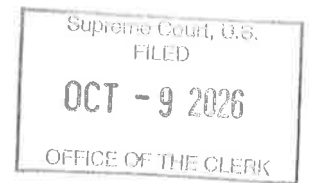


NO. 26A_____

264536



IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 2026

IN THE SUPREME COURT OF THE UNITED STATES October Term, 2026

DAVID M. SIMPKINS and SALLY E. SIMPKINS, Applicants, v. STATE OF
TENNESSEE, et al., Respondents.

**EMERGENCY APPLICATION FOR AN IMMEDIATE STAY OF THE
MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE
DISTRICT OF COLUMBIA CIRCUIT IN CASE NO. 26-7061 PENDING THE
FILING AND DISPOSITION OF A PETITION FOR A WRIT OF
CERTIORARI**

To the Honorable John G. Roberts, Jr., Chief Justice of the United States and Circuit
Justice for the District of Columbia Circuit



QUESTIONS PRESENTED (THE 10 GROUNDS FOR REVIEW) ¹

1. Whether a federal prosecution or state enforcement action can lawfully proceed when the underlying arrest warrants are void ab initio due to temporal and mathematical impossibilities—where sworn affidavits post-date warrant issuance by 17 days, offense dates post-date issuance by 19 days, and a bodily seizure was executed on an undocketed "search warrant" treating a living human being as property ("search for the body of David Mark Simpkins, or in parts thereof")—rendering *Younger v. Harris* abstention inapplicable at the threshold under *Sprint Communications Co. v. Jacobs*, 571 U.S. 69 (2013).
2. Whether the D.C. Circuit Court of Appeals erred in dismissing an appeal as untimely under the 30-day deadline of **Fed. R. App. P. 4(a)(1)(A)**, in direct violation of **28 U.S.C. § 2107(b)** and **Fed. R. App. P. 4(a)(1)(B)(iii)**, where an official-capacity action (Case No. 1:26-cv-00310-UNA) naming a federal officer (Clerk Angela D. Caesar) was formally initiated, designated a "U.S. Government Defendant" action on the official docket, and incorporated into the proceedings as a related case, thereby establishing a mandatory statutory 60-day appeal window for all parties.

¹ Please note that this Appellant's computer was taken down several times this past week by unknowns and the FBI has done nothing to prevent the 24/7 harassment and the time now is 8:04 PM. And we cannot get to any service to get our package out so we will have to send it email and mail via kiosk. It is our only choice. But know that they manipulated this document all day long so that I could not get a decent document to the US Supreme Court Chief Justice.

3. Whether a single district judge violates the mandatory and non-discretionary prohibition of **28 U.S.C. § 2284(b)(3)** by summarily dismissing constitutional civil rights claims and denying emergency injunctive relief rather than initiating procedures to convene a three-judge district court, rendering such dismissal void ab initio under *Shapiro v. McManus*, 577 U.S. 39 (2015), and *Nguyen v. United States*, 539 U.S. 69 (2003).

4. Whether an Article III district judge commits reversible error and creates an unconstitutional jurisdictional paradox under *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83 (1998), by explicitly disclaiming subject-matter jurisdiction while simultaneously issuing substantive, preclusive rulings on the merits dismissing the action under **Fed. R. Civ. P. 8(a)** or declaring all pending emergency motions moot.

5. Whether a district court deprives a litigant of procedural due process under the Fifth Amendment and *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950), by issuing a formal Standing Order granting five (5) days to file an amended pleading, and then sua sponte dismissing the action on Day 2 of that window before compliance is due or service is completed.

6. Whether a district judge who previously disclaimed jurisdiction in a closed case may, consistent with due process and the fundamental rule of *In re Murchison*, 349 U.S. 133 (1955), intercept, adjudicate, and deny an emergency post-judgment motion that was addressed specifically to the Chief Judge under 28 U.S.C. § 137 and that formally challenged the assigned judge's own ultra vires conduct.

7. Whether systematic alterations of the federal court docket by a Clerk of Court—including rewriting motion titles to remove the words "Emergency" and "Void," embedding hyperlinks directing to the very dismissal orders challenged, and classifying filings under restrictive review tags to block Article III review—constitutes fraud upon the court under *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944).

8. Whether an Article III proceeding against a federal officer (Case No. 1:26-cv-00310-UNA) can be lawfully terminated by an administrative clerk-level entry without an order, opinion, or judgment signed by an Article III judicial officer, consistent with *Antoine v. Byers & Anderson, Inc.*, 508 U.S. 429 (1993), and *Parissi v. Telechron, Inc.*, 349 U.S. 46 (1955).

9. Whether a district court denies constitutional due process under *Mathews v. Eldridge*, 424 U.S. 319 (1976), by importing and branding a litigant with a "vexatious

filer" label from a separate jurisdiction without an order to show cause, an evidentiary hearing, or an opportunity to respond.

10. Whether the deployment of approximately 50 tactical officers, a SWAT team, and an armored vehicle to arrest an unarmed, non-resisting citizen on alleged Class A misdemeanor charges, with prior recorded law enforcement knowledge that no firearm existed, constitutes extreme excessive force in violation of the Fourth Amendment under *Graham v. Connor*, 490 U.S. 386 (1989), and *Tennessee v. Garner*, 471 U.S. 1 (1985), providing an independent bar to ongoing bad-faith enforcement.

QUESTIONS PRESENTED (THE 10 GROUNDS FOR REVIEW)	2
TABLE OF CONTENTS	5
TABLE OF AUTHORITIES	6
I. JURISDICTION UNDER 28 U.S.C. § 2101(f) AND SUPREME COURT RULE 23	10
1. Statutory Authority (28 U.S.C. § 2101(f))	8
2. Certiorari Jurisdiction (28 U.S.C. § 1254(1))	8
3. In-Chambers Jurisdiction of the Circuit Justice (Supreme Court Rules 22 & 23)	8
4. Extraordinary Circumstances Excusing Application Below (Supreme Court Rule 23.3)	11

II. STATEMENT OF THE ARGUMENTS: GROUNDS FOR GRANTING AN IMMEDIATE STAY	10
A. A Substantial Federal Conflict Exists Regarding the Mandatory 60-Day Appeal Period	
Under 28 U.S.C. § 2107(b) and FRAP 4(a)(1)(B)(iii)	2, 5, 13, 25, 29
B. Single-Judge Merits Dismissals Defied the Absolute Statutory Command of 28 U.S.C. § 2284(b)(3)	12
C. The District Court Created an Unconstitutional Jurisdictional Paradox Under Steel Co.	13
D. The Premature Dismissal Constituted a "Standing Order Trap" Violating Procedural Due Process	13
E. Younger Abstention Cannot Lawfully Apply to State Process That Is Void Ab Initio	14
F. Lower Court Refusal to Address Structural Partiality and Interlocutory Lockouts	15
III. THE EXTRAORDINARY CIRCUMSTANCE: THE OCTOBER 2 FILING BAR	16
IV. THE THRESHOLD REALITY: PROCEEDINGS ARE VOID AB INITIO	17
1. Itemized Record of 497 Discrete Constitutional & Statutory Rights Violations	17
a. State of Tennessee Matrix (294 Discrete Violations)	17
b. Federal District Court & Tactical Sabotage Matrix (203 Discrete Violations)	18
2. Mathematical Impossibility of Warrants	19
3. Under Controlling State and Federal Law, Process Never Existed	20

4. Comprehensive Appellate Record Preservation (D.C. Cir. No. 26-7061)	21
--	----

V. REASONS FOR GRANTING THE STAY: SUBSTANTIAL QUESTIONS PRESENTED AND

RECORD ROADMAP	22
A. Direct Conflict Regarding the Statutory 60-Day Appeal Period	22
B. Absolute Statutory Violation of 28 U.S.C. § 2284(b)(3)	22
C. The Jurisdictional Paradox Under Steel Co.	23
D. Denial of Due Process: The Standing Order Trap	23
E. Post-Closure Rulings and Records Manipulation	24
F. MASTER RECORD ROAD MAP OF PRESERVED AND UNRESOLVED ISSUES	24
1. Void Ab Initio Process (17-Day and 19-Day Chronological Defects)	24
2. Excessive Tactical Force (Militarized SWAT Deployment)	25
3. Denial of Impartial Tribunal / Recusal (Judge André)	25
4. The Mandatory 60-Day Appeal Period (Federal Officer Party)	26

VI. IRREPARABLE HARM HAS ALREADY OCCURRED AND IS ACTIVELY ESCALATING

ABSENT AN IMMEDIATE STAY	27
1. Repeated Physical Deprivations and Bodily Injury on Void Process	27
2. Active, Ongoing Property Seizure and Deprivation of Livelihood Without Due Process	27
3. Total Extinguishment of Federal Oversight and Immediate Peril Upon Mandate	28

VII. CONCLUSION AND PRAYER FOR RELIEF	29
---	----

VERIFICATION PURSUANT TO 28 U.S.C. § 1746	32
CERTIFICATE OF SERVICE	30

TABLE OF AUTHORITIES

Federal Cases:

<i>Antoine v. Byers & Anderson, Inc.</i> , 508 U.S. 429 (1993)	4
<i>Bad Elk v. United States</i> , 177 U.S. 529 (1900)	23
<i>Beck v. Ohio</i> , 379 U.S. 89 (1964)	1, 22, 28
<i>Caperton v. A.T. Massey Coal Co.</i> , 556 U.S. 868 (2009)	18, 21, 29
<i>Foman v. Davis</i> , 371 U.S. 178 (1962)	16, 27
<i>Franks v. Delaware</i> , 438 U.S. 154 (1978)	18, 22, 23, 28
<i>Graham v. Connor</i> , 490 U.S. 386 (1989)	5, 19, 22, 28
<i>Hazel-Atlas Glass Co. v. Hartford-Empire Co.</i> , 322 U.S. 238 (1944)	4, 24
<i>Hollingsworth v. Perry</i> , 558 U.S. 183 (2010)	13, 30
<i>In re Murchison</i> , 349 U.S. 133 (1955)	3, 18, 21, 27, 29
<i>Mathews v. Eldridge</i> , 424 U.S. 319 (1976)	4
<i>Mullane v. Central Hanover Bank & Trust Co.</i> , 339 U.S. 306 (1950)	3, 17, 27
<i>Nguyen v. United States</i> , 539 U.S. 69 (2003)	3, 15, 26
<i>Parissi v. Telechron, Inc.</i> , 349 U.S. 46 (1955)	4
<i>Shapiro v. McManus</i> , 577 U.S. 39 (2015)	3, 15, 26
<i>Sprint Communications Co. v. Jacobs</i> , 571 U.S. 69 (2013)	2, 17, 21, 22
<i>Steel Co. v. Citizens for a Better Environment</i> , 523 U.S. 83 (1998).....	3, 16, 24, 27
<i>Tumey v. Ohio</i> , 273 U.S. 510 (1927)	18
<i>United States ex rel. Russell v. Epic Healthcare Mgmt. Group</i> , 193 F.3d 304 (5th Cir. 1999)	14, 29

<i>United States v. American Telephone & Telegraph Co.</i> , 642 F.2d 1285 (D.C. Cir. 1980)	14
<i>Wallace v. Chappell</i> , 637 F.2d 1345 (9th Cir. 1981) (<i>en banc</i>)	14
<i>Younger v. Harris</i> , 401 U.S. 37 (1971)	17

Tennessee State Cases:

<i>State v. Campbell</i> , 641 S.W.2d 880 (Tenn. 1982)	17, 23, 28
<i>State v. Ferrante</i> , 269 S.W.3d 908 (Tenn. 2008)	18, 23, 24
<i>State v. Goines</i> , 572 S.W.2d 644 (Tenn. 1978)	17, 28
<i>State v. Moats</i> , 403 S.W.3d 170 (Tenn. 2013)	17, 23
<i>Tennessee v. Garner</i> , 471 U.S. 1 (1985)	5, 28

Federal Statutes:

18 U.S.C. § 242	21
18 U.S.C. § 2331(5)	22
28 U.S.C. § 137	4, 27
28 U.S.C. § 1746	29
28 U.S.C. § 2101(f)	10, 19
28 U.S.C. § 2107(b)	2, 5, 13, 25, 29
28 U.S.C. § 2284(b)(3)	2, 15, 12, 24, 26

Tennessee Statutes:

T.C.A. § 20-11-110	20
--------------------------	----

Federal Rules of Appellate Procedure:

Fed. R. App. P. 4(a)(1)(A)	2, 13, 25
Fed. R. App. P. 4(a)(1)(B)(iii)	2, 13, 25, 29
Fed. R. App. P. 4(a)(4)(A)(iv)	25

Fed. R. App. P. 41(d)	20
Fed. R. App. P. 47(b)	25

Federal Rules of Civil Procedure:

Fed. R. Civ. P. 8(a)	3, 15
----------------------------	-------

Supreme Court Rules:

Sup. Ct. Rule 13	11
Sup. Ct. Rule 23	10, 18, 30
Sup. Ct. Rule 23.3	3, 11, 18

Tennessee Supreme Court Rules:

Tenn. Sup. Ct. R. 10B	17, 20, 27
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I. JURISDICTION UNDER 28 U.S.C. § 2101(f) AND SUPREME COURT RULE 23

This Court possesses jurisdiction to grant an immediate stay of the mandate of the United States Court of Appeals for the District of Columbia Circuit pursuant to 28 U.S.C. § 2101(f) and Supreme Court Rule 23:

1. Statutory Authority (28 U.S.C. § 2101(f)):

Under 28 U.S.C. § 2101(f), in any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and operation of such judgment or decree may be stayed for a reasonable time to

enable the party aggrieved to obtain a writ of certiorari from the Supreme Court. A stay may be granted by a Justice of this Court.

2. Certiorari Jurisdiction (28 U.S.C. § 1254(1)):

The underlying judgment of the D.C. Circuit Court of Appeals in Case No. 26-7061 (orders entered August 25, 2026, and October 2, 2026) is subject to review by this Court on a timely petition for a writ of certiorari pursuant to 28 U.S.C. § 1254(1) and Supreme Court Rule 13.

3. In-Chambers Jurisdiction of the Circuit Justice (Supreme Court Rules 22 & 23):

Supreme Court Rule 22.1 establishes that an application addressed to an individual Justice shall be submitted through the Clerk to the Justice designated for the Circuit. Chief Justice John G. Roberts, Jr., is the designated Circuit Justice for the District of Columbia Circuit.

4. Extraordinary Circumstances Excusing Application Below (Supreme Court Rule 23.3):

Supreme Court Rule 23.3 requires that an application for a stay identify the reasons why relief was not obtained from the court below. Applicants are excused from filing a motion to stay the mandate in the D.C. Circuit because the court of appeals stripped its own Clerk of authority to receive any further filings from Applicants. In its October 2, 2026 en banc denial order, the D.C. Circuit ordered:

"The Clerk is directed to accept no further filings from appellants in this closed case."

Because this blanket filing bar permanently foreclosed the statutory remedy under Federal Rule of Appellate Procedure 41(d), and in direct contravention of the Appellant's First Amendment Rights to address the Court, relief was strictly unobtainable in the court below, placing immediate and exclusive emergency jurisdiction in Circuit Justice Roberts.

IV. STATEMENT OF THE ARGUMENTS: GROUNDS FOR GRANTING AN IMMEDIATE STAY

Under *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010), an applicant seeking a stay of mandate must establish:

(1) a reasonable probability that four Justices will consider the issue sufficiently meritorious to grant certiorari;

(2) a fair prospect that a majority of the Court will vote to reverse the judgment below;

(3) a likelihood that further irreparable harm will escalate beyond where it currently is, if the stay is not granted. Applicants satisfy every prong:

A. A Substantial Federal Conflict Exists Regarding the Mandatory 60-Day Appeal Period Under 28 U.S.C. § 2107(b) and FRAP 4(a)(1)(B)(iii)

The D.C. Circuit panel dismissed the appeal under the 30-day deadline of **Fed. R. App. P. 4(a)(1)(A)**, ruling that Applicants failed to name a federal official as a party.

That holding directly contradicts the official record and controlling circuit precedent:

- In Case No. 1:26-cv-00310-UNA, Applicants sued Angela D. Caesar, Clerk of the U.S. District Court, in her official and individual capacities.
- The official CM/ECF docket sheet designated the proceeding as a "**U.S. Government Defendant**" action and formally cross-referenced it as a "**Related Case**" to Case No. 1:26-cv-00304-CJN.
- Under **28 U.S.C. § 2107(b)** and **Fed. R. App. P. 4(a)(1)(B)(iii)**, when an officer or employee of the United States is sued in an official capacity, the time to appeal is **60 days for all parties**.

Under *United States ex rel. Russell v. Epic Healthcare Mgmt. Group*, 193 F.3d 304, 306 (5th Cir. 1999), and *Wallace v. Chappell*, 637 F.2d 1345, 1347–48 (9th Cir. 1981) (en banc)

"Whenever the alleged grievance arises out of a government activity, the 60-day filing period of Rule 4(a) applies if: (a) the defendant officers were acting under color of office, or (b) the defendant officers were acting under color of law or lawful authority..." the 60-day rule is a bright-line jurisdictional boundary that applies broadly whenever a federal officer is sued.

- The D.C. Circuit's own ruling prevented the introduction of a new requirement similarly confirmed in *United States v. American Telephone & Telegraph Co.*, 642 F.2d 1285, 1292 (D.C. Cir. 1980), that the 60-day rule was structured to ensure broad applicability across connected proceedings and prevent procedural traps, noting that where a federal presence exists, "*the sixty-day period applies to all parties.*" (quoting Fed. R. App. P. 4(a) Advisory Committee Notes).
- The D.C. Circuit panel created an extra-statutory rule—not found in Rule 4 or Title 28—that an official-capacity defendant must be merged via an amended complaint rather than recognized on a linked docket. This creates an intolerable conflict in federal appellate practice.

B. Single-Judge Merits Dismissals Defied the Absolute Statutory Command of 28 U.S.C. § 2284(b)(3).

Both district judges acted as single judges to dismiss constitutional civil rights claims and deny emergency applications for temporary restraining orders causing several irreparable harms and false arrests and physical harm to the Appellant Mr. Simpkins:

- Title 28 U.S.C. § 2284(b)(3) provides in mandatory, unambiguous terms: "*A single judge shall not ... hear and determine any application for a preliminary or permanent injunction or motion to vacate such an injunction, or enter judgment on the merits.*"

- In *Shapiro v. McManus*, 577 U.S. 39 (2015), this Court held unanimously (Scalia, J.) that § 2284(b)(3)'s prohibition on single-judge merits rulings "admits of no exception" and that a single judge who dismisses rather than convening a three-judge panel acts without statutory authority.

- Under *Nguyen v. United States*, 539 U.S. 69 (2003), proper judicial panel composition is not a technicality; acting without statutory panel authority voids the proceedings entirely. Both district court dismissals were void from inception.

C. The District Court Created an Unconstitutional Jurisdictional Paradox Under *Steel Co.* Under *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94 (1998), a court lacking jurisdiction cannot proceed to enter substantive, preclusive adjudications on the merits.

- In Case No. 25-cv-4566, Judge Ali declared that the court possessed "*neither subject matter jurisdiction ... nor the authority to interfere,*" yet dismissed the complaint under **Fed. R. Civ. P. 8(a)** and imposed preclusive fee barriers.
- In Case No. 1:26-cv-00304, Judge Nichols declared that the Court "*does not reach the merits of this case or any motions,*" yet entered Document 22 as a "*final appealable Order*" **while simultaneously ruling that all of Applicants' active emergency motions were denied as moot.**
- A court cannot simultaneously assert that it has no jurisdiction to touch a controversy and exercise the judicial power to moot and terminate it with preclusive finality.

D. The Premature Dismissal Constituted a "Standing Order Trap" Violating Procedural Due Process

On March 2, 2026, Judge Nichols issued a formal Standing Order requiring Applicants to file an amended emergency motion and redline comparison within five (5) days (by March 7).

- On March 4 (Day 2 of the 5-day window), Judge Nichols *sua sponte* dismissed the action before the compliance deadline arrived and before formal service could be completed by the Marshals or completed via certified mail.
- Under *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950), and *Foman v. Davis*, 371 U.S. 178 (1962), a court cannot order a party to amend, establish a deadline, and then extinguish the party's claims before the deadline expires. This arbitrary termination deprived Applicants of their Fifth Amendment right to procedural due process.

E. Younger Abstention Cannot Lawfully Apply to State Process That Is Void *Ab Initio*

The lower courts shielded the state defendants under the mantle of *Younger v. Harris*, 401 U.S. 37 (1971), ignoring the unanimous limitation established in *Sprint Communications Co. v. Jacobs*, 571 U.S. 69 (2013):

- Under *State v. Campbell*, 641 S.W.2d 880, 882 (Tenn. 1982), an arrest warrant issued without an underlying sworn affidavit of complaint stating probable cause is void *ab initio*, meaning the prosecution "in effect never existed."
- Under *State v. Ferrante*, 269 S.W.3d 908 (Tenn. 2008), a void charging instrument cannot confer subject-matter jurisdiction and cannot be cured by later proceedings.
- Under *State v. Moats*, 403 S.W.3d 170 (Tenn. 2013), and *State v. Goines*, 572 S.W.2d 644 (Tenn. 1978), process lacking constitutional prerequisites confers zero authority.
- Under *Beck v. Ohio*, 379 U.S. 89 (1964), and *Franks v. Delaware*, 438 U.S. 154 (1978), warrants whose affidavits were executed 17 days *after* issuance, or for offenses alleged 19 days in the future, are constitutional nullities.
- *Younger* abstention presupposes a valid, lawful ongoing state proceeding. **A federal court has no authority to abstain in favor of a state proceeding that is legally non-existent.**

F. Lower Court Refusal to Address Structural Partiality and Interlocutory Lockouts

The record establishes that Williamson County General Sessions Judges Denise André and Murray Thomas Taylor actively presided over proceedings and issued preclusive execution process against Applicants while simultaneously named as adverse Defendants in active federal civil rights litigation:

- Under *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), *In re Murchison*, 349 U.S. 133 (1955), and *Tumey v. Ohio*, 273 U.S. 510 (1927), no judge may adjudicate claims or execute process while maintaining a personal or litigious stake as an adverse party.
- Judge André's 270-day refusal to rule on the October 22, 2025 Emergency Motion operated as an intentional blockade to foreclose an Accelerated Interlocutory Appeal under Tenn. Sup. Ct. R. 10B.
- The federal courts' refusal to exercise jurisdiction allowed adverse party-judges to execute wage garnishments against Sally E. Simpkins and authorize tactical raids without a neutral magistrate.

I. RELIEF SOUGHT AND JURISDICTION UNDER SUPREME COURT RULE 23

Pursuant to **28 U.S.C. § 2101(f)** and Supreme Court Rule 23, Applicants David M. Simpkins and Sally E. Simpkins respectfully request an emergency stay of the mandate of the United States Court of Appeals for the District of Columbia Circuit in Case No. 26-7061 (orders entered August 25, 2026, and October 2, 2026). The mandate is scheduled to issue ministerial on Friday, October 9, 2026. Relief is sought

directly from Circuit Justice John G. Roberts, Jr., to prevent immediate irreparable harm and to preserve this Court's certiorari jurisdiction.

II. THE EXTRAORDINARY CIRCUMSTANCE: THE OCTOBER 2 FILING BAR

Applicants are compelled to apply directly to this Court pursuant to Supreme Court **Rule 23.3** because the court of appeals has closed its doors. In its October 2, 2026 en banc denial, the D.C. Circuit ordered:

"The Clerk is directed to accept no further filings from appellants in this closed case."

This blanket directive strips the Clerk of Court of authority to accept a standard Motion to Stay the Mandate under **Fed. R. App. P. 41(d)**. Relief cannot be obtained in the court of appeals, vesting exclusive emergency authority in the Circuit Justice.

III. THE THRESHOLD REALITY: PROCEEDINGS ARE VOID AB INITIO

1. The foundational premise governing this entire action is that there was never a lawful criminal proceeding in existence to which federal abstention or state jurisdiction could attach. Under controlling Tennessee law, Presiding Administrative Judge Denise André was required to dismiss the case in its entirety and expunge all records. The October 23, 2025 Emergency Motion has never been ruled upon. These deprivations are not generalized grievances; they constitute an unprecedented, mathematically certified record of **497 Discrete Constitutional and Statutory**

Rights Violations preserved across two formal indices in D.C. Cir. Case No. 26-7061:

1. State of Tennessee Matrix (294 Discrete Violations):

As itemized in Appellants' July 21, 2026 Expedited Supplemental Notice, encompassing:

- **Judge Denise André Matrix (274 Counts):** 270 continuous days of statutory non-ruling blockade (T.C.A. § 20-11-110) intentionally blocking interlocutory appeal under Tenn. Sup. Ct. R. 10B; unconstitutional Capias authorization; and presiding over collection actions while an active defendant in federal civil rights litigation in violation of *Caperton* and *In re Murchison*;
- **Judge Murray Thomas Taylor Matrix (4 Counts):** Post-stay FTA Capias issuances; authorizing process executed during the February 19 arrest; post-recusal execution; and direct defiance of the Supremacy Clause;
- **Arresting Officers & Sgt. Burns Matrix (12 Counts):** 6 counts of objective excessive force under *Graham v. Connor* causing two broken fingers and physical loss of consciousness during the February 19, 2026 arrest, and 6 counts of executing process known to be void;
- **District Attorney Stacey Edmonson Matrix (4 Counts):** 3 counts under 18 U.S.C. § 242 for prosecution on facially post-dated void warrants, and 1 count of bad-faith

retaliatory prosecution under *Sprint Communications Co. v. Jacobs*. 2. Federal District Court & Tactical Sabotage Matrix (203 Discrete Violations):

As itemized in Appellants' July 18, 2026 Amended Supplemental Master Index, encompassing:

- **Clerk Angela D. Caesar Matrix (25 Counts):** The 18-day jurisdictional hold released on the day of the state hearing, retaliatory deficiency notice, disappeared Boasberg chambers package, five blocked PACER entries, and six post-filing alterations of Document 25;
- **Judge Amir Ali Matrix (22 Counts):** Single-judge dismissals defying *Sprint Communications, Beck, Franks, and Winter*; timed closure to suppress forensic disclosure; and unauthorized cross-case intervention;
- **Judge Carl J. Nichols Matrix (26 Counts):** Single-judge merits orders violating 28 U.S.C. § 2284(b)(3); ex parte case termination prior to service; the Standing Order compliance trap; and manufactured Westlaw citations;
- **SWAT & Tactical Sabotage Matrix (130 Counts):** 50 individual tactical officer deployments on misdemeanor process under *Graham v. Connor*; domestic gas line and garage electrical fire engineering under 18 U.S.C. § 2331(5); shower plumbing mutilation causing physical burns; bedroom window hinge pin destruction; motive-driven seizure of EBMS intellectual property; and 16 post-raid attempted forced entries.

TOTAL PRESERVED RECORD: 497 DIRECT CONSTITUTIONAL & STATUTORY RIGHTS VIOLATIONS.

Every single one of these **497 violations** was placed directly before the lower courts, yet both the district court and the D.C. Circuit systematically evaded the merits through procedural dismissals and an erroneous 30-day timeliness bar.

2. Mathematical Impossibility of Warrants:

Under *Beck v. Ohio*, 379 U.S. 89 (1964), probable cause must exist at issuance.

Warrant Nos. 2025060433 and 2025060434 were issued June 4, 2025. The supporting affidavits of Officer S. Sawyers were signed June 21, 2025—seventeen (17) days later.

Under *Franks v. Delaware*, 438 U.S. 154 (1978), post-dated process is void. Warrant No. 2025070550 was issued July 5, 2025, for an alleged evasion occurring July 24, 2025—nineteen (19) days after issuance. The February 19, 2026 document was an undocketed "Search Warrant to Seize the Body," lacking court identification, docket numbers, or seals.

3. Under Controlling State and Federal Law, Process Never Existed:

Under *State v. Campbell*, 641 S.W.2d 880 (Tenn. 1982), and *State v. Ferrante*, 269 S.W.3d 908 (Tenn. 2008), void process vests no jurisdiction and "in effect, never existed." Under *Sprint Communications Co. v. Jacobs*, 571 U.S. 69 (2013), *Younger* abstention applies only to valid, lawful ongoing proceedings. A federal court cannot

abstain in favor of a legal nullity. Under *Bad Elk v. United States*, 177 U.S. 529 (1900), arrests on void process confer zero lawful authority.

TN Supreme Court ruling, under;

State v. Campbell, 641 S.W.2d 880 (Tenn. 1982), “an arrest warrant issued without an underlying written affidavit of complaint sworn under oath establishing probable cause is void ab initio. Because the warrant is a complete legal nullity from inception, no lawful prosecution or case ever commenced or existed to confer authority or subject-matter jurisdiction upon the court.”

TN Supreme Court ruling,

State v. Moats, 403 S.W.3d 170 (Tenn. 2013), the validity of an arrest warrant depends strictly upon a prior, valid affidavit demonstrating contemporaneous probable cause. A process issued in the absence of constitutional prerequisites is void from inception and cannot justify an arrest or confer jurisdiction.

TN Supreme Court Ruling;

State v. Ferrante, 269 S.W.3d 908 (Tenn. 2008);

“A charging instrument that is void from inception does not confer jurisdiction and cannot be validated by later events, including the defendant's appearance, later filings, or subsequent proceedings.”

4. "As formally documented and preserved in Appellants' Appellate Brief and August 28, 2026 Petition for Rehearing in D.C. Cir. No. 26-7061, these actions do not constitute ordinary procedural errors, but an exhaustive record of **497 discrete Constitutional Rights Violations** committed under color of law across both State and Federal actors. This unbroken record encompasses the initial units of prosecution across the Tennessee courts, sustained daily non-ruling violations, serial federal

district court evasions under **28 U.S.C. § 2284(b)(3)** and *Steel Co.* (Violations ALI-1 through ALI-18B and NIC-1 through NIC-26), and 18 documented clerical obstruction acts (CAE-1 through CAE-18). Every single one of these 497 violations was properly raised and preserved below, yet systematically evaded through procedural default and premature case closure without a single evidentiary hearing or merits adjudication."

IV. REASONS FOR GRANTING THE STAY: SUBSTANTIAL QUESTIONS PRESENTED AND RECORD ROADMAP

There is a reasonable probability that this Court will grant certiorari and a significant possibility of reversal. Below, each federal constitutional question was properly preserved and supported by verified exhibits, yet systematically evaded through procedural dismissals:

A. Direct Conflict Regarding the Statutory 60-Day Appeal Period

The D.C. Circuit panel dismissed the appeal under the 30-day limit of **Fed. R. App. P. 4(a)(1)(A)**, asserting that Applicants failed to name a federal official as a defendant. That premise is directly refuted by the official CM/ECF record. In Case No. 1:26-cv-00310-UNA, Applicants sued Angela D. Caesar, Clerk of Court, in her official capacity. The Clerk's Office designated the case as a "U.S. Government Defendant" action. Under **28 U.S.C. § 2107(b)** and **Fed. R. App. P. 4(a)(1)(B)(iii)**, the appeal

deadline is 60 days for all parties. Because tolling applied under **Fed. R. App. P. 4(a)(4)(A)(iv)** upon the timely filing of Applicants' **Rule 59(e)** and **Rule 15(a)** motion, the Notice of Appeal was timely filed 36 days after disposition. Creating an extra-statutory requirement that a federal defendant can only be recognized via an amended complaint violates **Fed. R. App. P. 47(b)**.

B. Absolute Statutory Violation of 28 U.S.C. § 2284(b)(3)

Both district judges acted as single judges to dismiss constitutional civil rights claims and deny emergency injunctive relief. Under **28 U.S.C. § 2284(b)(3)**, a single judge is expressly forbidden from entering judgment on the merits or determining preliminary injunction applications. Under *Shapiro v. McManus*, 577 U.S. 39 (2015), this statutory command admits of no exception. Single-judge dismissals of claims requiring a three-judge court are void under *Nguyen v. United States*, 539 U.S. 69 (2003).

C. The Jurisdictional Paradox Under Steel Co.

Under *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94 (1998), a court lacking jurisdiction cannot proceed to enter merits adjudications. Both district judges disclaimed jurisdiction. Yet Judge Ali dismissed under Rule 8(a) for failure to state a claim, and Judge Nichols declared that the court "does not reach the merits" while declaring all motions moot and ordering that "This is a final appealable Order." These

paradoxical rulings violate *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94 (1998).

D. Denial of Due Process: The Standing Order Trap

On March 2, 2026, Judge Nichols ordered Applicants to file an amended pleading and redline comparison within five (5) days (by March 7). On March 4 (Day 2), Judge Nichols sua sponte dismissed the action. Terminating an action while a court-ordered compliance window remains open violates procedural due process under *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950), and *Foman v. Davis*, 371 U.S. 178 (1962).

E. Post-Closure Rulings and Records Manipulation

Applicants' March 18 and March 23 emergency filings were addressed specifically to Chief Judge Boasberg under 28 U.S.C. § 137. Under *In re Murchison*, 349 U.S. 133 (1955), no judge may adjudicate challenges to their own authority. Judge Nichols had no lawful jurisdiction to enter the March 24 Minute Order on a closed docket. Furthermore, under *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944), altering Document 25's title to remove "Emergency" and embedding hyperlinks to challenged orders constitutes fraud upon the court.

A. MASTER RECORD ROAD MAP OF PRESERVED AND UNRESOLVED ISSUES:

1. Void *Ab Initio* Process (17-Day and 19-Day Chronological Defects):

- **Record:** Williamson County General Sessions Case No. 25CR2872, EX-A505 at 7, 12–13, 24–25; D.D.C. Case No. 1:26-cv-00304, ECF Doc. 2 at 1–3, ECF Doc. 2-1 at 2–5; Nichols Memorandum Opinion, ECF Doc. 21 at 1–3.
- **Controlling Authority:** *State v. Campbell*, 641 S.W.2d 880, 882 (Tenn. 1982); *State v. Goines*, 572 S.W.2d 644, 647 (Tenn. 1978); *Beck v. Ohio*, 379 U.S. 89 (1964); *Franks v. Delaware*, 438 U.S. 154 (1978).
- **Merits Status:** Judge Ali dismissed without examining warrant validity (ECF Doc. 12); Judge Nichols expressly stated he did "not reach the merits" (ECF Doc. 21); the D.C. Circuit disposed of the appeal strictly on procedural timeliness. The fundamental validity of the underlying process was never adjudicated by any court.

2. Excessive Tactical Force (Militarized SWAT Deployment):

- **Record:** EX-A505 at 5–7, 13; Case No. 1:26-cv-00304, ECF Doc. 2-1 at 3–6.
- **Controlling Authority:** *Graham v. Connor*, 490 U.S. 386 (1989); *Tennessee v. Garner*, 471 U.S. 1 (1985).
- **Merits Status:** Applicants documented the deployment of approximately 50 tactical officers, armored vehicles, and drawn firearms against an unarmed

individual on misdemeanor process where law enforcement records confirmed no firearm existed. This Fourth Amendment violation was entirely bypassed by all lower courts.

3. Denial of Impartial Tribunal / Recusal (Judge André):

- **Record:** EX-A505 at 5, 24–27; Tenn. Sup. Ct. R. 10B.
- **Controlling Authority:** *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009); *In re Murchison*, 349 U.S. 133 (1955).
- **Merits Status:** Presiding Administrative Judge Denise André issued orders and set hearings while being an active, adverse named party in the ongoing litigation. The state court failed to rule on the emergency motion, and the federal courts abstained without addressing the structural partiality defect.

4. The Mandatory 60-Day Appeal Period (Federal Officer Party):

- **Record:** D.D.C. Case No. 1:26-cv-00310-UNA, ECF Doc. 1; Case No. 1:26-cv-00304, ECF Doc. 8, ECF Doc. 13, ECF Doc. 25; Minute Order of March 24, 2026; Rehearing Petition at 6–9.
- **Controlling Authority:** 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1)(B)(iii); *United States ex rel. Russell v. Epic Healthcare Mgmt. Group*, 193 F.3d 304, 306 (5th Cir. 1999).

- **Merits Status:** District Court Clerk Angela D. Caesar was named as an official-capacity defendant and officially designated on the docket as a "U.S. Government Defendant" in a linked proceeding. The D.C. Circuit applied a 30-day appeal limit by overlooking the official-capacity federal party, improperly dismissing the appeal as untimely.

V. IRREPARABLE HARM HAS ALREADY OCCURRED AND IS ACTIVELY ESCALATING ABSENT AN IMMEDIATE STAY

Under *Hollingsworth v. Perry*, 558 U.S. 183, 190 (2010), an applicant seeking a stay must demonstrate irreparable harm. In the proceedings below, irreparable constitutional, physical, and economic harm is not a speculative future contingency—it has already occurred repeatedly across multiple completed events and is actively continuing at this hour:

- 1. Repeated Physical Deprivations and Bodily Injury on Void Process:** Applicants have already been subjected to two separate militarized tactical arrests executed on process that was mathematically and legally void *ab initio*. During the February 19, 2026 arrest, Applicant David M. Simpkins sustained two broken fingers to his right hand, a dislocated finger, and a syncope circulatory blackout during a non-resisting seizure executed on an undocketed warrant treating a living human being as property.

These severe physical injuries and deprivations of fundamental liberty have already been permanently inflicted under color of law.

2. Active, Ongoing Property Seizure and Deprivation of Livelihood Without Due

Process: Irreparable property deprivation is actively executing right now. While emergency motions and jurisdictional challenges were actively pending and unadjudicated, execution was issued for the seizure of Applicants' real property, and ongoing wage garnishments were unlawfully levied against Sally E. Simpkins—a non-owner of the subject property—without notice, hearing, or opportunity to be heard, under orders issued by an adverse named Defendant judge exercising presiding authority. Once real property is seized and liquidated, the loss cannot be undone through ordinary post-hoc remedies.

3. Total Extinguishment of Federal Oversight and Immediate Peril Upon Issuance

of Mandate: The ministerial issuance of the D.C. Circuit's mandate on Friday, October 9, 2026, will permanently extinguish the remaining federal jurisdiction, dissolving the last procedural check against local state actors. Given the documented history of physical assaults, residential gas and electrical tampering, ongoing wage garnishments, and property executions executed under the umbrella of lower-court procedural dismissals, the immediate release of the mandate exposes Applicants to

imminent re-arrest, total loss of shelter, and catastrophic physical and economic ruin before this Court has the opportunity to review the forthcoming Petition for a Writ of Certiorari.

An immediate emergency stay under Supreme Court Rule 23 is necessary to halt ongoing executions, freeze the status quo, and preserve this Court's jurisdiction to review the substantial constitutional questions presented.

VI. CONCLUSION AND PRAYER FOR RELIEF

WHEREFORE, Applicants respectfully request that Circuit Justice John G. Roberts, Jr., enter an order STAYING the issuance of the mandate of the United States Court of Appeals for the District of Columbia Circuit in Case No. 26-7061 pending the timely filing and disposition of Applicants' Petition for a Writ of Certiorari, and directing all parties to preserve the status quo.

Respectfully submitted,

Dated: October 8, 2026



DAVID M. SIMPKINS and SALLY E. SIMPKINS

Applicants Pro Se

1375 Round Hill Lane

Spring Hill, Tennessee 37174

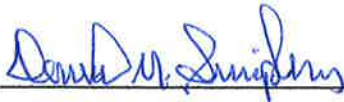
Phone: (931) 398-7097

Email: d.simpkins.consultant@gmail.com

VERIFICATION PURSUANT TO 28 U.S.C. § 1746

We declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the facts stated in the foregoing Emergency Application are true and correct to the best of our knowledge, information, and belief.

Executed on October 8, 2026.



DAVID M. SIMPKINS



SALLY E. SIMPKINS

CERTIFICATE OF SERVICE

We hereby certify that on this 8th day of October, 2026, a true and correct copy of this Emergency Application was served via first-class United States mail and electronic mail upon:

Office of the Attorney General of Tennessee
P.O. Box 20207, Nashville, TN 37202

Clerk of the Court, U.S. Court of Appeals for the D.C. Circuit
333 Constitution Ave. NW, Washington, DC 20001



DAVID M. SIMPKINS and SALLY E. SIMPKINS

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-7061**September Term, 2026****1:26-cv-00304-CJN****Filed On: October 2, 2026**

David M. Simpkins and Sally E. Simpkins,

Appellants

v.

State of Tennessee, et al.,

Appellees

BEFORE: Srinivasan, Chief Judge, and Henderson, Millett, Pillard, Wilkins,
Katsas, Rao, Walker, Childs, Pan, and Garcia, Circuit Judges

ORDER

Upon consideration of the petition for rehearing en banc, the absence of a request by any member of the court for a vote, and the motion for immediate protective relief; stay of execution, levy, garnishment, and forced sale; leave to supplement record; and expedited ruling on pending petition for rehearing en banc, it is

ORDERED that the petition be denied and the motion be dismissed as moot.

The Clerk is directed to accept no further filings from appellants in this closed case.

Per Curiam

FOR THE COURT:
Clifton B. Cislak, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-7061**September Term, 2025****1:26-cv-00304-CJN****Filed On:** August 25, 2026

David M. Simpkins and Sally E. Simpkins,

Appellants

v.

State of Tennessee, et al.,

Appellees

BEFORE: Pillard, Katsas, and Garcia, Circuit Judges

ORDER

Upon consideration of the court's order to show cause filed May 1, 2026, and the response thereto; the motion for leave to file oversized brief, the motion for leave to file brief, and the lodged appellant brief; the motion to stay underlying order pending appeal; the notices, one of which contains a request for emergency relief; the motion for relief; the emergency motion for stay; the motion for injunction and other relief; and the motion to expedite and for other relief, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that this appeal be dismissed as untimely. The timely filing of a notice of appeal in a civil case is a jurisdictional requirement. Bowles v. Russell, 551 U.S. 205, 214 (2007). Appellants' notice of appeal, however, was filed beyond the 30-day deadline. See 28 U.S.C. § 2107(a); Fed. R. App. P. 4(a)(1)(A), (4)(A). While appellants contend that the 60-day deadline applies, they neither named a federal official as a defendant in their original complaint nor filed an amended complaint doing so. See Oveido v. WMATA, 948 F.3d 386, 397 (D.C. Cir. 2020) ("While we liberally construe *pro se* pleadings, *pro se* litigants do not have a license to ignore the Federal Rules of Civil Procedure." (internal quotation marks omitted)). Appellants also suggest that excusable neglect warrants extending the time to appeal under Federal Rule of Civil Procedure 4(a)(5). But they neither filed a Rule 4(a)(5) motion in district court nor included in their notice of appeal information suggesting that they were eligible for such relief. See Ladeairous v. Garland, 45 F.4th 188, 191–92 & n.3 (D.C. Cir. 2022). Finally, the court declines to construe appellants' notice of appeal as a petition for a writ of mandamus because such relief would be unavailable under the circumstances here. See In re Nat'l Nurses United, 47 F.4th 746, 752 (D.C. Cir.

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-7061**September Term, 2025**

2022) (this court has jurisdiction to issue a writ only if doing so would protect its current or prospective jurisdiction); In re Flynn, 973 F.3d 74, 78 (D.C. Cir. 2020) (mandamus may not be used as a substitute for appeal). It is

FURTHER ORDERED that appellants' remaining motions and other requests for relief be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Clifton B. Cislak, Clerk

BY: /s/
Selena R. Gancasz
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID M. SIMPKINS and SALLY E. SIMPKINS,

Plaintiffs, Pro Se,

v.

STATE OF TENNESSEE; JUDGE DENISE ANDRÉ;

STACEY EDMONSON, District Attorney;

ANGELA D. CAESAR, Clerk of Court;

JUDGE MURRAY THOMAS TAYLOR;

WILLIAMSON COUNTY SHERIFF'S OFFICE;

SPRING HILL POLICE DEPARTMENT,

Defendants.

Case No. 1:26-cv-00304-CJN

Judge Carl J. Nichols

MINUTE ORDER. Upon consideration of the [25](#) Motion to Vacate, that Motion is DENIED. The defects identified in the [21](#) Order continue to bar the Court from exercising jurisdiction over this case. And contrary to Plaintiffs' arguments, *Sprint Communications, Inc. v. Jacobs*, 571 U.S. 69 (2013), did not overrule the applicability of *Younger* abstention to review of ongoing state criminal proceedings. In addition, "[Plaintiffs] are advised that this is the final decision of the Court. Hence, they may appeal it. The Court discourages [Plaintiffs] from filing additional irrelevant documents in this Court, as the Court retains its inherent power to issue sanctions for vexatious litigation conduct, should that become necessary." *Sieverding v. U.S. Dept of Just.*, 693 F. Supp. 2d 93, 111 n.17 (D.D.C. 2010), *aff'd*, No. 13-5060, 2013 WL 6801184 (D.C. Cir. Dec. 11, 2013). So ORDERED by Judge Carl J. Nichols on 03/24/2026. (lccjn2) **(Entered: 03/24/2026)**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DAVID M. SIMPKINS, *et al.*,

Plaintiffs,

v.

STATE OF TENNESSEE, *et al.*,

Defendants.

Civil Action No. 1:26-cv-00304 (CJN)

ORDER

This matter is before the Court on its review of David M. Simpkins and Sally E. Simpkins's *pro se* Complaint, ECF 1, and Motion to Vacate Void Process, ECF 19. The Court dismisses this case.

The Simpkinses filed this suit to “challenge[] an ongoing Tennessee criminal prosecution that is void ab initio” due to alleged deficiencies with arrest warrants. ECF 1 at 1. They “further allege that the unlawful arrest, continued prosecution, refusal to rule on jurisdictional challenges, and excessive militarized enforcement were not random acts, but were driven by an improper motive: the targeting and suppression of [Mr.] Simpkins and the intellectual property associated with the Equity Based Mortgage System (‘EBMS’), a high-value financial system with global licensing implications.” *Id.* at 2. And they request “declaratory and injunctive relief to halt enforcement of a prosecution that is legally nonexistent and constitutionally prohibited.” *Id.*

Since filing their Complaint, the Simpkinses have filed roughly a dozen notices and motions with hundreds of pages of exhibits adding factual allegations and requesting emergency

relief.¹ *See, e.g.*, ECF 2; ECF 7; ECF 10; ECF 12. At the initial screening stage, Judge Ali denied several of these motions “upon concluding in relevant part that [he] lacks authority to enjoin the ongoing state criminal proceeding in the General Sessions Court in Tennessee.” ECF 16 at 1–2. He noted that he had previously dismissed a similar case brought by the Simpkinses and explained that “[t]he same reasoning” that led to dismissal there “applies here.” *Id.* He ordered the Simpkinses to either pay the filing fee or file motions for leave to proceed *in forma pauperis* if they wanted to proceed. *Id.* at 2.

After the Simpkinses paid the filing fee, the Clerk of Court randomly assigned this case. The Simpkinses then filed an updated Motion to Vacate Void Process that demands that the Court, within 48 hours, (1) recuse Judge Ali; (2) vacate all prior rulings “as void for failure to reach the merits”; and (3) issue an emergency Temporary Restraining Order. ECF 19 at 4. This Motion further alleges that various Tennessee officials engaged in illegal conduct against the Simpkinses in relation to an ongoing state criminal proceeding against Mr. Simpkins. *See id.* at 26–43.

The Court does not reach the merits of this case or any motions, however, because as Judge Ali concluded when dismissing the Simpkinses’ earlier case, *Younger* abstention counsels against exercising jurisdiction over their claims. “Under the *Younger* doctrine, ‘federal courts should not enjoin pending state criminal proceedings absent extraordinary circumstances.’” *Simpkins v. Tennessee*, No. 25-cv-4566, 2026 WL 111664, at *3 (D.D.C. Jan. 14, 2026) (quoting *JMM Corp. v. District of Columbia*, 378 F.3d 1117, 1126 (D.C. Cir. 2004)); *see also Younger v. Harris*, 401 U.S. 37 (1971). The Simpkinses’ Complaint makes clear that they seek “declaratory and prospective injunctive relief to prevent the ongoing enforcement of state criminal proceedings.”

¹ The Simpkinses have a history of excessive and vexatious filing. In an earlier proceeding in the Middle District of Tennessee, for example, the Court imposed a filing restriction against them because their “voluminous duplicative ‘emergency’ filings . . . had become a burden on the Clerk’s Office.” Order at 1, *In re: Simpkins*, No. 3:24-mc-14 (M.D. Tenn. July 17, 2025).

ECF 1 at 1; *see also id.* (“This action challenges an ongoing Tennessee criminal prosecution”); *id.* at 2 (“Plaintiffs seek declaratory and injunctive relief to halt enforcement of a prosecution”). But such relief is exactly what *Younger* forbids.

The Simpkinses’ arguments that *Younger* does not apply are unpersuasive. *See* ECF 19 at 25–26. Their “allegations provide no meaningful basis on which this court might take the extraordinary measure of enjoining a state criminal proceeding,” *Simpkins*, 2026 WL 111664, at *3. Indeed, the fantastical nature of some of the Simpkinses’ assertions, *see, e.g.*, ECF 18 at 3 (alleging that they are victims of an “active computer intrusion, screen mirroring, keystroke capture, and email manipulation by unknown operators through government-contracted Amazon Web Services infrastructure in Herndon, Virginia”); ECF 19 at 5 (describing how the “Plaintiffs’ vehicle was deliberately sabotaged . . . 24 hours after Plaintiffs documented and reported a DoD network intrusion to this Court”); *id.* at 40 (explaining that “while Plaintiff David Simpkins was in police custody following the SWAT arrest—covert surveillance infrastructure was installed on Plaintiffs’ computer”), raises questions of whether their “claims [are] so ‘patently insubstantial’ that no federal question suitable for decision can be discerned,” *see Custis v. CIA*, 118 F. Supp. 3d 252, 254 (D.D.C. 2015) (quoting *Best v. Kelly*, 39 F.3d 328, 330 (D.C. Cir. 1994)), *aff’d*, 650 F. App’x 46 (D.C. Cir. 2016). Additionally, the fact that the Simpkinses’ house was federally financed through a Veterans Administration mortgage has no relevance to their underlying claims, nor does it cure the fundamental defect here that they ask this Court to enjoin an ongoing state criminal prosecution.

For these reasons, this case is dismissed without prejudice. All pending motions are accordingly denied as moot. A Judgment will be entered contemporaneously with this Order. This is a final appealable Order.

Date: March 4, 2026



CARL J. NICHOLS
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID M. SIMPKINS, *et al.*,

Plaintiffs,

v.

STATE OF TENNESSEE, *et al.*,

Defendants.

Civil Action No. 25-04566 (AHA)

Memorandum Opinion

David M. Simpkins and Sally E. Simpkins have filed a complaint indicating their intent to sue various state and federal actors, which appear to include the State of Tennessee, courts and judicial officers in Tennessee, and law enforcement agencies. The complaint appears to assert claims related to three lawsuits: one the plaintiffs brought in state court, against the builders of their home; one the plaintiffs brought in a Tennessee federal district court; and a state criminal prosecution against David Simpkins. For the reasons below, the court dismisses the complaint in its entirety.

I. Background

Based on the pleadings filed, it appears the plaintiffs sued a construction company in Williamson County Chancery Court, in Tennessee, asserting claims related to the construction of their home. ECF No. 1-4 at 1-2. After the chancery court dismissed the case, the plaintiffs appealed to the Tennessee Court of Appeals, which affirmed the dismissal of some claims, vacated the dismissal of others, and remanded the surviving claims. *Id.* at 1. The chancery court appears to have dismissed the case on remand. *See* ECF No. 1 ¶ 23; *see also* ECF No. 4-1. The complaint

also references a case that the plaintiffs brought in the U.S. District Court for the Middle District of Tennessee, which appears to have been dismissed. *See* ECF No. 1 ¶¶ 15–18; ECF No. 4. The nature of that lawsuit is unclear from the pleadings. Finally, the complaint references a Tennessee state criminal proceeding against David Simpkins. *See* ECF No. 1-1 at 9–14. The nature of that proceeding is also unclear from the complaint, but some of the plaintiffs’ filings suggest it may stem from David Simpkins’ alleged violation of a protective order. *See* ECF Nos. 1-12, 1-13.

II. Discussion

The court concludes that the plaintiffs’ case must be dismissed for failure to satisfy Federal Rule of Civil Procedure 8 and because, as far as the court can tell, the plaintiffs seek review of the proceedings of other courts, which this court cannot do.

The federal rules require a complaint to contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). This “does not require ‘detailed factual allegations,’ but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)). This ensures the defendant has “notice of what the claim is and the grounds upon which it rests.” *Twombly*, 550 U.S. at 555 (cleaned up). A court may dismiss a complaint that fails to meet these requirements upon motion or on its own accord. *See* Fed. R. Civ. P. 41(b); *see also Ciralsky v. CIA*, 355 F.3d 661, 669 (D.C. Cir. 2004) (“Rule 41(b) authorizes the court to dismiss either a claim or an action because of the plaintiff’s failure to comply with the Federal Rules.”); *Dali v. Walter Reed Nat’l Mil. Med. Ctr.*, No. 24-cv-3313, 2025 WL 326575, at *1 (D.D.C. Jan. 29, 2025) (observing that dismissals under Rule 8(a) “may be ordered on motion or *sua sponte* by the court”).

In cases like this involving an unrepresented or “pro se” litigant, the court is careful to give extra leeway. The court evaluates the complaint “in light of all filings.” *Ho v. Garland*, 106 F.4th

47, 50 (D.C. Cir. 2024) (quotation marks omitted) (quoting *Brown v. Whole Foods Mkt. Grp., Inc.*, 789 F.3d 146, 152 (D.C. Cir. 2015)). Of course, an unrepresented plaintiff still “must plead factual matter that permits the court to infer more than the mere possibility of misconduct.” *Jones v. Horne*, 634 F.3d 588, 596 (D.C. Cir. 2011) (quotation marks omitted) (quoting *Atherton v. District of Columbia*, 567 F.3d 672, 681–82 (D.C. Cir. 2009)). While “detailed factual allegations” are not necessary, the plaintiff must furnish “more than labels and conclusions” or “a formulaic recitation of the elements of a cause of action.” *Twombly*, 550 U.S. at 555.

The plaintiffs’ allegations fail to provide the defendants with notice of the claims against them. The complaint appears to assert 183 counts against the defendants, attaching a table that simply lists the “Actor(s),” the “Law Violated,” and the alleged “Unlawful Act” for each count. *See* ECF No. 1-3. Each count provides minimal information—for example, count five states that “Law Enforcement” violated the “Fourth Amendment” by committing an “Unlawful transport to jail,” with no further explanation. *Id.* at 1. These cursory assertions, which do not even identify a specific defendant, fail to give any defendant “notice of what the claim is and the grounds upon which it rests.” Some sections of the complaint provide slightly more detailed descriptions—stating, for example, that on “September 22, 2022, Appellate Court Clerk Elizabeth admitted on a recorded call that the Mandate was intentionally withheld to coordinate with opposing counsel’s filings.” ECF No. 1 ¶ 20. But even these allegations, most of which are still too vague to give a clear account of what happened, contain no meaningful explanation of any legal basis for relief. The plaintiffs’ complaint accordingly fails to provide the “short and plain statement” required by Rule 8.¹

¹ The plaintiffs attach numerous documents to their complaint including judgments of other courts, a complaint submitted to federal law enforcement, and filings in other proceedings. *See*

The plaintiffs' claims are also problematic because "[f]ederal courts are courts of limited jurisdiction." *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). They may hear only those cases authorized by an act of Congress or the Constitution. *Id.* A party seeking relief in the district court must at least plead facts that bring the suit within the court's jurisdiction. *See* Fed. R. Civ. P. 8(a)(1). And "[w]hen a court lacks subject matter jurisdiction, it must dismiss the case." *Auster v. Ghana Airways Ltd.*, 514 F.3d 44, 48 (D.C. Cir. 2008) (citing Fed. R. Civ. P. 12(h)(3)). Here, any possible claims that might be asserted by the complaint appear to seek review of other state or federal court proceedings. This court has neither subject matter jurisdiction to review such claims, nor the authority to interfere with such proceedings.

First, to the extent the plaintiffs' claims seek relief from decisions of the Tennessee chancery court, this court does not have subject matter jurisdiction to consider them. Under the *Rooker-Feldman* doctrine, federal district courts may not hear "cases that amount to the functional equivalent of an appeal from a state court." *Gray v. Poole*, 275 F.3d 1113, 1119 (D.C. Cir. 2002); *see also Rooker v. Fid. Trust Co.*, 263 U.S. 413 (1923); *D.C. Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983). This prevents federal courts from considering issues that are "so inextricably intertwined with a state court decision that the district court is in essence being called upon to review the state-court decision." *Stanton v. D.C. Ct. of Appeals*, 127 F.3d 72, 75 (D.C. Cir. 1997) (quotation marks and citation omitted). Federal jurisdiction is barred even when the plaintiff claims "that the state judgment itself violates the [plaintiff's] federal rights." *Johnson v. De Grandy*, 512

ECF Nos. 1-4-1-18, 1-20. However, unexplained attachments cannot cure a complaint's deficiencies. *See Nichols v. Vilsack*, No. 13-cv-01502, 2015 WL 9581799, at *1 (D.D.C. Dec. 30, 2015) (observing that even in pro se cases, "courts are not responsible for hunting through the record in search of material potentially helpful to a party's case," and "where undifferentiated documents are submitted along with a complaint that is itself lacking in detail, asking the Court to comb through the attachments to discern the substance of the plaintiff's claims . . . risks denying the defendant fair notice and an opportunity to respond to identifiable allegations of wrongdoing").

U.S. 997, 1005–1006 (1994). Here, the complaint appears to request relief from an adverse judgment of the Tennessee chancery court, which the plaintiffs argue failed to follow the directives of the state appellate court. *See* ECF No. 1 ¶¶ 23–26; ECF No. 4-1. To the extent the plaintiffs’ claims ask this court to review the propriety of the chancery court’s decision (or the state appellate court’s decision), they are barred by *Rooker-Feldman*.

Second, to the extent the plaintiffs’ claims seek review of proceedings in the U.S. District Court for the Middle District of Tennessee, this court does not have jurisdiction to consider them. “A federal district court lacks jurisdiction to review decisions of other federal courts.” *Klayman v. Rao*, 49 F.4th 550, 552 (D.C. Cir. 2022) (citation omitted). Here, a federal district court in Tennessee appears to have dismissed the plaintiffs’ case, yet the plaintiffs continued filing documents after that dismissal. *See* ECF No. 4; ECF No. 1-11. The complaint alleges these filings should be docketed and requests “cessation of all acts suppressing Plaintiffs’ access to courts.” ECF No. 1-1 at 14; *see* ECF No. 1 ¶¶ 15–18, 27–32. To the extent these claims ask this court to review actions of another federal district court, they are beyond this court’s jurisdiction.

Finally, to the extent the plaintiffs ask this court to enjoin ongoing state criminal proceedings, this court lacks authority to do so. Under the *Younger* doctrine, “federal courts should not enjoin pending state criminal proceedings absent extraordinary circumstances.” *JMM Corp. v. District of Columbia*, 378 F.3d 1117, 1126 (D.C. Cir. 2004); *see also Younger v. Harris*, 401 U.S. 37 (1971). Here, the plaintiffs appear to challenge the basis of a criminal proceeding in the General Sessions Court in Tennessee and ask this court to “[e]njoin all criminal proceedings derived from void process and used to obstruct civil enforcement.” ECF No. 1 at 10; ECF No. 1-1 at 14. But the plaintiffs’ allegations provide no meaningful basis on which this court might take the extraordinary measure of enjoining a state criminal proceeding.

Because the complaint fails to comply with Rule 8 and the types of claims asserted appear to be beyond this court's authority, the court dismisses the case in its entirety.

III. Conclusion

For these reasons, the plaintiffs' complaint is dismissed without prejudice.

A separate order accompanies this memorandum opinion.



AMIR H. ALI
United States District Judge

Date: January 14, 2026

CHRONOLOGICAL RECORD OF FEDERAL ISSUES — WORKING MASTER
Tennessee State Courts → D.C. Federal Court → D.C. Circuit Court of Appeals → Supreme Court Record Roadmap

SECTION I — TENNESSEE ORIGIN: PRESIDING ADMINISTRATIVE JUDGE DENISE ANDRÉ

State of Tennessee v. David M. Simpkins, No. 25CR2872 — protective order, warrant and arrest challenges, October 2025 emergency motion and Memorandum of Law, and subsequent hearing settings; followed by federal district and appellate proceedings.

Note: The discrepancy between the formatting of the October Emergency Motion (Cell Phone) and the Memorandum of Law (Computer).

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
Procedural Due Process / Impartial Tribunal — Presiding Administrative Judge Denise André issued a protective order against Mr. Simpkins Sept. 2024; she subsequently set the first, second, and third hearing dates after the October 2025 emergency motion. Appellants challenge her continued	State of Tennessee v. David M. Simpkins, No. 25CR2872; October 22, 2025 emergency motion (docketed October 23), EX-A505, pp. 5, 24–25, 27; subsequent hearing	EX-A505 (emergency request for dismissal, warrant vacatur, and judicial protection); protective order issued by Judge André; three post-motion hearing notices/orders; state and federal pleadings	U.S. Const. amend. XIV (Due Process / Impartial Tribunal); U.S. Const. amend. I (Petition and Access to Courts); Tenn. Sup. Ct. R. 10B (Judicial Disqualification Procedure); Tenn. Sup. Ct. R. 10, RJC 2.11	<i>In re Murchison</i> , 349 U.S. 133 (1955); <i>Caperton v. A.T. Massey Coal Co.</i> , 556 U.S. 868 (2009); <i>Tumey v. Ohio</i> , 273 U.S. 510 (1927). Impartial tribunal and disqualification authorities governing adjudication by an	State-court issue preceding Judge Ali: Appellants maintain Judge André did not rule on the October emergency motion and continued setting hearings. No determination on Judge André’s disqualification	Carried forward: Impartial tribunal, due process, access to courts, and structural bias. Judge Nichols expressly declined to reach the merits. Appellate court dismissed strictly on

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
participation as presiding judge while named as an adverse party to their litigation, and identify nondisclosure of her administrative authority over both General Sessions courts as a structural federal due process issue.	notices/orders and protective order as identified in the state record.	naming Judge André as a defendant party.	(Disqualification).	interested party.	or administrative conflict was made in Judge Ali's January 14 order (ECF 12).	timeliness. Never adjudicated on the merits.
Fourth Amendment & Jurisdictional Nullity — Warrants issued without sworn probable-cause foundation; absence of subject-matter jurisdiction; false arrest / unlawful seizure. The state	<i>State v. Simpkins</i> , No. 25CR2872; EX-A505, pp. 7, 12–13, 24–25; federal bridge: Case No. 1:26-cv-00304, ECF 2–1 (Jan. 20,	EX-A505, p. 7 (chronological defect); pp. 12–13 (Fourth Amendment analysis); p. 25 (vacatur relief); EX-A505 exhibit list p. 28, EX 1 (June 4	U.S. Const. amend. IV; U.S. Const. amend. XIV; Tenn. Const. art. I, § 7; Tenn. R. Crim. P. 3 & 4(a); Tenn. Code Ann. § 40-6-203.	<i>State v. Campbell</i> , 641 S.W.2d 880, 882 (Tenn. 1982) (warrant unsupported by sworn probable-cause affidavit is void <i>ab initio</i> ; no case existed); <i>State v. Goines</i> ,	Judge Ali dismissed Case No. 25-cv-04566 without prejudice on Rule 8 and <i>Younger</i> abstention grounds (ECF 12, pp. 2–6);	Judge Nichols (ECF 21) expressly declined to reach the merits, relying on Judge Ali's prior conclusion; D.C. Circuit

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
charging documents reflect arrest warrants issued June 4, 2025, preceding sworn complaints by 17 days, alongside July 5 warrants for events alleged July 24 (19-day impossibility). Unsworn, post-dated process is <i>void ab initio</i> ; no lawful prosecution or case ever commenced to confer jurisdiction.	2026), ref. EXH-2; Nichols ECF 21, pp. 1–3.	arrest warrants).		572 S.W.2d 644, 647 (Tenn. 1978) (probable-cause defect deprives tribunal of jurisdiction); <i>Beck v. Ohio</i> , 379 U.S. 89 (1964); <i>Whiteley v. Warden</i> , 401 U.S. 560 (1971); <i>Franks v. Delaware</i> , 438 U.S. 154 (1978).	made zero merits determination regarding warrant validity or threshold absence of jurisdiction.	disposed of appeal strictly on timeliness. The <i>void ab initio</i> threshold was never adjudicated.
Fourth Amendment & Excessive Force — July 28 militarized raid, disproportionate tactical force, SWAT deployment of ~50 officers, armored	EX-A505, pp. 5–7, 13; <i>State v. Simpkins</i> , No. 25CR2872; federal bridge: Case No. 1:26-	EX-A505, pp. 6–7 (deployment and force description); p. 13 (excessive-force authority);	U.S. Const. amend. IV (Objective Reasonableness of Force); U.S. Const. amend. XIV; 42 U.S.C. §	<i>Graham v. Connor</i> , 490 U.S. 386 (1989); <i>Tennessee v. Garner</i> , 471 U.S. 1 (1985); <i>United States v. Sokolow</i> ,	Judge Ali made zero findings or merits determinations regarding the July 28 tactical	Unadjudicated. Nichols stated he did not reach the merits; appellate dismissal on timeliness

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
vehicle with hydraulic ram, and drawn firearms aimed at an unarmed senior citizen with no criminal record on misdemeanor process. Miranda warnings withheld.	cv-00304, ECF 2-1; Nichols ECF 21.	police reports and property submittals in EX-A505 exhibit list pp. 28–32.	1983.	490 U.S. 1 (1989); <i>Illinois v. Wardlow</i> , 528 U.S. 119 (2000).	force in ECF 12.	bypassed excessive force entirely.
Fourth Amendment & Fabricated Firearm Premise — Knowing false firearm allegation used as pretext for militarized operation. Officers admitted contemporaneous camera access and prior knowledge that Mr. Simpkins possessed no firearm,	EX-A505, pp. 8, 12–13; EX-A505 exhibit list p. 28, EX 2.	EX-A505, p. 8 (Officer Amber Davis admission); p. 12 (scienter analysis); p. 28 EX 2 (police property submittal confirming no weapons seized).	U.S. Const. amend. IV; Tenn. R. Crim. P. 4(a); 18 U.S.C. §§ 1001, 1621.	<i>Franks v. Delaware</i> , 438 U.S. 154 (1978); <i>Beck v. Ohio</i> , 379 U.S. 89 (1964); <i>United States v. Leon</i> , 468 U.S. 897 (1984); <i>Whiteley v. Warden</i> , 401 U.S. 560 (1971).	Judge Ali did not decide the factual dispute regarding officer knowledge, surveillance, or fabricated firearm premises in ECF 12.	Factual proof of deliberate falsity remained unrefuted; federal merits were not reached by Nichols; appeal dismissed as untimely.

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
eliminating good-faith exception.						
First Amendment Retaliation & Warrant Alteration — Alleged alteration of resisting-arrest offense date from July 5 to July 24 following a July 10 public encounter and protected speech. Retaliatory manufacture of process to silence exposure of underlying fraud.	EX-A505, pp. 9–10, 13; EX-A505 p. 5 (request to vacate resisting-arrest warrant).	EX-A505, pp. 9–10 (July 10 public encounter, documented date discrepancies, account of July 24 contact); p. 13 (retaliation precedent).	U.S. Const. amend. I; U.S. Const. amend. IV; U.S. Const. amend. XIV; Tenn. R. Crim. P. 4(a).	<i>Hartman v. Moore</i> , 547 U.S. 250 (2006); <i>Goines v. State</i> , 572 S.W.2d 644 (Tenn. 1978).	Judge Ali did not determine whether the warrant dates were altered or whether protected speech motivated the criminal charge.	Unresolved. Nichols declined the merits; appellate panel resolved procedural timeliness only.
Fourth & Fourteenth Amendments: IP Seizure & State-Created Danger —	EX-A505, pp. 10–11, 13–15, 25–26; EX-A505 exhibit	EX-A505, p. 11 (gas fitting loosened, garage switches	U.S. Const. amends. IV, XIV; 18 U.S.C. § 2331(5)	<i>Kallstrom v. Columbus</i> , 136 F.3d 1055 (6th Cir. 1998);	Judge Ali made zero liability or factual findings concerning	Claims preserved below. Nichols dismissed

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
Unlawful search of legal files and seizure of Equity-Based Mortgage System (EBMS) proprietary records; gas line and electrical sabotage during raid creating life-threatening residential conditions.	list pp. 28–32; ECF 1 (Complaint ¶¶ 23–26).	rewired, legal files, HP laptop seized); pp. 25–26 (restitution and return); EX 8, 9, 21, 24.	(Domestic Terrorism); Tenn. Code Ann. §§ 39-16-402, 39-13-102.	<i>DeShaney v. Winnebago Cnty.</i> , 489 U.S. 189 (1989); <i>United States v. Warshak</i> , 631 F.3d 266 (6th Cir. 2010).	residential sabotage, intellectual property seizure, or state-created danger.	without reaching merits or issuing protective orders; D.C. Circuit dismissed on timeliness.
Procedural Due Process / Sustained Non-Ruling — General Sessions Court refusal to adjudicate October 22/23, 2025 emergency motion for 60+ consecutive days; judicial silence weaponized to maintain void process	EX-A505, pp. 5, 12–13, 24–25, 27; Case 25CR2872; 25-cv-04566 Ali ECF 12, pp. 1–6; 26-cv-00304 Nichols ECF 21, pp. 1–4.	EX-A505, p. 5 (immediate ruling requested); pp. 24–25 (vacatur relief); p. 27 (executed Oct. 21, filed Oct. 22/23, 2025).	U.S. Const. amend. XIV (Procedural Due Process); U.S. Const. amend. I (Access to Courts); 42 U.S.C. § 1983.	<i>Carey v. Piphus</i> , 435 U.S. 247, 266 (1978) (due process right is absolute); <i>Logan v. Zimmerman</i> , <i>Brush Co.</i> , 455 U.S. 422, 433 (1982); <i>Ex parte Milligan</i> , 71 U.S. 2 (1866).	Judge Ali addressed general abstention in ECF 12, omitting the daily-violation doctrine and refusal-to-rule record.	Procedural bypass. Nichols declined merits; appellate court dismissed on timeliness. The constitutional harm of indefinite judicial suspension was never

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
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and stall civil enforcement.

adjudicated.

SECTION II — FEDERAL DISTRICT COURT: JUDGE AMIR H. ALI → JUDGE CARL J. NICHOLS

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
Emergency Federal Filing & Void Process Challenge — Challenge to Tennessee’s asserted jurisdiction based on facially void warrants; request for prospective federal injunctive relief against enforcement of null process.	Case No. 1:25-cv-04566-AHA, ECF 1 (Complaint); Ali Memorandum Opinion, ECF 12 (Jan. 14, 2026), pp. 1–6.	EX-A505 (EXH-2) — October 23, 2025 Emergency Motion documenting void warrants; Complaint attachments ECF 1–4 through 1–18,	Fed. R. Civ. P. 8(a), 12(h) (3), 65; 28 U.S.C. §§ 1331, 1343.	<i>Sprint Communications v. Jacobs</i> , 571 U.S. 69 (2013); <i>Beck v. Ohio</i> , 379 U.S. 89 (1964); <i>Franks v. Delaware</i> , 438 U.S. 154 (1978); <i>Ashcroft v. Iqbal</i> , 556 U.S. 662	Dismissed complaint without prejudice under Rule 8 and <i>Younger</i> . Bypassed warrant-validity evidence and failed to conduct the <i>Sprint</i> threshold inquiry.	Ali’s abstention reasoning was imported into 26-cv-00304. Never reviewed on substance.

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
				(2009).		
Federal Review of Tennessee Chancery Obstruction — Requested prospective relief against post-mandate state trial court retrial of liability following binding Tennessee Court of Appeals victory of May 4, 2022.	Case No. 25-cv-04566, ECF 12, pp. 4–5; Complaint ECF 1 ¶¶ 23–26; ECF 4-1.	Certified May 4, 2022 Tennessee Court of Appeals Opinion & Mandate; docket records showing 5.5-month mandate withholding by state clerk.	Mandate Doctrine; Law of the Case; U.S. Const. amend. XIV (Due Process); 42 U.S.C. § 1983.	<i>Briggs v. Pennsylvania R.R. Co.</i> , 334 U.S. 304, 306 (1948); <i>Logan v. Zimmerman Brush Co.</i> , 455 U.S. 422 (1982); <i>Perry v. Carter</i> , 219 S.W.2d 905 (Tenn. 1949).	Held D.D.C. lacked subject-matter jurisdiction under <i>Rooker-Feldman</i> to review state decisions.	Procedural barrier applied. Merits of mandate-suppression and due process property deprivation unreached.
Access to Courts & Document Suppression — Systematic suppression of filings and refusal to docket emergency	Case No. 25-cv-04566, ECF 12, p. 5; Complaint ECF 1 ¶¶ 15–18, 27–32;	CM/ECF records; audit logs of non-docketed filings; correspondence	U.S. Const. amends. I, XIV; 28 U.S.C. § 1651; 18 U.S.C. §§	<i>Christopher v. Harbury</i> , 536 U.S. 403 (2002); <i>Bounds v. Smith</i> , 430 U.S. 817 (1977); <i>Klayman</i>	Held D.D.C. could not review decisions of another federal district court; treated access	Independent constitutional claim for forward-looking access-to-courts relief was evaded.

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
pleadings in M.D. Tennessee and D.D.C.	ECF 1-1, p. 14; ECF 4.	e regarding withheld submissions.	1503, 1512.	<i>v. Rao</i> , 49 F.4th 550, 552 (D.C. Cir. 2022).	claim strictly as an improper review request.	
Prospective Injunction Against Void Criminal Process — Emergency application under Rule 65 to enjoin ongoing enforcement derived from facially void warrants.	Case No. 25-cv-04566, ECF 12, p. 5; Complaint ECF 1, p. 10; Emergency TRO filings.	Primary warrant exhibits (Warrant Nos. 2025060433, 2025060434, 2025070550).	Fed. R. Civ. P. 65; U.S. Const. amends. IV, XIV; 28 U.S.C. § 2284.	<i>Sprint Commc'ns v. Jacobs</i> , 571 U.S. 69 (2013); <i>Winter v. NRDC</i> , 555 U.S. 7 (2008); <i>Shapiro v. McManus</i> , 577 U.S. 39 (2015).	<i>Applied Younger</i> without analyzing extraordinary circumstances or applying the 4-factor <i>Winter</i> test; buried the TRO under the dismissal order.	Core bridge: Judge Nichols later adopted this exact ruling as the sole basis to dismiss Case No. 26-cv-00304 (ECF 21, p. 2).
Judge Ali Initial Screening in Case No. 26-cv-00304 — Reinsertion into new case; denied emergency motions referencing reasoning	Case No. 1:26-cv-00304, ECF 16, pp. 1-2; recounted in Nichols ECF 21, p. 2.	ECF 2, 7, 10, 12 emergency motions; docket deficiency notices.	28 U.S.C. § 137 (Assignment of Cases); 28 U.S.C. § 455; U.S. Const. Art.	<i>Nguyen v. United States</i> , 539 U.S. 69 (2003); <i>Stump v. Sparkman</i> , 435 U.S. 349 (1978); <i>Steel Co. v. Citizens for a</i>	Denied emergency motions citing lack of authority to enjoin General Sessions Court; conditioned	Judge Nichols explicitly adopted what "Judge Ali concluded," cementing the procedural trap.

Federal Issue Presented	Exact Record Location	Evidence / Exhibits	Constitution / Statute / Rule Violated	Authorities Presented / Applied	What Judge Ali Did	What Carried Forward / Merits Status
from 25-cv-04566; imposed fee order.			III.	<i>Better Env't</i> , 523 U.S. 83 (1998).	access on fee payment.	
Carry-Forward into Judge Nichols Disposition — Judge Nichols issued Standing Order (March 2, 2026) requiring compliance within 5 days, then dismissed the case 48 hours later (March 4) before compliance was due, before service was completed, and without ruling on pending TRO.	Case No. 1:26-cv-00304, ECF 17 (Standing Order), ECF 19, ECF 21 (Dismissal Order), ECF 22 (Judgment).	USPS Certified Mail Receipts timestamped March 4, 2026, 6:36 PM; Redline Comparison dated March 5, 2026; 54-page Amended Emergency Motion.	Fed. R. Civ. P. 15(a)(2), 65; 28 U.S.C. § 2284(b)(3); U.S. Const. amends. I, V, XIV.	<i>Foman v. Davis</i> , 371 U.S. 178 (1962); <i>Winter v. NRDC</i> , 555 U.S. 7 (2008); <i>Shapiro v. McManus</i> , 577 U.S. 39 (2015); <i>Mullane v. Cent. Hanover Bank</i> , 339 U.S. 306 (1950).	Stated he did "not reach the merits of this case or any motions" because "Younger counseled against exercising jurisdiction"; denied all motions as moot.	Manufactured finality without jurisdiction; created a jurisdictional paradox; merits entirely evaded.