No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

1 First Street, N.E., Washington, D.C. 20543

TWANA COLEMAN,
Applicant,

v.

LAWRENCE PETER RHEA III; TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES; and COMMISSIONER, TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES,
Respondents.

Directed to the Honorable Brett M. Kavanaugh, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Sixth Circuit

---

APPLICATION FOR AN EXTENSION OF TIME WITHIN WHICH TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

RECEIVED
OCT 27 2026
OFFICE OF THE CLERK
SUPREME COURT, U.S.

TO THE HONORABLE BRETT M. KAVANAUGH, ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE SIXTH CIRCUIT:

Under Supreme Court Rules 13.5, 22, and 30.2, Applicant Twana Coleman, proceeding pro se, respectfully asks for an extension of sixty days, to and including January 3, 2027, within which to file a petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Sixth Circuit in No. 26-5379.

THE JUDGMENT TO BE REVIEWED

1. On June 16, 2026, the court of appeals dismissed Applicant's appeal for lack of appellate jurisdiction and entered judgment. No. 26-5379, Dkts. 3, 4. The appeal arose from the April 3, 2026 order of the United States District Court for the Eastern District of Tennessee transferring her habeas corpus petition, No. 3:26-cv-00132, to the Western District of Tennessee, where it is pending as No. 2:26-cv-02378. Copies of the order and judgment are attached as Exhibits A and B.

2. On July 1, 2026, Applicant petitioned for rehearing en banc. The court of appeals denied the petition on August 6, 2026. No. 26-5379, Dkt. 6. A copy of that order is attached as Exhibit C. The court of appeals issued no separate opinion.

3. Under Rule 13.3, because the court of appeals entertained and denied the petition for rehearing, the time to file a petition runs from August 6, 2026, and the petition is now due November 4, 2026. This application is filed more than ten days before that date, as Rule 13.5 requires.

JURISDICTION

4. This Court will have jurisdiction over the petition under 28 U.S.C. § 1254(1).

THE PARTY SEEKING THE EXTENSION

5. Applicant Twana Coleman is the party for whom the extension is sought. She is the mother of J.L.R., a ten-year-old child, and an enrolled member of the Guale Yamassee Tanasi Tribal Government. The Tribal Government was a party in the court of appeals and remains a party in this Court under Rule 12.6. It is seeking counsel admitted to the bar of this Court, through whom it may seek relief in its own right. Applicant files pro se in her individual capacity and waives none of her rights as an enrolled member of the Tribe, none of the rights of J.L.R., and none of the rights of the Tribal Government.

REASONS AN EXTENSION IS JUSTIFIED

6. *The record is not yet available to Applicant.* The questions in this case turn on what happened before any order was entered against Applicant: J.L.R. was placed in the custody of the Tennessee Department of Children's Services before any petition had been previously filed against her. Former TN DCS Attorney Vivian L. Pyatt filed a Motion to Quash against Applicant's subpoena for the Tennessee Department of Children's Services records regarding J.L.R. and Shelby County Juvenile Court case GG 1815 stating that it would be "unduly burdensome" while still using those same records against her to justify permanent removal of J.L.R. Some entries in the district courts and the court of appeals are sealed or restricted, and she has been unable to obtain them. In the related Sixth Circuit appeal concerning the same child, No. 26-5114, docket entries 1 through 4 no longer appear on the public docket. Neither the Tribal Government, nor its Prime Minister, Chief LightFoot, nor Applicant asked that they be removed or sealed, and none of them received notice of any motion or order doing so. The clerk is required to record all papers filed and all orders entered, Fed. R. App. P. 45(b)(1), and a court record may be sealed

only on stated findings, after the parties have had an opportunity to be heard. *Shane Group, Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305–306 (6th Cir. 2016); see *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597–598 (1978). Applicant is seeking to learn what became of those entries. Additional time will allow her to gather the orders and records this Court will need to evaluate the petition.

7. *Applicant is proceeding pro se and in forma pauperis.* She has limited means and has already spent them on filing, copying, and postage across several related proceedings. She is preparing the petition and its appendix without a lawyer.

8. *The Tribal Government is seeking counsel.* An extension will give counsel time to appear and will allow the questions concerning the Tribe and its member child to be presented to this Court together, in a single, orderly filing.

9. *No court has yet acted on J.L.R.'s safety.* No court at any level has decided whether the Indian Child Welfare Act was followed for J.L.R. In the Sixth Circuit, No. 26-5114, Appellants appealed the Western District's February 6, 2026 order denying emergency protection for this same child, No. 2:25-cv-03107. They filed their opening brief on April 20, 2026, briefing is complete, and the court of appeals has issued no decision. In the Western District, the emergency motion of December 5, 2025, warning that J.L.R. was in danger, went and remained unruled for sixty-three days. The case was remanded back to state court on February 6, 2026 with a nonexistent statute code; A burn was observed on J.L.R. on January 10, 2026, inside that window, while in the State's legal custody. that went unaddressed. The Report and Recommendation of August 14, 2026 was never mailed to Applicant, who found it on the electronic docket on September 19, 2026. Her objections to it, and her motion for recusal, filed

September 21, 2026, remain undecided in No. 2:26-cv-02378. Congress has directed that every federal court "shall expedite the consideration of any action brought under chapter 153," the habeas corpus chapter, and "any action for temporary or preliminary injunctive relief." 28 U.S.C. § 1657(a). Both of these matters are of that kind, yet J.L.R. remains apart from her mother and her Tribe while they wait. Rulings in them may also bear on, or narrow, the questions presented.

10. *The duties owed to J.L.R. and her mother have gone unmet.* When the State takes a child into its custody, it assumes a duty to keep her safe. *DeShaney v. Winnebago County Department of Social Services*, 489 U.S. 189, 199–200 (1989); *Meador v. Cabinet for Human Resources*, 902 F.2d 474, 476 (6th Cir. 1990). J.L.R. had substantial amounts of her hair cut off, was physically assaulted, suffering a busted lip, chronic constipation, vaginal health complications and was burned on her left shoulder while in the Department's legal custody. No court has yet examined that duty, and time to present it fully is a further reason for the extension.

11. At a hearing around November 6 2025, Magistrate Glasgow of the Shelby County Juvenile Court informed Applicant that he would address her Motion to Vacate for Fraud Upon the Court during the trial scheduled for November 18, 2025. At the close of that nearly nine-hour trial, during which Applicant stated on the record that she was proceeding under duress multiple times, he expressly declined to vacate the prior ruling and dismissed the motion without addressing its merits at the end of the trial. The duty a judge owes a parent in such a case is the duty of due process: a meaningful opportunity to be heard on the motion the court has said it will hear, before an impartial decision-maker. *Armstrong v. Manzo*, 380 U.S. 545, 552

(1965); *In re Murchison*, 349 U.S. 133, 136 (1955); *Santosky v. Kramer*, 455 U.S. 745, 753–754 (1982). The transcript and order of that hearing are part of the record Applicant must assemble for the appendix, and the time needed to obtain and present them is a further reason for the extension.

12. *The questions are important.* The petition will ask whether a court of appeals may decline all review of a transfer order that disposed of an emergency motion to protect an injured child. That question relates to the underlying custody order, which was entered before any charge against the parent, without notice or a hearing, and which Applicant contends is void. J.L.R., a registered member child of the Tribe, was taken from her mother and her Tribal family against the will of her mother and of the Tribal Government, and she remains held apart from them. To her mother and her Tribe, that separation is a restraint as real as confinement. These questions warrant a careful presentation.

13. *Concern for the parties' safety has added to the burden of preparing this petition.* While these cases have been pending, unmarked vehicles whose drivers displayed law-enforcement badges have been observed parked in front of Applicant's home and near the Tribal Government's office in Memphis.

14. No party will be prejudiced. An extension will not change the status quo or delay any proceeding below. Applicant does not, by this application, ask the Court to delay protective relief for J.L.R. Applicant reserves the right to apply for such relief on J.L.R.'s behalf under Rules 22 and 23 while the petition is being prepared.

CONCLUSION

Applicant respectfully asks that the time to file a petition for a writ of certiorari in this

matter be extended for sixty days, to and including January 3, 2027.

Respectfully submitted,

Twana Coleman
Applicant, pro se
3810 Jerusalem Street
Memphis, Tennessee 38109
901-314-8012
colemantwana@yahoo.com

Dated: October 20, 2026

EXHIBITS

Exhibit A. Order of the United States District Court for the Eastern District of Tennessee (Corker, J.) Transferring Habeas Corpus Petition to the Western District of Tennessee

Exhibit B. Order of the Sixth Circuit denying petition for rehearing en banc, No. 26-5379, Dkt. 6 (Aug. 6, 2026)

Exhibit C. Judgment of the Sixth Circuit, No. 26-5379, Dkt. 4 (June 16, 2026)

CERTIFICATE OF SERVICE

I certify that on October 20, 2026, as required by Supreme Court Rules 22.2 and 29, I served a copy of this application and its exhibits on each party required to be served, by first-class mail, postage prepaid, addressed as follows:

1. Mara L. Cunningham, Assistant Attorney General, Office of the Tennessee Attorney General and Reporter, P.O. Box 20207, Nashville, Tennessee 37202-0207.

2. Allen T. Martin, Assistant Attorney General, Office of the Tennessee Attorney General and Reporter, P.O. Box 20207, Nashville, Tennessee 37202-0207.

3. Jordan K. Crews, Senior Assistant Attorney General, Office of the Tennessee Attorney General and Reporter, P.O. Box 20207, Nashville, Tennessee 37202-0207.

4. Lawrence Peter Rhea III, 3790 Jerusalem Street, Memphis, Tennessee 38109.

5. S. Rochelle McCrackin, counsel for Lawrence Peter Rhea III in the underlying Juvenile Court proceeding, 254 Court Avenue, Memphis, Tennessee 38103.

6. Guale Yamassee Tanasi Tribal Government, attention Chief LightFoot, Prime Minister, 13 S. Prescott Street, P.O. Box 111608, Memphis, Tennessee 38111, a party in the court of appeals and a party in this Court under Supreme Court Rule 12.6.

I declare under penalty of perjury that the foregoing is true and correct.

Twana Coleman
Executed on October 20, 2026

Coleman v. Rhea, et al.
Application for an Extension of Time to File a Petition for a Writ of Certiorari

EXHIBIT A

Order of the United States District Court for the Eastern District of Tennessee (Corker, J.)
Transferring Habeas Corpus Petition to the Western District of Tennessee

No. 3:26-cv-00132
Entered April 3, 2026

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

GUALE YAMASSEE TANASI TRIBAL GOVERNMENT and TWANA COLEMAN, Petitioners, v. LAWRENCE P. RHEA, TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES, and COMMISSIONER OF DCS, Respondents.	)	No. 3:26-CV-132-DCLC-DCP

ORDER

This is a habeas corpus action filed under 28 U.S.C. § 2241 regarding custody of a child [Doc. 1]. Specifically, two parties, namely (1) the Guale Yamassee Tanasi Tribal Government, which purports to be an Indian tribe that both the United States Department of State and the Tennessee Department of State have authenticated but which is not listed on the Bureau of Indian Affairs' federally recognized tribes list, and (2) Twana Coleman, a member of the Guale Yamassee Tanasi tribe and the biological mother of an alleged "tribal child" named as "J.L.R.," whom "state actors" placed in custody of Respondent Rhea, seek to obtain custody of J.L.R. through this habeas corpus action [*Id.* at 7–8, 19–20, 21–23]. But Guale and Coleman[1] acknowledge that Respondent Rhea has custody of J.L.R. in Shelby County, Tennessee, which lies within the Western District of Tennessee [*Id.* at 5]. As such, this Court does not have jurisdiction over custodial Respondent

[1] As it is apparent that Guale and Coleman seek to challenge the current custody of J.L.R., they can only pursue this action on behalf of J.L.R. as her "next friend[s]," which is not an automatic occurrence. *J.O.B. v. United States*, No. 3:23-CV-217, 2024 WL 4011825, at *11–13 (S.D. Ohio Aug. 30, 2024). As such, the Court does not refer to Guale and Coleman as petitioners or next friends in this opinion.

Rhea and therefore cannot grant Guale and Coleman habeas corpus relief under §2241, and the Court will transfer this action to the Western District, which is the correct venue.[2]

A writ of habeas corpus pursuant to § 2241 may be granted by "the district courts and any circuit judge within their respective jurisdictions" to, as is relevant here, any person "in custody in violation of the Constitution or laws or treaties of the United States." 28 U.S.C. § 2241(a), (c)(3). The Supreme Court has interpreted § 2241(a) as requiring a district court to have jurisdiction over a habeas corpus petitioner's custodian, regardless of whether the petitioner is within the court's jurisdiction. *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35 (2004) (holding that the proper respondent for a habeas corpus action "is 'the person' with the ability to produce the prisoner's body before the habeas court").

As set forth above, in the petition, Guale and Coleman seek to challenge Respondent Rhea's current custody of J.L.R. Thus, J.L.R. is the person that Guale and Coleman allege to be "in custody in violation of the Constitution or laws or treaties of the United States," and she is therefore the "real party in interest" herein. *Cardin v. United States*, 947 F.3d 373, 376 (6th Cir. 2020) (citing *Whitmore v. Arkansas*, 495 U.S. 149, 163–64 (1990)); *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973) (noting that "the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody").

But Guale and Coleman acknowledge that Respondent Rhea has custody of J.L.R. in Shelby County, which lies within the Western District of Tennessee [*Id.* at 5, 21–23]. Guale and

[2] In doing so, the Court makes no finding as to whether Guale and Coleman have appropriately sought habeas corpus relief under § 2241 for this child custody dispute and leaves this issue for the transferee Court to determine.

Coleman also acknowledge that they previously filed an action regarding custody of J.L.R. with the United States District Court for the Western District of Tennessee, which the Western District dismissed for lack of subject matter jurisdiction, a decision that Guale and Coleman are currently appealing with the United States Court of Appeals for the Sixth Circuit [*Id.* at 5–7]. *Guale Yamassee Tanasi Tribal Gov't v. Tenn. Dep't of Children's Servs.*, No. 2:25-CV-3107-MSN-atc (W.D. Tenn. Feb. 6, 2026) (Doc. 26 (dismissing case for lack of subject matter jurisdiction); Docs. 28, 32 (notices of appeal)).

Guale and Coleman nevertheless claim that this Court has jurisdiction over this habeas corpus action because (1) Guale and Coleman have filed judicial complaints against the Judges in the Western District who dismissed their case in that District and have also sued those Judges "in [a] companion civil rights action" they filed at the same time they filed the § 2241 petition, which they claim "creates an irreconcilable conflict of interest" requiring recusal of the Judges in the Western District; (2) § 2241(d) allows this Court to "exercise jurisdiction in a neutral forum" because "circumstances including bias and conflict make filing in the district of physical custody unjust"; and (3) the Guale Yamassee Tanasi Tribal Government "asserts jurisdiction over tribal members statewide" despite having its "principal offices in Shelby County" [*Id.* at 5–6].

However, Guale and Coleman do not cite any case to support their implied assertion that this Court has the authority to determine that Judges in the Western District must recuse themselves from this action. Moreover, § 2241(d) governs concurrent district court jurisdiction over habeas corpus actions filed by prisoners who are convicted and sentenced in one district but confined in another district, and nothing therein supports Guale and Coleman's argument that this Court has jurisdiction over this child custody action despite lacking jurisdiction over custodial Respondent Rhea, whom they state obtained and maintains custody over J.L.R. in Shelby County, Tennessee.

Further, Guale and Coleman's assertions that (1) this Court may assume jurisdiction over this habeas corpus action despite its lack of jurisdiction over custodial Respondent Rhea because Guale and Coleman allege that two of the eleven Judges in the Western District[3] have conflicts of interest in this case and (2) the tribe asserts statewide jurisdiction over its members are unpersuasive, as they directly conflict with the Supreme Court's holding that a district court must have jurisdiction over the respondent who has custody of the habeas corpus petitioner. *Rumsfeld*, 542 U.S. at 434–35.

The Court therefore concludes that the proper venue for this case is the Western Division of the United States District Court for the Western District of Tennessee. 28 U.S.C. § 123(c)(2). A federal district court may transfer a civil action to any district or division where it could have been filed originally "in the interest of justice." 28 U.S.C. § 1406(a). Accordingly, the Clerk is **DIRECTED TO TRANSFER** this action to the Western Division of the United States District Court for the Western District of Tennessee and to close this Court's file.

SO ORDERED.

ENTER:

s/Clifton L. Corker
United States District Judge

[3] https://www.tnwd.uscourts.gov/judges-info (last visited March 23, 2026).

EXHIBIT B

Order of the United States Court of Appeals for the Sixth Circuit Dismissing Appeal for Lack of Appellate Jurisdiction

No. 26-5379, Dkt. 3
Entered June 16, 2026

NOT RECOMMENDED FOR PUBLICATION

No. 26-5379

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Jun 16, 2026
KELLY L. STEPHENS, Clerk

GUALE YAMASSEE TANASI TRIBAL GOVERNMENT; TWANA COLEMAN, next friend J.L.R.,	)	
Petitioners-Appellants,	)	ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE
v.	)	
LAWRENCE PETER RHEA III, et al.,	)	
Defendants-Appellees.	)	

ORDER

Before: NORRIS, NALBANDIAN, and HERMANDORFER, Circuit Judges.

This matter is before the court upon initial consideration of appellate jurisdiction.

The Guale Yamassee Tanasi Tribal Government and Twana Coleman filed a habeas corpus action regarding custody of a child in the United States District Court for the Eastern District of Tennessee. On April 3, 2026, the district court determined that the Western District of Tennessee was the correct venue and transferred the action to that court. The Tribal Government and Coleman have appealed the transfer order.

This court lacks jurisdiction over this appeal. An order transferring an action from one district court to another is not a final or otherwise appealable order. *Miller v. Toyota Motor Corp.*, 554 F.3d 653, 655 (6th Cir. 2009); *see also Hadix v. Johnson*, 228 F.3d 662, 669 (6th Cir. 2000) ("An order granting or denying a transfer under 28 U.S.C. § 1404(a) is interlocutory and not immediately appealable.").

United States Court of Appeals for the Sixth Circuit

U.S. Mail Notice of Docket Activity

The following transaction was filed on 06/16/2026.

Case Name: Guale Yamassee Tanasi Tribal Government, et al v. Lawrence Rhea, III, et al
Case Number: 26-5379

Docket Text:
ORDER filed: The appeal is therefore DISMISSED for lack of jurisdiction, decision not for publication. No mandate to issue. Alan E. Norris, Circuit Judge; John B. Nalbandian, Circuit Judge and Whitney D. Hermandorfer, Circuit Judge.

The following documents(s) are associated with this transaction:
Document Description: Order

Notice will be sent to:

Ms. Twana Coleman
3810 Jerusalem Street
Memphis, TN 38109

Guale Yamassee Tanasi Tribal Government
Prime Minister Chief Lightfoot
P.O. Box 111608
Memphis, TN 38111

A copy of this notice will be issued to:

Ms. LeAnna Wilson

The appeal is therefore **DISMISSED** for lack of jurisdiction.

ENTERED BY ORDER OF THE COURT

Kelly L. Stephens, Clerk

EXHIBIT C

Judgment of the United States Court of Appeals for the Sixth Circuit

No. 26-5379, Dkt. 4
Entered June 16, 2026

FILED
Jun 16, 2026
KELLY L. STEPHENS, Clerk

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 26-5379

GUALE YAMASSEE TANASI TRIBAL GOVERNMENT; TWANA COLEMAN, next friend J.L.R.,

Petitioners-Appellants,

v.

LAWRENCE PETER RHEA III, et al.,

Defendants-Appellees.

Before: NORRIS, NALBANDIAN, and HERMANDORFER, Circuit Judges.

JUDGMENT

THIS MATTER came before the court upon consideration of appellate jurisdiction.

IN CONSIDERATION THEREOF, it is ORDERED that the appeal is DISMISSED.

ENTERED BY ORDER OF THE COURT

Kelly L. Stephens

Kelly L. Stephens, Clerk

No. 26-5379

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Aug 6, 2026
KELLY L. STEPHENS, Clerk

GUALE YAMASSEE TANASI TRIBAL GOVERNMENT; TWANA COLEMAN, next friend J.L.R.,

Petitioners-Appellants,

v.

LAWRENCE PETER RHEA III, et al.,

Defendants-Appellees.

ORDER

BEFORE: NORRIS, NALBANDIAN, and HERMANDORFER, Circuit Judges.

The court received a petition for rehearing en banc. The original panel has reviewed the petition for rehearing and concludes that the issues raised in the petition were fully considered upon the original submission and decision of the case. The petition then was circulated to the full court. No judge has requested a vote on the suggestion for rehearing en banc.

Therefore, the petition is denied.

ENTERED BY ORDER OF THE COURT

Kelly L. Stephens

Kelly L. Stephens, Clerk