

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

MANJEET K. KANG; AMRIK SINGH KANG,
APPLICANTS,

V.

NATIONSTAR MORTGAGE, LLC, DOING BUSINESS AS MR. COOPER;
U.S. BANK NATIONAL ASSOCIATION,
RESPONDENTS.

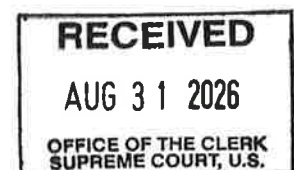
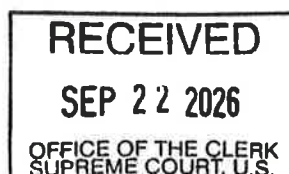
**APPLICATION FOR A STAY OF THE MANDATE PENDING THE FILING
AND DISPOSITION OF A PETITION FOR A WRIT OF CERTIORARI
TO THE HONORABLE ELENA KAGAN, ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE
FOR THE NINTH CIRCUIT:**

Pursuant to 28 U.S.C. § 2101(f) and Rule 23 of the Rules of this Court, Applicants Manjeet K. Kang and Amrik Singh Kang, proceeding *pro se*, respectfully apply for a stay of the mandate of the United States Court of Appeals for the Ninth Circuit in Case No. 24-6287. Applicants request that the stay remain in effect pending the filing and disposition of a Petition for a Writ of Certiorari in this Court.

Relief is not available from any other court or judge. Applicants previously filed a Motion to Stay the Mandate in the Ninth Circuit, which was denied on August 17, 2026. The mandate subsequently issued on August 19, 2026.

JURISDICTION AND PROCEDURAL HISTORY

On April 23, 2026, the Ninth Circuit entered a Memorandum disposition affirming the district court's grant of summary judgment in favor of Respondents. Applicants timely filed a Petition for Rehearing or Rehearing En Banc on May 5, 2026. The Ninth Circuit denied the petition for rehearing on August 11, 2026. Applicants subsequently filed a Motion to Stay the Mandate under Federal Rule of



Appellate Procedure 41, asserting their intent to seek review in this Court. On August 17, 2026, the Ninth Circuit denied the motion to stay, and the formal mandate was issued on August 19, 2026, returning jurisdiction to the district court. This Court has jurisdiction to grant a stay pursuant to 28 U.S.C. § 2101(f).

REASONS FOR GRANTING THE STAY

A stay is warranted because there is a reasonable probability that this Court will grant certiorari, a fair prospect that the Court will reverse the judgment below, and a likelihood that irreparable harm will result if the judgment is not stayed.

1. Substantial Questions of Federal Law. The forthcoming Petition for a Writ of Certiorari will present substantial questions regarding the proper application of summary judgment standards under Federal Rule of Civil Procedure 56. The Ninth Circuit's disposition directly conflicts with this Court's controlling precedent, most notably *Tolan v. Cotton*, 572 U.S. 650 (2014), *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986), and *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986). The lower courts impermissibly credited the moving party's factual assertions while ignoring genuine, documented disputes of material fact presented by the non-moving *pro se* litigants regarding escrow accounting, forced-placed insurance charges, and servicer misrepresentations.

2. Irreparable Harm. The underlying controversy involves Applicants' primary residential real property and mortgage obligation in Pierce County, Washington. With the mandate having issued, jurisdiction has returned to the district court, permitting Respondents to execute on the judgment, initiate collection, or resume adverse servicing actions, including potential foreclosure proceedings against Applicants' residential home. Such actions would cause devastating and irreparable harm to Applicants and would effectively render any subsequent relief granted by this Court moot.

CONCLUSION

For the foregoing reasons, Applicants respectfully request that this Court recall and stay the mandate of the United States Court of Appeals for the Ninth Circuit pending the filing and final disposition of their Petition for a Writ of Certiorari.

Respectfully submitted,

Amrik Singh Kang 8/25/2026

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UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 17 2026

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MANJEET K. KANG and AMRIK SINGH
KANG,

Plaintiffs - Appellants,

v.

NATIONSTAR MORTGAGE, LLC, doing
business as Mr. Cooper and U.S. BANK
NATIONAL ASSOCIATION,

Defendants - Appellees.

No. 24-6287

D.C. No.

3:23-cv-05106-KKE

Western District of Washington,
Tacoma

ORDER

Before: LEE, DESAI, and JOHNSTONE, Circuit Judges.

The motion (Docket Entry No. 22) to stay the mandate is denied. *See Fed.*

R. App. P. 41(b).

The mandate will issue in due course.

This court will not entertain further filings in this closed case.

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SUPREME COURT, U.S.

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MANJEET K. KANG; AMRIK SINGH KANG,	)	No. 24-6287
Plaintiffs - Appellants,	)	
	)	D.C. No. 3:23-cv-05106-KKE
v.	)	(Western District of Washington, Tacoma)
	)	
NATIONSTAR MORTGAGE, LLC, doing	)	APPELLANTS' MOTION TO STAY THE
business as Mr. Cooper; U.S. BANK NATIONAL	)	MANDATE
ASSOCIATION,	)	(Fed. R. App. P. 41; 9th Cir. R. 41-1)
Defendants - Appellees.	)	
	)	
	)	

TO THE HONORABLE JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT:

Appellants Manjeet K. Kang and Amrik Singh Kang, proceeding *pro se*, respectfully move this Court pursuant to Federal Rule of Appellate Procedure 41 and Ninth Circuit Rule 41-1 for an order staying the issuance of the mandate in the above-captioned appeal pending final disposition of their Petition for Rehearing or Rehearing En Banc filed on May 5, 2026 (Dkt. Entry 19.1), and/or pending the filing and disposition of a Petition for a Writ of Certiorari in the Supreme Court of the United States.

I. BACKGROUND AND PROCEDURAL HISTORY

On April 23, 2026, this Court entered its Memorandum disposition affirming the district court's grant of summary judgment in favor of Appellees Nationstar Mortgage, LLC and U.S. Bank National Association (Dkt. Entry 18.1). Under Federal Rule of Appellate Procedure 41(b) and 9th Circuit Rules 41-1 and 41-2, the mandate is scheduled to issue 7 days after the expiration of the time for filing a petition for rehearing or 7 days after the denial of such a petition, unless stayed by order of this Court.

On May 5, 2026, Appellants timely filed a Petition for Rehearing or Rehearing En Banc (Dkt. Entry 19.1), challenging the panel's disposition on multiple substantive legal and factual grounds. As detailed in the Petition, Appellants demonstrated that:

1. The panel decision directly conflicts with controlling Supreme Court precedent—including *Tolan v. Cotton*, 572 U.S. 650 (2014), *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986), and *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986)—by impermissibly crediting the moving party's factual assertions and ignoring genuine disputes of material fact regarding escrow accounting, forced-placed insurance charges, and servicer misrepresentations;
2. The panel misapplied Washington contract law (RCW 19.36.010) and established state supreme court precedent (including *Keystone Land & Dev. Co. v. Xerox Corp.*, 152 Wn. 2d 171 (2004) and *Badgett v.*

Security State Bank, 116 Wn. 2d 563 (1991)) by treating routine mortgage servicing performance issues under an existing written loan contract as unenforceable counteroffers or Statute of Frauds violations; and

3. The panel's strict application of waiver doctrine against *pro se* litigants conflicts with established Ninth Circuit authority protecting access to justice, including *Balistreri v. Pacifica Police Dep't*, 901 F. 2d 696 (9th Cir. 1990), and *Bretz v. Kelman*, 773 F.2d 1026 (9th Cir. 1985) (en banc).

II. ARGUMENT AND GROUNDS FOR STAY

Pursuant to Fed. R. App. P. 41(d)(1) and 9th Cir. R. 41-1, a stay of mandate is appropriate when a party demonstrates substantial cause and shows that the petition for rehearing or petition for writ of certiorari presents a substantial question and that there is good cause for a stay.

A. Substantial Questions Raised in Petition for Rehearing

Appellants' pending Petition for Rehearing or Rehearing En Banc raises substantial legal questions of exceptional importance regarding summary judgment standards, mortgage servicer accountability under Washington law, and the constitutional rights of *pro se* litigants. Issuing the mandate while the Court considers these critical issues would prematurely strip this Court of jurisdiction and prejudice Appellants' statutory right to full en banc review under FRAP 35 and FRAP 40.

B. Irreparable Harm and Need to Preserve the Status Quo

The underlying controversy involves Appellants' primary residential real property and mortgage obligation in Pierce County, Washington. Allowing the mandate to issue immediately would return jurisdiction to the district court and permit Appellees to execute on the judgment, initiate collection, or resume adverse servicing action against Appellants' residential home. Such actions would cause irreparable harm to Appellants and effectively render any subsequent relief granted by an en banc panel or the Supreme Court moot or severely compromised.

C. Good Cause and Intention to Seek Supreme Court Review

Should this Court deny the pending Petition for Rehearing, Appellants intend in good faith to file a Petition for a Writ of Certiorari in the Supreme Court of the United States pursuant to 28 U.S.C. § 1254(1) and Supreme Court Rule 13, as the panel's disposition directly implicates federal summary judgment standards under Federal Rule of Civil Procedure 56 as articulated in *Tolan v. Cotton*.

III. CONCLUSION

For the foregoing reasons, Appellants respectfully request that this Court grant this motion and order that the mandate in Case No. 24-6287 be stayed pending the full and final disposition of Appellants' Petition for Rehearing or Rehearing En Banc, and if denied, pending the filing and final disposition of Appellants' Petition for a Writ of Certiorari in the Supreme Court of the United States.

Respectfully submitted this 13th day of August, 2026.

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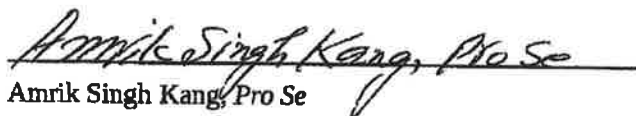
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CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 27(d) and 32(g), I hereby certify that this Motion to Stay Mandate complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains fewer than 5,200 words (or 20 pages). I further certify that this document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in 11-point Times New Roman font.

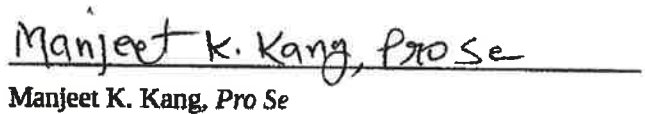
Dated: August 13, 2026


Amrik Singh Kang, Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2026, I electronically filed the foregoing Appellants' Motion to Stay the Mandate with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system or by mailing a true and correct copy via U.S. Mail to all registered counsel of record for Appellees Nationstar Mortgage, LLC and U.S. Bank National Association.

Dated: August 13, 2026


Manjeet K. Kang, Pro Se