknowledged. App. 305–308.

Nevertheless, on June 6, Respondent served hearing subpoenas upon Petitioner's spouse and another nonparty (Papers #49–50), whose scope and asserted lack of judicial authorization Petitioner challenged through motions to quash. His June 11 submissions included supporting exhibits (Paper #57), a motion to

strike portions of Respondent's opposition (Paper #58), and a further request for corrective relief (Paper #59). App. 410–411 (Falmouth docket, Papers #48–59).

At the June 12 hearing, counsel incorrectly represented that the April court had found Petitioner able to pay and mischaracterized Petitioner's spouse's income from physician services. App. 1219–1223. Petitioner, the *pro se* party targeted by false income statements, invoked the nonparties' affidavits and separate financial interests. The court denied the motions and authorized their depositions. App. 1224–1226; App. 411 (#60–61).

Petitioner separately asserted his own rights to protect proprietary information and challenged discovery exceeding Mass. Gen. Laws, ch. 224, §§14–16. App. 1203–1207. Map M-6 identifies an asserted total of 24 nonparty subpoenas demanding expansive discovery. App. 1309–1312.

The February 3 nonparty submission was subsequently among the four filings vacated by the Falmouth court on October 14, 2025. App. 23, 427 (Paper #93). The same purported identity also appeared in unauthorized submissions to the Appeals Court, where Paper #27 was struck and Paper #38 was subsequently vacated and reclassified. App. 699–704. These proceedings document the continuation of financial discovery and coercive enforcement despite repeated objections to unauthorized filings, disputed representations concerning payment capacity, and requests for protection of independently asserted property and confidentiality interests. The proceedings included repeated subpoenas, motions to compel, deposition disputes, and requests for protective relief.

App. 400–438 (Falmouth docket); App. 1218–1229 (June 12 hearing transcript); see App. 1309–1312 (Map M-6, identifying the subpoena and nonparty-discovery chronology).

Petitioner objected that the creditor had not established the existence of nonexempt assets, transfers, or jointly held property sufficient to justify the breadth of nonparty discovery under Mass. Gen. Laws, ch. 224, §§14–16. He further maintained that certain requests extended beyond information concerning his ability to pay and implicated protected financial, corporate, and trade-secret identifiers.

These objections were accompanied by requests for restricted access, impoundment, and procedures governing production of sensitive records. App. 1164–1175, 1203–1217 (protective submissions and objections concerning nonparty financial discovery).

The dispute concerned both the statutory scope of supplementary process and the manner in which federally protected information could be examined without destroying its confidentiality. Petitioner did not assert authority to represent the nonparties but sought protection of his independently asserted interests in proprietary information and prevention of misuse of the judicial process. App. 1203–1207 (express distinction between nonparty representation and Petitioner's asserted confidentiality interests).

D. Unauthorized Filings, Judicial Vacatur, and the Record-Integrity Objections

Respondent's counsel acknowledged assent to the February 2025 direction against third-party filings.

App. 276–278. The Appeals Court struck nonparty Paper #27 on July 28, 2025; the challenged Paper #38 was later vacated and reclassified as miscellaneous material from an unknown sender. App. 371, 699–704.

On October 14, the Falmouth court vacated Papers #18, #37, #91, and #92, finding that nonparty submissions had been inadvertently docketed. App. 23, 1245, 1261. Petitioner requested authentication, preservation of metadata, impoundment, and safeguards against alleged use of restricted discovery information. App. 1164–1175; see App. 1306–1308 (Map M-5). Responsibility for the disputed disclosures remained undetermined.

E. October–December 2025 Discovery Orders and Notice of Readiness

At the October 14 hearing, Petitioner challenged apparent circulation of protected tax-return information. Counsel denied sharing the returns beyond his client, stated that the documents remained in his office, and represented that his client held no copies. The court accepted counsel's representation. App. 1247–1249.

On November 17, Petitioner filed a Notice of Readiness identifying assembled financial materials and seeking confirmation of Attorneys' Eyes Only and impoundment procedures for secure production. App. 1200–1202.

Following the December 2 nonparty depositions, a December 5 email attributed to "Sharmi Das" described deposition participants, financial and tax-return issues, confidentiality conditions, and

Petitioner's DTSA objections, accompanied by disparaging statements. App. 1197–1199 (Exhibit H). Petitioner sought preservation and authentication of the communication. At the December 18 hearing, the court acknowledged that it did not know the sender's identity and directed separate investigation. App. 363.

F. The December 18 Rule 37 Sanction and Express Federal Statutory Objection

At the December 18, 2025 hearing, Petitioner expressly invoked 18 U. S. C. §1839(3), which the court permitted to be marked, in objecting to disclosure of asserted trade-secret and organizational information. App. 354–355.

The court rejected asserted protection for household financial arrangements, found repeated discovery obstruction, and invoked Mass. Rule Civ. Proc. 37 to preclude evidence of inability to pay. It then found capacity to pay $2,000 monthly on the $170,207.62 judgment, plus interest. App. 24–27, 358–362.

The sanction followed the April 3 inability-to-pay finding and Petitioner's objections under Mass. Gen. Laws, ch. 224, §16, including the creditor's burden, exemptions, and protections asserted for qualifying debtors aged sixty or older. The court required disclosure or payment and warned of contempt and incarceration for nonpayment. App. 23–27, 360–363.

G. Continuing Restraints and Enforcement Through April 2026

The December payment order left the December 2024 asset restraints operative. On April 9, 2026,

the court denied reconsideration of restrictions affecting Petitioner's asserted pledged-collateral interests. App. 28–29, 424; see App. 1316–1318 (Map M-8). Petitioner reported borrowing to meet payments while the restraints impaired recovery or monetization of collateral, together with financial and professional consequences arising from nonparty discovery and threatened contempt.

H. The Unresolved Federal Objections and Related Norfolk Appeal

The accepted principal and reply briefs challenged the original-execution representations, the August 2024 rejection, and resulting enforcement under constitutional and statutory objections. App. 65–144, 499–508; see App. 1291–1296 (Map M-1). The proposed Supplemental Record Appendix documented unauthorized submissions and subsequent appellate-record corrections. App. 696–756.

The related Norfolk proceedings concerning the licensing agreements, pledged collateral, and impounded information continue in Appeals Court No. 2026–P–0501, with principal briefing completed. App. 439–474, 960–961; see App. 1297–1300 (Map M-2). Those proceedings provide context for the federal confidentiality objections; the judgment under review is the March 25, 2026 Rule 16(a) dismissal.

The cumulative consequences of the challenged execution, the discovery sanctions, the continuing asset restraints, and the threatened incarceration persisted while the Appeals Court dismissed No. 2024–P–1166 under Rule 16(a) without adjudicating the execution's disputed statutory predicates or the federal

constitutional questions presented in that appeal. App. 1–4, 65–144.

SUMMARY: THE NATIONAL FEDERAL INTEREST

The federal questions extend beyond the validity of an individual execution or an ordinary discovery dispute. Congress enacted the Defend Trade Secrets Act to protect commercially valuable information used in interstate and foreign commerce. 18 U. S. C. §1836(b). Federal district courts possess original, but not exclusive, jurisdiction over DTSA claims. The Second Circuit expressly recognized concurrent state-court jurisdiction under the DTSA. *Beijing Neu Cloud Oriental System Technology Co., Ltd.* v. *International Business Machines Corp.*, 110 F. 4th 106 (CA2 2024). State courts exercising that jurisdiction remain bound by applicable federal law and ordinary principles governing final judgments. *Tafflin* v. *Levitt*, 493 U. S. 455, 458–461 (1990); *Haywood* v. *Drown*, 556 U. S. 729, 735–740 (2009).

Petitioner's asserted rights concern proprietary technologies, licensing agreements, cryptographic and authentication systems, machine-intelligence methodologies, distributed computing, and commercial identifiers associated with interstate financial transactions. The underlying pleadings identify information alleged to satisfy 18 U. S. C. §1839(3), including technologies whose disclosure may implicate the Export Administration Regulations governing releases of controlled technology or source code to foreign persons. App. 549–558, 971–996, 1173–1174.

The related Massachusetts proceedings involved repeated requests for protective adjudication, a judicial impoundment order, disputed dissemination of confidential information, unauthorized filings subsequently vacated by the court, and compulsory discovery followed by an evidentiary sanction and threatened incarceration. App. 23–27, 354–363, 960–961, 1134–1136. Petitioner maintained that the resulting judicial process required surrender of asserted federal confidentiality and property rights as the practical condition of defending or enforcing his contractual claims.

These circumstances implicate a federal interest in ensuring that state judicial procedures do not defeat applicable federal protections through compelled disclosure before their applicability can be meaningfully determined. The question is especially consequential where disclosure may irreversibly destroy the economic value of the information and implicate separate federal export-control obligations.

The judgment under review dismissed the execution appeal under Rule 16(a), without adjudicating the federal questions preserved in that proceeding. Petitioner seeks examination of the adequacy of that procedural disposition, not independent review of the separate judgments. The national interest lies in the relationship between federal trade-secret protections, concurrent state adjudication, and procedural mechanisms through which protected property and petitioning rights may be impaired without a meaningful determination of the applicable federal law.

REASONS FOR GRANTING THE PETITION

I. The Application of Rule 16(a) Presents a Substantial Question Under the Independent-and-Adequate-State-Ground Doctrine

A. Federal law determines whether a procedural ground adequately forecloses review of federal rights

This Court ordinarily will not review a state judgment resting upon an independent and adequate state-law ground. *Coleman* v. *Thompson*, 501 U. S. 722, 729 (1991). That principle applies to procedural as well as substantive grounds. But whether a procedural ground is adequate presents a federal question, not one conclusively resolved by the state court's characterization of its own rule. *Douglas* v. *Alabama*, 380 U. S. 415, 422 (1965); *Lee* v. *Kemna*, 534 U. S. 362, 375 (2002).

A procedural ground is ordinarily adequate when firmly established, regularly followed, and applied in furtherance of legitimate state interests. *James* v. *Kentucky*, 466 U. S. 341, 348–349 (1984); *Ford* v. *Georgia*, 498 U. S. 411, 423–424 (1991). This Court has rejected state procedural grounds lacking fair and substantial support or applied in exceptional circumstances to foreclose review of preserved federal rights. *Staub* v. *City of Baxley*, 355 U. S. 313, 318–320 (1958); *NAACP* v. *Alabama ex rel. Patterson*, 357 U. S. 449, 454–458 (1958); *Lee* v. *Kemna*, 534 U. S. 362, 375–387 (2002). In *NAACP*, the Court rejected the asserted state procedural bar before addressing constitutional

objections to compelled disclosure of confidential associational information. 357 U. S., at 458–466.

In *Lee*, the Court examined whether the legitimate purposes of the procedural requirements had substantially been fulfilled, whether compliance had been demanded in a predictable manner, and whether the circumstances justified foreclosing adjudication. 534 U. S., at 381–387. The governing inquiry was not simply whether procedural defects existed, but whether their particular treatment supplied an adequate basis for withholding review of the federal claim.

This principle does not eliminate state judicial discretion. *Beard* v. *Kindler*, 558 U. S. 53, 60–61 (2009), confirms that a discretionary procedural rule may be firmly established and regularly followed. *Walker* v. *Martin*, 562 U. S. 307, 316–321 (2011), likewise recognizes the legitimate interests served by state procedural requirements. Those decisions frame, rather than foreclose, the question whether the particular application of Rule 16(a) had the fair and substantial support necessary to sustain the judgment independently of the federal questions presented.

B. The accepted appellate submissions identified the disputed issues, supporting authorities, record references, and requested relief

The Massachusetts Appeals Court permitted reinstatement and acceptance of Petitioner's nonconforming principal brief and record appendices on July 28, 2025, expressly reserving subsequent panel review. App. 7, 371. Petitioner does not contend that this

order waived Rule 16(a) or guaranteed merits adjudication.

The ensuing record nevertheless presented identifiable arguments. The principal brief addressed statutory execution requirements, disputed representations concerning the original execution, the clerk's rejection, appellate status, and continuing enforcement. App. 65–127. The appellee's brief responded through procedural and execution-related defenses. App. 499–508. Petitioner's October 17 reply challenged those defenses, identified the contested execution chronology, and expressly invoked Fourteenth Amendment due process and equal protection. App. 132–143.

The accompanying proposed Supplemental Record Appendix identified intervening unauthorized filings, judicial corrections, and continuing record-integrity objections. App. 696–756 (selected supplemental materials); see App. 1287–1296 (Map M-1, comparing the principal brief, appellee's response, reply, and Rule 16(a) dismissal).

The Appeals Court nevertheless concluded that the submissions were materially noncompliant and that it could not adequately discern Petitioner's contentions. App. 1–3. Petitioner challenges the adequacy of that conclusion as a ground for foreclosing review where the documentary record identified the issues, their statutory and constitutional bases, and the relief requested.

The federal inquiry does not require this Court to substitute its ordinary briefing preferences for those of Massachusetts. It concerns whether the essential purposes of the briefing rules were sufficiently served,

whether the asserted deficiencies justified dismissal of the consolidated appeals, and whether the procedural treatment was adequate under the principles of *Lee*, *Staub*, and *NAACP*.

C. The dismissal left operative an enforcement instrument whose statutory predicates had been specifically challenged

The procedural consequences were concrete. Petitioner's appeal challenged an alias execution obtained after the clerk rejected a renewed original-execution request and after Respondent represented that an earlier execution might have been lost or never issued. App. 571–587, 601–606.

Massachusetts law distinguishes the conditions for issuing an execution from the procedures for obtaining subsequent or renewed process. Mass. Gen. Laws, ch. 235, §§16, 17, 19. Petitioner contended that the absence of an established original execution could not be cured merely by characterizing an earlier uncompleted request as a lost execution. App. 607–646.

The underlying state-law determination remains for the Massachusetts courts. But the distinction mattered to the authority asserted for continuing enforcement. The existence of an unpaid judgment did not itself answer whether the particular execution had been lawfully issued. Nor would invalidation of that execution necessarily foreclose every supplementary-process remedy otherwise authorized upon independent proof of the judgment.

The federal question is narrower: whether procedural dismissal adequately foreclosed adjudication of the challenges actually raised while the disputed instrument continued to be invoked in proceedings affecting property and liberty interests. App. 1–3, 20–29, 145–147.

II. The Continuing Enforcement Consequences Implicate Recognized Federal Property and Due Process Principles

The Fourteenth Amendment requires constitutionally adequate procedures when state action deprives a person of protected property or liberty interests. *Mathews* v. *Eldridge*, 424 U. S. 319, 332–335 (1976). In *Connecticut* v. *Doehr*, 501 U. S. 1 (1991), this Court examined the private interests affected, the risk of erroneous deprivation, the value of additional safeguards, and the opposing interests implicated by judicial restraints upon property. 501 U. S., at 11–18.

Here, Petitioner identified a disputed execution used in supplementary process involving an asset restraint, examination of pledged collateral, nonparty financial discovery, and subsequent coercive orders. App. 20–29, 400–438. He also identified contractual security interests, including an asserted defaulted $1.25 million uncertificated security and aggregate joint and several secured obligations exceeding $150 million. App. 576–578, 682, 860–862, 985–986. Those amounts represent contested contractual claims, not adjudicated liabilities.

The consequences extended to information alleged to possess independent economic value from secrecy.

In *Ruckelshaus* v. *Monsanto Co.*, 467 U. S. 986 (1984), this Court recognized that trade secrets, although intangible, may constitute property protected by the Constitution. 467 U. S., at 1001–1004. Their value depends substantially upon preserving secrecy. *Id.*, at 1002.

The Norfolk court had found good cause to impound identified licensing materials based upon asserted trade-secret interests. App. 960–961. In Falmouth, Petitioner identified the protected agreements in deposition, supplied supplemental responses, and requested procedures for *in camera* review or restricted production. App. 155–272, 933–959, 1200–1217.

On April 3, 2025, the Falmouth court found no present ability to pay. App. 23. On December 18, following disputed nonparty discovery and Petitioner's express invocation of 18 U. S. C. §1839(3), the court imposed Rule 37 evidentiary preclusion and a $2,000 monthly payment obligation. App. 24–27, 354–363. The court found obstruction and explained that Petitioner's conduct prevented the creditor from meeting its evidentiary burden. App. 358–359. Petitioner disputed that characterization, relying upon documented production and requests for protected compliance.

The court subsequently framed the choice as providing the requested information or paying money. App. 361. It warned that nonpayment could result in contempt and incarceration. App. 360–363.

Those later orders are not independently before this Court. They establish the practical significance of the unresolved execution challenge and the asserted federal interests implicated by enforcement. The

constitutional question is not whether every discovery disagreement required appellate intervention, but whether the procedural system, as applied, afforded a meaningful opportunity to challenge the authority for state enforcement before the disputed consequences became entrenched.

III. The Federal Confidentiality Objections Present Questions Concerning Protected Information, Judicial Disclosure, and the Supremacy of Federal Law

A. The asserted federal interests arise from identifiable statutory categories and protected information

Congress defined a trade secret to include qualifying financial, business, scientific, technical, economic, and engineering information when reasonable secrecy measures have been taken and the information derives independent economic value from secrecy. 18 U. S. C. §1839(3). Section 1836(b)(1) provides a civil remedy for qualifying trade-secret misappropriation involving interstate or foreign commerce.

Section 1835 prescribes confidentiality safeguards in proceedings under Chapter 90 and provides a mechanism for a trade-secret owner to submit information under seal before disclosure is authorized. The application of those provisions to separate state supplementary-process and contract proceedings is a disputed legal question. Section 1838 preserves other federal and state remedies, subject to its express exceptions, and does not establish categorical displacement of state discovery procedures.

Petitioner identified particular licensing agreements, proprietary methodologies, authentication systems, security arrangements, and commercial identifiers alleged to satisfy §1839(3). App. 549–558, 933–959, 971–996. The Norfolk impoundment order and subsequent requests for controlled production supplied contemporaneous evidence of asserted secrecy interests. App. 960–961.

The federal question is therefore not whether every requested financial record automatically qualified as a trade secret. It concerns the procedures for determining the applicability of asserted federal protections before disclosure potentially destroys the property interest claimed.

B. The Threat of Incarceration Preceded the Discovery Sanctions and Continued Despite Unresolved Federal Property and Confidentiality Objections

At the December 5, 2024 Falmouth supplementary-process hearing, Petitioner testified concerning his limited personal income and financial assets and identified his work developing and deploying innovations in financial services and energy through Moolex. App. 149–152. The court acknowledged that the information then available was insufficient to determine his ability to pay. App. 153. Nevertheless, in authorizing further discovery and discussing possible contempt, the court stated that its authority extended to "including jail." App. 154.

The ensuing December 19 order compelled interrogatories, document production, and deposition testimony, while restraining the disposition or

encumbrance of Petitioner's assets, including asserted business and financial interests. App. 20–23. Discovery thereafter extended to confidential licensing and security agreements previously impounded in Norfolk Superior Court, including proprietary technical information and commercial arrangements Petitioner maintained were protected under the Defend Trade Secrets Act. App. 155–272, 933–961.

On April 3, 2025, the Falmouth court affirmatively found that Petitioner lacked the ability to pay. App. 23. Nevertheless, the proceedings expanded to compulsory nonparty discovery, demands for confidential financial and organizational identifiers, and further requests for protected disclosure. App. 400–438, 1164–1217.

At the December 18, 2025 hearing, Petitioner expressly invoked 18 U. S. C. §1839(3), following repeated requests for *in camera* examination and enforceable confidentiality measures. App. 354–358. The court found willful discovery obstruction, imposed Rule 37 evidentiary preclusion preventing Petitioner from presenting evidence of inability to pay, and ordered monthly payments of $2,000. App. 24–27, 358–363. The court stated that Petitioner must either provide the creditor's requested information or pay money and expressly warned that nonpayment could result in incarceration. App. 360–363.

The Constitution distinguishes legitimate coercive enforcement from punishment imposed without adequate procedural safeguards. *Turner* v. *Rogers*, 564 U. S. 431, 447–448 (2011), requires fundamentally fair procedures concerning present ability to comply when incarceration is sought through civil contempt.

Hicks v. *Feiock*, 485 U. S. 624, 638, n. 9 (1988), recognizes that civil contempt cannot constitutionally compel an act that the contemnor is demonstrably unable to perform. *International Union, United Mine Workers of America* v. *Bagwell*, 512 U. S. 821, 827–834 (1994), similarly requires examination of a sanction's coercive or punitive operation rather than its procedural label.

Throughout the supplementary-process proceedings, Petitioner participated in three depositions, appeared at nine court hearings, and furnished extensive financial, contractual, and organizational discovery while repeatedly seeking confidentiality protections for proprietary information and federally protected trade-secret identifiers. App. 155–364, 400–438 (deposition and hearing records; Falmouth docket). Discovery expanded to two nonparty household members through an asserted total of 24 independently served subpoenas, accompanied by repeated motions to compel, contempt requests, and contested demands for protected financial and organizational information. App. 1309–1312 (Map M-6). Against this background, Petitioner filed his November 17, 2025 Notice of Readiness, affirming his preparedness to provide the identified information subject to enforceable Attorneys' Eyes Only restrictions, impoundment, and protected judicial examination. App. 1200–1202. This documented course of participation, production, and requests for protective safeguards bears directly upon the subsequent finding of willful discovery obstruction and the Rule 37 evidentiary sanction and monthly payment order. App. 24–27, 354–363.

The national concern extends beyond conventional debt collection. Petitioner's identified assets included proprietary scientific and computational developments, authentication technologies, licensing frameworks, and commercial information alleged to derive substantial economic value from secrecy and deployment in interstate and foreign commerce. Where judicial discovery threatens to destroy that value through disclosure, and resistance to unprotected disclosure is followed by sanctions and threats of confinement, procedural safeguards must account for both the asserted federal property interest and the separate liberty interest implicated by civil contempt. *Ruckelshaus* v. *Monsanto Co.*, 467 U. S. 986, 1001–1004 (1984); *Mathews* v. *Eldridge*, 424 U. S. 319, 334–335 (1976).

These proceedings establish a documented progression from the December 5, 2024 judicial warning through protected discovery, the April 2025 inability-to-pay finding, the December 2025 statutory objection, and the subsequent payment sanction and incarceration warnings.

The Appeals Court's procedural dismissal in No. 2024–P–1166 left the challenged execution undisturbed while this enforcement sequence continued. Petitioner submits that the resulting interaction between procedural foreclosure, asserted federal trade-secret property interests, and threatened deprivation of liberty reinforces the need to examine whether Rule 16(a) constituted an adequate and independent ground for withholding review of the federal questions properly presented. The issue was presented directly in related Norfolk proceedings. At the October

7, 2025 hearing, after Petitioner explained that public trial disclosure could destroy the confidentiality of the impounded material, the court directed him to "Get it all out in the open." App. 1126–1128.

At the December 29 hearing, responding to Petitioner's express invocation of 18 U. S. C. §1839, the court declared: "I don't care about 18 USC. We're in state court." App. 1134–1135. The court further stated: "We're not playing by federal rules; we're playing by state rules here." App. 1136.

Petitioner maintained that those statements reflected refusal to adjudicate the applicability of the asserted federal protections before compelling public disclosure. The Supremacy Clause requires state courts to give effect to applicable federal law. *Testa* v. *Katt*, 330 U. S. 386, 391–394 (1947); *Haywood* v. *Drown*, 556 U. S. 729, 735–740 (2009). The record-integrity and discovery disputes reinforce the need to distinguish protected compliance from obstruction.

Petitioner also challenged alleged circulation of confidential materials through filings attributed to unauthorized or misidentified persons. The Appeals Court struck a nonparty submission, and the Falmouth court subsequently vacated four filings expressly found to have been entered inadvertently from nonparties. App. 23, 371, 699–704, 1230–1286.

Those rulings did not adjudicate the origin of the materials or establish responsibility for alleged disclosure. They nevertheless document irregularities material to Petitioner's requests for authentication, preservation, impoundment, and controlled examination. App. 1164–1175, 1203–1217.

The subsequent Rule 37 sanction arose from the court's contrary conclusion that Petitioner had obstructed discovery. App. 24–27, 358–363.

This distinction matters under *Mathews*: when asserted property interests may be irreversibly impaired through disclosure, the value of protective procedures must be considered alongside the creditor's legitimate discovery interests. 424 U. S., at 335. The present petition does not ask this Court to resolve the factual discovery disputes. Their significance is that the federal objections were specific and contemporaneous, not abstractions formulated after dismissal of the execution appeal.

IV. The Petition Presents a Distinct and Reviewable Question Without Requiring Adjudication of the Related Judgments

The proceedings concerning the Barnstable judgment, Norfolk licensing agreements, Falmouth supplementary process, and related state and federal appeals overlap in evidence and asserted federal rights. They nevertheless retain separate jurisdictional and procedural postures. App. 1297–1300 (Map M-2).

Petitioner does not seek a determination that the disputed collateral transactions were unlawful, that particular persons committed impersonation, or that every item identified in discovery constituted a federally protected trade secret. Nor does the petition seek independent review of the Norfolk proceedings, SJC–13867, or First Circuit No. 25–2187.

The judgment presented is the March 25, 2026 dismissal of the consolidated execution appeals. App. 1–3. The question is whether Rule 16(a), as

applied to the accepted and docketed appellate submissions, constituted an independent and adequate ground for foreclosing adjudication of the federal issues properly presented.

This Court has long distinguished the jurisdictional consequences of an adequate state ground from the antecedent federal question whether the ground was adequate. *Lee*, 534 U. S., at 375–376; *Douglas*, 380 U. S., at 422. The existence of extensive related litigation does not itself establish inadequacy. What matters is the application of the procedural rule to the particular federal claims, the legitimate purposes of the rule, and the record supporting dismissal.

The proceedings underlying this petition overlapped with other state and federal actions involving the same or related parties, pledged collateral, confidential commercial agreements, disputed discovery submissions, and asserted federal rights.

Massachusetts Appeals Court No. 2024–P–1162 was resolved without the merits determination of the federal questions Petitioner sought. In Norfolk Superior Court, Petitioner continued to challenge the treatment of previously impounded information and the applicability of asserted federal confidentiality protections. The related appeal in No. 2026–P–0501 presented additional objections concerning disputed filings, compelled disclosure, and the interaction of state procedure with federal statutory rights.

In November 2025, while No. 2024–P–1166 remained pending, Petitioner initiated federal proceedings invoking the All Writs Act in response to alleged intimidation, oppressive nonparty discovery, and repeated violations of judicial confidentiality

restrictions. Those proceedings subsequently reached the First Circuit in No. 25–2187. The federal action arose before the December 18 Falmouth sanction and formed part of Petitioner's contemporaneous efforts to obtain protection against further disclosure.

These proceedings demonstrate repeated assertion of the same underlying federal interests without adjudication of several particular questions: whether the identified information qualified for DTSA protection; whether and to what extent the asserted federal confidentiality provisions applied; whether restricted discovery information had been circulated without authorization; and whether the challenged execution was supported by the statutory predicates required for its issuance.

The Falmouth court made findings concerning discovery obstruction and payment capacity, and the Norfolk court entered rulings concerning confidentiality and discovery. The distinction is that those determinations did not necessarily resolve the federal questions Petitioner maintained were presented.

The significance of the related record is narrower: it demonstrates contemporaneous notice of asserted federal rights, repeated requests for judicial protection, and continuing enforcement consequences while the execution challenge remained unresolved.

V. The Petition Presents a Federal Question Distinct from the Unresolved Merits of the Related Disputes

The federal question presented here is the reviewability of the state appellate disposition that left the

challenged execution undisturbed. Petitioner submits that the record of preserved federal objections, the procedural history of the consolidated appeals, and the continuing enforcement consequences warrant examination of whether Rule 16(a) supplied an adequate and independent basis for dismissal.

The distinction is essential. A procedural dismissal may prevent consideration of otherwise substantial federal claims when the state ground is adequate and independent. The adequacy inquiry cannot be replaced by the assumption that any invocation of a state briefing rule conclusively bars federal review. *Lee*, 534 U. S., at 375–387; *Davis* v. *Wechsler*, 263 U. S. 22, 24 (1923).

Review would permit determination of the threshold federal procedural question without requiring the Court to resolve the disputed collateral transactions, alleged impersonation, or DTSA liability in the first instance.

CONCLUSION

This Court should grant certiorari.

Respectfully submitted.

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