

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Cesar Augusto Cordon Sosa — PETITIONER
(Your Name)

vs.

Wingz Inc. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Ninth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Cesar Augusto Cordon Sosa

(Your Name)

1508 Alameda Street

(Address)

Pomona California 91768

(City, State, Zip Code)

762-244-2049

(Phone Number)

QUESTION(S) PRESENTED

1. Whether a court of appeals may delay proceedings for an extended period without explanation, refuse to docket or rule upon a timely petition, for rehearing, and issue its mandate, thereby depriving a litigant of meaningful access to Supreme Court review.
2. Whether a court of appeals may decline to consider pending motions on the basis that a case is closed, without issuing any ruling on those motions, consistent with the requirements of due process.

LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

The parties to the proceeding in the court whose judgment is the subject of this petition are:

Petitioner:

Cesar Augusto Cordon Sosa

Respondent:

Wingz Inc.

RELATED CASES

Cordon Sosa v. Wingz Inc. No. 25-4507. United States Court of Appeals for the Ninth Circuit

Judgment entered October 22, 2025.

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Clerk email confirming acceptance of filings.

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STATUTES AND RULES

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28 U.S. C. §1254 (1)	2 and 3.
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OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from state courts:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

JURISDICTION

☒ For cases from federal courts:

The date on which the United States Court of Appeals decided my case was OCTOBER 22, 2025

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from state courts:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A .

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

This case involves the Due Process Clause of the Fifth Amendment to the United States Constitution.

This case also involves 28 U.S.C. § 1254 (1), which provides for review by writ of certiorari of cases in the United States Courts of Appeals.

This case further implicates the Federal Rules of Appellate Procedure governing petitions for rehearing.

STATEMENT OF THE CASE

This case arises from a series of proceedings involving Petitioner and Respondent, Wingz Inc, in which significant procedural irregularities occurred during appellate review.

Petitioner initiated legal action arising from disputes related to contractual and operational matters involving Respondent. The case proceeded through the lower courts and was ultimately reviewed by the United States court of Appeals for the Ninth Circuit.

On October 22, 2025, the United States Court of Appeals for the Ninth Circuit dismissed petitioner's appeal. Following that decision, Petitioner timely submitted a petition for rehearing in accordance with the applicable rules.

Petitioner received confirmation from clerk's Office that the petition for rehearing had been accepted for filing. However, the petition was never formally docketed, and no ruling was issued by the court on that petition.

Despite the existence of a timely submitted rehearing petition, the court subsequently issued its mandate on November 14, 2025, without addressing or resolving the rehearing request.

Petitioner thereafter filed a motion to recall the mandate in order to obtain a ruling on the pending rehearing petition and to preserve his right to seek further review. That motion remains unresolved.

As result of these procedural actions, Petitioner has been effectively deprived of a meaningful opportunity to obtain review by this court, raising substantial concerns regarding Due Process and access to appellate review.

REASONS FOR GRANTING THE PETITION

This case presents an important question concerning the integrity of appellate procedures and a litigant's ability to obtain meaningful review in this Court.

The Court of Appeals received and acknowledged petitioner's timely petition for rehearing but failed to docket or rule upon it. No order granting or denying rehearing was ever entered,

Despite the existence of that petition, the court issued its mandate and treated the case as closed, without providing any explanation or disposition of the rehearing request.

This procedural posture creates a fundamental problem; the absence of a clear, identifiable final judgment from which the time to seek certiorari can properly run.

This sequence of actions effectively deprived Petitioner of a meaningful opportunity to seek review in this Court. The ability to petition for a writ of certiorari depends on the existence of a final reviewable judgment and the resolution of timely post-judgment filings.

The issue presented is not limited to the circumstances of this case. If courts of appeals may decline to docket or rule on timely filings while simultaneously issuing mandates and closing cases, litigants are left without a clear procedural path to seek further review. This raises significant concerns regarding due process and the uniform application of appellate rules.

This Court's review is warranted to clarify whether such procedural irregularities are consistent with the requirements of due process and to ensure that litigants are not deprived of access to Supreme Court review through the failure of lower courts to act on properly submitted filings.

This Court has long recognized that due process requires meaningful access to the courts and a fair opportunity to be heard. See e.g., *Mullane v. Central Hanover Bank & Trust Co.* The actions described here are inconsistent with principals, as they deny a litigant a meaningful opportunity to obtain review.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Cesar Augusto Cordon Sosa

Date: 05/15/2026.

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EDDS Confirmation of Submission November 4, 2025.

APPENDIX E:

Clerk's email confirming acceptance of filings.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 22 2025

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

CESAR AUGUSTO CORDON SOSA,

Plaintiff - Appellant,

v.

WINGZ, INC.,

Defendant - Appellee.

No. 25-4507

D.C. No.

2:25-cv-01307-SPG-RAO

Central District of California,
Los Angeles

ORDER

Before: BERZON, RAWLINSON, and COLLINS, Circuit Judges.

After considering the response to the court's September 11, 2025 order and the opening brief, we deny the motions to proceed in forma pauperis (Docket Entry Nos. 4, 9) and dismiss this appeal as frivolous. *See* 28 U.S.C. § 1915(a), (e)(2).

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

DISMISSED.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Cesar Augusto Cordon Sosa,

v.

PLAINTIFF(S)

Wingz Inc.,

DEFENDANT(S)

CASE NUMBER

2:25-cv-01307-SPG-RAO

ORDER ON REQUEST TO PROCEED
IN FORMA PAUPERIS
(NON-PRISONER CASE)

The Court has reviewed the Request to Proceed In Forma Pauperis (the "Request") and the documents submitted with it. On the question of indigency, the Court finds that the party who filed the Request:

- ☒ is not able to pay the filing fees. ☐ is able to pay the filing fees.
☐ has not submitted enough information for the Court to tell if the filer is able to pay the filing fees. This is what is missing.

IT IS THEREFORE ORDERED that:

- ☐ The Request is GRANTED.
☐ Ruling on the Request is POSTPONED for 30 days so that the filer may provide additional information.
☐ The Request is DENIED because the filer has the ability to pay.
☒ As explained in the attached statement, the Request is DENIED because:
☒ The District Court lacks ☒ subject matter jurisdiction ☐ removal jurisdiction.
☐ The action is frivolous or malicious.
☐ The action fails to state a claim upon which relief may be granted.
☐ The action seeks monetary relief against defendant(s) immune from such relief.

IT IS FURTHER ORDERED that:

- ☐ Within 30 days of the date of this Order, the filer must do the following:

If the filer does not comply with these instructions within 30 days, this case will be DISMISSED without prejudice.

- ☒ As explained in the attached statement, because it is absolutely clear that the deficiencies in the complaint cannot be cured by amendment, this case is hereby DISMISSED ☒ WITHOUT PREJUDICE ☐ WITH PREJUDICE.
☐ This case is REMANDED to state court as explained in the attached statement.

March 17, 2025

Date


United States District Judge

On February 14, 2025, Plaintiff filed a Petition for Writ of Certiorari and a Request to Proceed In Forma Pauperis. (ECF Nos. 1, 3). Plaintiff seeks review, by a United States District Court, of an action that Plaintiff filed in October 2022 against his former employer in a state court in Floyd County, Georgia. (ECF No. 1 at 1, 7, 39). Plaintiff alleged breach of contract, tortious interference, and illegal suspension under deception. (Id. at 20, 106-07). The Georgia state court dismissed the action in March 2024, for failure to comply with court-ordered sanctions. (Id. at 46-49). Plaintiff asks for “Federal assistance” because he allegedly was subjected to judicial bias and corruption in the Georgia courts, thereby depriving him of an opportunity to be heard. (Id. at 6-7).

As an initial matter, Plaintiff had no basis to file the action in the Central District of California because the Defendant appears to reside, and the events appear to have occurred, in Georgia. See 28 U.S.C. § 1391(b). However, transfer to another judicial district is not warranted. “[28 U.S.C.] Section 1406(a) only allows transfer where the first court has subject matter jurisdiction over the action.” *Hernandez v. Campbell*, 204 F.3d 861, 865 n.6 (9th Cir. 2000). As stated below, the Court lacks subject matter jurisdiction.

“The United States District Court, as a court of original jurisdiction, has no authority to review the final determinations of a state court in judicial proceedings.” *Worldwide Church of God v. McNair*, 805 F.2d 888, 890 (9th Cir. 1986). This doctrine, the Rooker-Feldman doctrine, “bars a federal district court from exercising subject matter jurisdiction not only over an action explicitly styled as a direct appeal, but also over the de facto equivalent of such an appeal.” *Hooper v. Brnovich*, 56 F.4th 619, 624 (9th Cir. 2022) (per curiam) (internal quotation marks and citations omitted). Because Plaintiff “in fact challenges the particular outcome in his state case, it is immaterial that [he] frames his federal complaint as a constitutional challenge to the state court’s decision, rather than as a direct appeal of that decision.” *Id.* at 626 (internal quotation marks and citation omitted). Because the gravamen of the Petition is that the Georgia state court dismissed Plaintiff’s case incorrectly, the Court must dismiss the Petition under the Rooker-Feldman doctrine.

Finally, because the action is barred by the Rooker-Feldman doctrine, leave to amend is not warranted. See *Cooper v. Ramos*, 704 F.3d 772, 785 (9th Cir. 2012) (amendment of complaint barred by the Rooker-Feldman doctrine is futile). Thus, the Petition is dismissed without leave to amend, and this action is dismissed without prejudice for lack of subject matter jurisdiction.

(attach additional pages if necessary)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

NOV 14 2025

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

CESAR AUGUSTO CORDON SOSA,

Plaintiff - Appellant,

v.

WINGZ, INC.,

Defendant - Appellee.

No. 25-4507

D.C. No.

2:25-cv-01307-SPG-RAO

Central District of California,
Los Angeles

MANDATE

The judgment of this Court, entered October 22, 2025, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to
Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT



UNITED STATES COURTS FOR THE NINTH CIRCUIT

Chief Judge Mary H. Murguia · Molly C. Dwyer, Clerk of Court · Susan Y. Soong, Circuit Executive

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UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT: EDSS

Thank You!

We have received your submission to the EDSS. The court will only reach out to you if the court does not accept your document for filing.

100%

Prose-Pleadings CA09Operation <prose-pleadings@ca9.uscourts.gov>
To: Cesar Sosa <cdwehelp21@gmail.com>

Mon, Nov 10, 2025 at 10:02 AM

We've accepted your filings made on 11/4/25 with a total of 6 PDFs for case 25-4507.

The clerk will contact you if there are any issues with the filing.

From: Cesar Sosa <cdwehelp21@gmail.com>
Sent: Wednesday, November 5, 2025 7:52 PM
To: Prose-Pleadings CA09Operation <prose-pleadings@ca9.uscourts.gov>
Subject: Re: 25-4507

CAUTION - EXTERNAL:

[Quoted text hidden]

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

Cesar Sosa <cdwehelp21@gmail.com>
To: Prose-Pleadings CA09Operation <prose-pleadings@ca9.uscourts.gov>

Mon, Nov 10, 2025 at 4:31 PM

Thank you for the update.

That means that the case still is open and I don't have to make an Appeal?

Please let me know I don't know how this court work

Thank You

Cesar cordon
[Quoted text hidden]

Prose-Pleadings CA09Operation <prose-pleadings@ca9.uscourts.gov>
To: Cesar Sosa <cdwehelp21@gmail.com>

Wed, Nov 12, 2025 at 11:50 AM

There is still an order closing the case.

For clarification regarding the order and the status of your case, please contact the Clerk's Office at questions@ca9.uscourts.gov for assistance.

[Quoted text hidden]

Cesar Sosa <cdwehelp21@gmail.com>
To: Prose-Pleadings CA09Operation <prose-pleadings@ca9.uscourts.gov>

Wed, Nov 12, 2025 at 12:19 PM

11/22/2025, 7:26 PM