

IN THE SUPREME COURT OF THE UNITED STATES

Micahiel Nichloson and James Buckman,
Applicants,

v.

U.S. Bank National Association, et al.,
Respondents.

Related Eleventh Circuit Case No. 26-13319-C

Related District Court 26-CV-25796-JEM

**APPLICATION TO THE HONORABLE CLARENCE THOMAS, ASSOCIATE JUSTICE OF THE SUPREME COURT
OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE ELEVENTH CIRCUIT, FOR A TEMPORARY STAY
OF EXECUTION OF WRIT OF POSSESSION**

Execution of writ scheduled for: [MAY 1st, 2026]

Property: 15020 South River Drive, Miami, Florida 33167

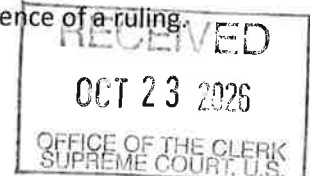
To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States and
Circuit Justice for the Eleventh Circuit:

Applicants Micahiel Nichloson, and James Buckman respectfully apply under Supreme Court Rules 22
and 23 for a temporary stay of execution of the writ of possession at the property identified above,
pending a ruling by the United States Court of Appeals for the Eleventh Circuit on the stay motion filed
there.

Applicants seek only temporary relief to preserve the status quo while the Eleventh Circuit considers
their pending motion. They ask that the stay remain in effect until the Eleventh Circuit rules on that
motion, or until a date set by the Circuit Justice or the Court.

1. Relief sought below

1. On **09/14/2026**, Applicants sought a stay in the United States District Court for the [district].
The district court denied that request on **09/16/2026**, at docket entry #22. The motion and
denial order are attached as **Exhibits A and B**.
2. On **09/21/2026**, Micahiel Nichloson filed a stay motion in the Eleventh Circuit, Case No. 26-
13319, at docket entry #3. As of **10/20/2026**, the motion **remains pending / has no ruling**. The
motion and a current docket sheet are attached as **Exhibits C and D**.
3. The sheriff's notice or writ states that possession may be enforced on **06/12/2026**. A copy is
attached as **Exhibit E**. Applicants request immediate consideration because [state the specific
deadline and attach proof].
4. Applicants previously sought recusal or disqualification concerning **Judge Jose E. Martinez**. The
motions are [pending / state their current status]. Copies and docket entries are attached as
Exhibit F. Applicants request consideration under the applicable procedures and rely on the
record of those filings; they do not ask the Court to infer motive from the absence of a ruling.



5. Applicants gave **U.S. Bank N.A.** notice of this application on **09/14/2026** by **[method]**. Their position is **[state position, or that no response was received by the filing deadline]**.

2. Why relief is unavailable from the courts below at this time

The district court denied a stay. Applicants have also asked the Eleventh Circuit for a stay, but that motion remains **pending**. Applicants request temporary relief from the Circuit Justice because **the district court is going to Evict us from our property.**

Applicants recognize that Supreme Court Rule 23.3 ordinarily requires the requested relief to be sought first in the appropriate courts below. The district court denial, Eleventh Circuit motion, and current docket record are attached. Applicants ask for relief here only to the limited extent necessary to prevent execution of the writ before the Eleventh Circuit can rule.

3. Reasons supporting a temporary stay

A stay is assessed by considering the applicants' likelihood of success, irreparable injury without a stay, harm to other parties, and the public interest. *Nken v. Holder*, 556 U.S. 418, 426, 433–34 (2009).

Likelihood of success. Applicants contend that **[state the specific legal error in the order they seek to challenge and cite the relevant record pages or docket entries]**. The state-court record includes a dismissal with prejudice in **[2007-12407-CA01]**, entered [], and a later foreclosure proceeding in **[2010-61928-CA01]**. Applicants contend that the later proceeding was based on the same default, not a later default, and rely on the attached orders and pleadings. **[Cite exhibits and explain the comparison.]**

Florida law recognizes that a dismissal with prejudice does not necessarily bar a later foreclosure based on a later default. *Singleton v. Greymar Associates*, 882 So. 2d 1004, 1006–07 (Fla. 2004); *Bartram v. U.S. Bank National Association*, 211 So. 3d 1009, 1017–20 (Fla. 2016). Applicants contend those decisions do not resolve their claim because **[explain, with record support, why the later case involved the same default]**. Applicants also rely on the claim-preclusion principles stated in *Florida Department of Transportation v. Juliano*, 801 So. 2d 101, 105 (Fla. 2001).

Applicants further contend that U.S. Bank lacked standing because **[identify the specific note, endorsement, assignment, or other evidence and explain how it relates to the order under review]**. The supporting record is attached as **Exhibit G**.

Irreparable injury. Without a stay, the sheriff may remove **[identify the occupants]** from their home before the Eleventh Circuit rules. Applicants state that **[describe the immediate harm and why later money damages would not adequately remedy it]**. A declaration signed under penalty of perjury is attached as **Exhibit H**.

Applicants also rely on Fla. Stat. § 702.036 only to the extent its specific statutory conditions are met. They request preservation of the status quo while the pending stay motion is considered; they do not assert that this statute automatically bars restoration of property in every case.

Harm to others and public interest. The requested stay would last only until the Eleventh Circuit rules on its pending stay motion, or until a date set by the Court. Applicants contend that this brief delay would cause less harm than a change in possession before that motion is decided. Applicants ask the Court to preserve the status quo while the appellate court considers the pending request.

4. Relief requested

Applicants respectfully request that the Circuit Justice:

1. Temporarily stay execution of the writ of possession at **15020 South River Drive, Miami, Florida**, until the Eleventh Circuit rules on the pending stay motion or until further order;
2. Refer this application to the Court if the Circuit Justice considers referral appropriate; and
3. Grant any narrower temporary relief needed to preserve the status quo.

Respectfully submitted,

~~[Signature]~~ *Micahiel Nichlosan*

Micahiel Nichlosan [full legal name], Applicant

[Address] 15020 S. River Dr. Miami FL. 33167

[Telephone] 561-619-0398

[Email] Micahiel Nichlosan@yahoo.com

~~[Signature]~~ *James Buckman*

James Buckman, Applicant

[Address] 15020 S. River Dr. Miami FL. 33167

[Telephone]

[Email] bigboss1043@yahoo.com

Date: [date] 10/20/2026

Certificate of service

10/20/2026
I certify that on [date], I served this application and its attachments on [names of counsel or parties] by [method permitted by Supreme Court Rule 29].

Micahiel Nichlosan
[Signature]

Suggested attachments

- **Exhibit A:** District-court motion for stay.
- **Exhibit B:** District-court order denying the stay.
- **Exhibit C:** Eleventh Circuit motion for stay and filing receipt.
- **Exhibit D:** Current Eleventh Circuit docket sheet.
- **Exhibit E:** Writ of possession and notice of the scheduled execution.
- **Exhibit F:** Recusal or disqualification motions and current docket entries.
- **Exhibit G:** Relevant orders and pleadings supporting the asserted foreclosure and standing issues.
- **Exhibit H:** Applicant declaration describing the imminent harm.

IN THE SUPREME COURT OF THE UNITED STATES

CASE NO.:

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR RASC 2005-AHL3,
PLAINTIFF,

V.

MICAHIEL NICHLOSON AND JAMES BUCKMAN,

defendants/removing
parties. _____/

state court case no.: 2010-61928-ca-01 eleventh judicial circuit in and
for miami-dade county, florida

**LETTER TO THE SUPREME COURT JUDGE FOR EMERGENCY ADMINISTRATIVE STAY FOR MICAHIEL
NICHLOSON AND JAMES BUCKMAN**

Filed for an Emergency Administrative stay in the district court

Which was denied exh.1 in accordance with rule 23.3 it says you must be denied in the lower district court before we can appeal to Eleventh circuit appellate court and then we appealed to the Eleventh circuit and asked them to do an emergency administrative stay until they could hear it. Then the appellate judges had the same conflicts of interest that the district court judges had because the judge on the appellate case and the forfeiture case have the same financial conflicts of interest on the same house 15020 S. River Dr. Miami fl. 33167 Exh. 2 and we believe to protect themselves from the proof that they have a conflict of interest exh. 3. So therefore they have our motion for emergency stay and they got the denier of the stay from district court yet they won't deny or say yes we have the stay because they know that if they deny the stay that we can go to you justice Thomas or clerk of the supreme court for an emergency stay so they are just waiting for us to be evicted instead of ruling on it therefore we pray that we can get an emergency stay and that this case can be dismissed with prejudice exh. 4 Showing judges signed order, exh. 5 of docket showing that it was dismissed and affidavit the three witnesses who saw her sign it in her chambers and the exh. 6 showing the docket showing the dismissal on April and it was dismissed with prejudice the case was never appealed and the case was never did a loan with us bank who claimed it was assigned to them by homecomings our loan was with axiom bank we need this honorable judge to stay eviction until he can review this case threw our filings. JUDGE Jose E. Martinez denied the stay pending Appeal. Then we sent it to the Appellate court and we

believe that the three Appellate Judges have a Conflict of Interest, they did not answer and they're going to evict us out of our property.

SWORN OATH

Michael Nicholson
MICHAEL NICHOLSON
15020 S. RIVER DR. M

CASE NO.:

Exh. A

U.S. BANK NATIONAL ASSOCIATION, as Trustee for RASC 2005-AHL3,

Plaintiff,

v.

MICAHIEL NICHLOSON and JAMES BUCKMAN,

Defendants/Removing Parties. _____

STATE COURT CASE NO.: 2010-61928-CA-01 ELEVENTH JUDICIAL CIRCUIT IN AND FORMIAMI-DADE COUNTY, FLORIDA

EMERGENCY ADMINISTRATIVE STAY OF EVICTION ADDRESSED TO JUSTICE ADMINISTRATIVE CLARENCE THOMAS

WHO IS OVER THE ELEVENTH CIRCUIT WHICH IS WHERE OUR CASE IS LOCATED
CONCERNING THE HOUSE 15020 S. RIVER DR. MIAMI FL. MOTION FOR EMERGENCY
ADMINISTRATIVE STAY

COMES NOW MICAHIEL NICHLOSON AND JAMES BUCKMAN THIS IS FOR AN EMERGENCY
ADMINISTRATIVE STAY IN THE SUPREME COURT UNTIL JUSTICE THOMAS IS ABLE TO
REVIEW THE CASE WE'VE ALREADY BEEN TO 5 APPELLATE COURT 1 WAS TO GET A
MOTION TO STAY EXH. 2.A, REPLEVIN WHICH WAS SUPPOSED TO STAY THE CASE, AND
ONE FOR A NOTICE OF REMOVAL 28 U.S.C. 1446 (D), EXH. 2.B AND 2.D. AND ONE FOR AN
INJUNCTION, EXH. 2.C WHICH ARE FEDERAL. AND THIS IS AN EMERGENCY BECAUSE THEY
CAN COME AND EVICT US ANY DAY. BUT THESE BANKS KEEP RUNNING OVER THE LAW.
AND WHILE WE WERE IN BANKRUPTCY STAY JUDGE CARLOS LOPEZ AND JUDGE SPENCER
EIG KEPT THE FORECLOSURES GOING IN VIOLATION OF THE FEDERAL STAYS AND THEY
PUT A 24HR EVICTION ON OUR DOOR WHILE IN THE STAY WHICH LASTED A YEAR UNTIL
THEY SQUACHED THE EVICTION AND NOW WE HAVE ANOTHER 24HR NOTICE WHEREIN
ANY DAY THEY CAN COME AND EVICT US SEE EXH. 1.B AND EXH. 1.A THE ORDER
GRANTING THE WRIT OF POSSESSION FROM JUDGE EIG. WE'VE APPEALED FOR A STAY IN
THE FEDERAL COURT AND THE COUNTY COURT SEVERAL TIMES AND WAS DENIED SEE IN
THE ELEVENTH CIRCUIT UNTIL WE GET TO JUSTICE THOMAS IN EACH CASE WE WERE
SEEKING A STAY. ALL THE CASES WERE CONCERNING 1446 U.S.C WHICH WAS A STAY AND
THE OTHER ONE WAS A REGULAR STAY WE ALSO DID AN APPEAL AND JUDGE MARTINEZ
STOPPED US WITH AN OMNIBUS ORDER EXH. 2.E. SO NOW WE'RE GOING TO JUSTICE

Exh B pgs 1-3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 26-25796-CIV-MARTINEZ

U.S. BANK NATIONAL ASSOCIATION,

Plaintiff,

v.

MICAHIEL NICHLOSON and JAMES
BUCKMAN,

Defendants.

ORDER DENYING MOTION TO STAY PENDING APPEAL

THIS CAUSE is before the Court on Defendants' Motion for Administrative Stay and Stay or Injunction Pending Appeal Under Federal Rule of Appellate Procedure 8(a) [ECF No. 17]. After careful consideration, and being fully advised, the Motion is **DENIED**.

Federal Rule of Appellate Procedure 8(a)(1) ordinarily requires a party seeking a stay of a district court judgment or order pending appeal to first move in the district court. The Rule permits a district court to suspend, modify, restore, or grant an injunction while an appeal is pending. Fed. R. App. P. 8(a)(1). The relief requested here, however, is not directed at enforcement of the Court's September 2, 2026 Order. Rather, Defendants seek to stay and enjoin enforcement of a judgment and writ of possession entered in a state-court proceeding. Rule 8(a) does not independently confer jurisdiction on this Court to stay a state-court judgment or to supervise the enforcement proceedings of a state court. Moreover, Federal Rule of Civil Procedure 62 concerns stays of proceedings to enforce a judgment entered in the federal action. *See* Fed. R. Civ. P. 62. The Rule does not authorize this Court to stay enforcement of a judgment entered by a state court merely because an appeal is pending from a separate federal order concerning removal. *See id.* Accordingly, Defendants have not established any procedural basis for the requested relief.

Defendants alternatively request that this Court enjoin Plaintiff and other persons from taking or assisting in eviction, lockout, sale, transfer, removal of property, or other enforcement activity in the state-court case. However, the Court cannot issue the requested injunction. The Anti-Injunction Act provides that “[a] court of the United States may not grant an injunction to stay proceedings in a State court” except where one of three statutory exceptions applies: the injunction must be expressly authorized by Congress, necessary in aid of the federal court’s jurisdiction, or necessary to protect or effectuate the federal court’s judgments. 28 U.S.C. § 2283. The Supreme Court has characterized § 2283 as a prohibition subject only to the specifically identified exceptions and has held that the prohibition cannot be avoided simply by directing an injunction at the parties rather than at the state court itself. *Atlantic Coast Line R.R. Co. v. Brotherhood of Locomotive Engineers*, 398 U.S. 281, 286–87 (1970) (“It is settled that the prohibition of § 2283 cannot be evaded by addressing the order to the parties or prohibiting utilization of the results of a completed state proceeding.” (citing *Oklahoma Packing Co. v. Oklahoma Gas & Electric Co.*, 309 U.S. 4, 9 (1940); *Hill v. Martin*, 296 U.S. 393, 403 (1935))).

No applicable exception has been established here. The instant federal proceeding was terminated after the Court struck Defendants’ Notice of Removal, and Defendants do not identify a federal judgment whose protection or effectuation requires the requested injunction. Nor have Defendants identified an Act of Congress expressly authorizing the requested injunction in these circumstances. The fact that Defendants have appealed the September 2, 2026 Order does not by itself create authority for this Court to enjoin the state-court enforcement proceedings.

Even assuming the Court could consider the requested relief under the traditional standards governing stays pending appeal, Defendants have not demonstrated entitlement to such extraordinary relief. “A stay pending appeal is an extraordinary remedy for which the moving party

bears a heavy burden.” *Miccosukee Tribe of Indians of Fla. v. United States*, No. 10-23507-CV, 2011 WL 5508802, at *1 (S.D. Fla. Nov. 8, 2011) (citing *Nken v. Holder*, 556 U.S. 418, 427 (2009)). Specifically, the movant “must show that: (1) it has a substantial likelihood of success on the merits; (2) it will suffer irreparable injury unless the stay issues; (3) the stay would not substantially harm the other litigant; and (4) if issued, the stay would not be adverse to the public interest.” *Id.* Here, Defendants have not met their heavy burden.

Defendants identify alleged injuries that could result from continued enforcement of the state-court judgment, but those allegations do not establish that enforcement of the Court’s September 2, 2026 Order itself will cause the asserted injuries. Nor do Defendants demonstrate that a stay of the federal order would necessarily prevent the state-court enforcement actions described in the Motion. Thus, Defendants have not established that they will be irreparably harmed absent a stay.

Accordingly, it is **ORDERED** and **ADJUDGED** that Defendants’ Motion for Administrative Stay and Stay or Injunction Pending Appeal Under Federal Rule of Appellate Procedure 8(a) [ECF No. 17] is **DENIED**.

DONE AND ORDERED in Miami, Florida, this 29 day of September 2026.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record;
Defendants, *pro se*

If you view the [Full Docket](#) you will be charged for 1 Pages \$0.10

General Docket
United States Court of Appeals for the Eleventh Circuit

Court of Appeals Docket #: 26-13319**Docketed:** 09/16/2026**Nature of Suit:** 3220 Foreclosure**U.S. Bank National Association v. Micahiel Nicholson, et al****Appeal From:** Southern District of Florida**Fee Status:** Fee Paid**Case Type Information:**

- 1) Private Civil
- 2) Federal Question
- 3) -

Originating Court Information:**District:** 113C-1 : 1:26-cv-25796-JEM**Civil Proceeding:** Jose E. Martinez, U.S. District Judge**Secondary Judge:** Lisette Marie Reid, U.S. Magistrate Judge**Date Filed:** 08/25/2026**Date NOA Filed:**

09/14/2026

- 09/16/2026 1 CIVIL APPEAL DOCKETED. Notice of appeal filed by Appellants James Buckman and Micahiel Nicholson on 09/14/2026. Fee Status: Fee Paid. See attached docketing notice for important information, including deadlines. [Entered: 09/17/2026 11:17 AM]
- 09/17/2026 2 Briefing Notice issued to Appellants James Buckman and Micahiel Nicholson. The appellant's brief is due on or before 10/27/2026. The appendix is due no later than 7 days from the filing of the appellant's brief. [Entered: 09/17/2026 11:24 AM]
- 09/21/2026 3 *MOTION for the Emergency for the Administrative Stay filed by Appellants James Buckman and Micahiel Nicholson. Opposition to Motion is Unknown [3]* [Entered: 09/25/2026 04:36 PM]
- 09/21/2026 4 *MOTION Emergency Motion For Administrative Stay And Stay or Injunction Pending Appeal Under Federal Rule of Appellate 8(a) filed by Appellants James Buckman and Micahiel Nicholson. Opposition to Motion is Unknown [4]* [Entered: 09/25/2026 04:40 PM]
- 09/23/2026 5 Notice of receipt: "Micahiel Nicholson and James Buckman the reason why we are asking for an emergency administrative stay is because they are going to evict us any day, We will lose our property illegally. as to Appellants James Buckman and Micahiel Nicholson". [Entered: 09/25/2026 04:50 PM]
- 10/09/2026 6 *MOTION Emergency Motion for administrative stay, for stay of injunction filed by Appellants James Buckman and Micahiel Nicholson. Opposition to Motion is Unknown [6]* [Entered: 10/13/2026 03:38 PM]
- 10/13/2026 7 NOTICE OF CERTIFICATE OF INTERESTED PERSONS (CIP) DEFICIENCY issued to James Buckman and Micahiel Nicholson. You have failed to file the CIP. If you are an appellant or petitioner, pursuant to 11th Cir. Rules 26.1-5(c) and 42-1(b), this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice unless you remedy the default(s). If you are an appellee or respondent, pursuant to 11th Cir. R. 26.1-5(c), no action may be taken on your filings until you comply with the CIP rules. [Entered: 10/13/2026 03:48 PM]

Mail body:

Exh. E

FINAL NOTICE OF EVICTION

Court Case No. 201061928-CA-01

Address 15020 S River Dr

A Court Order has been issued requiring that all persons be removed from this premises. Florida Statutes direct that this final 24-hour notice of eviction be posted. If these premises are not vacated, the Court Services Bureau of the Miami-Dade Sheriff's Office is required to remove all persons from the premises.

Signed [Signature] Badge # 60006 Date 6/16/20



MIAMI-DADE SHERIFF'S OFFICE
COURT SERVICES BUREAU
(305) 375-5100

30-22-99-3
104-24-07-1025

IN AND FOR MIAMI-DADE COUNTY, FLORIDA

U.S. Bank, National Association, as Trustee for RASC 2005AHL3, GENERAL JURISDICTION DIVISION
Case No. 2010-61928-CA-01

Plaintiff,

vs.

LEROY WILLIAMS, et. al.,

Defendants.

SERVED
DATE 6/16/20
BY [Signature]
FOR [Signature]

ALIAS WRIT OF POSSESSION

THE STATE OF FLORIDA

To the Sheriff of Miami-Dade County, Florida

YOU ARE COMMANDED to remove all persons from the following described property in Miami-Dade County, Florida:

LOT 105, BISCAYNE GARDENS SECTION "F" PART 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 46, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A/K/A: 15020 South River Drive, Miami, FL 33167,

and to put U.S. Bank, National Association, as Trustee for RASC 2005AHL3 in possession of it after 24 hours' notice conspicuously posted on the premises.

Dated on this 16 day of JUN 12 2020

As Clerk of Court

By: Ana Alvarado
As Deputy Clerk

Filed By:
Brock & Scott, PLLC
2001 NW 64th St, Suite 130
Ft. Lauderdale, FL 33309

For Scheduling Contact:
Evictions Dept.
Telephone: (877) 302-4140
File Number: 13-102868

ATTN

**Additional material
from this filing is
available in the
Clerk's Office.**