

No: _____

IN THE
SUPREME COURT OF THE UNITED STATES

Kimarlo Ragland - Petitioner

vs

North Carolina Division of Employment Security – Respondent

ON PETITION FOR WRIT OF CERTIORARI TO

The North Carolina Supreme Court

PETITION FOR WRIT OF CERTIORARI

Kimarlo Ragland

813 Water Street

Henderson, NC 27536

252-915-1494

QUESTIONS PRESENTED

- I. Whether NC Courts dismissal of petitioner's appeal(s) are unconstitutional and contravene / violate clause(s) set forth in ***Griffin v Illinois*** 351 US 12, and ***Douglas v. California*** 372 US 353?
- II. Whether NC Courts denial of trial transcripts violate standards set forth in ***MLB v SLJ*** 519 US 102, ***Griffin v Illinois*** 351 US 12, and the equal protection under law clause of the 14th amendment?
- III. Whether the actions of the respondent and NC court(s) devoid neutrality and equity satisfy due-process and ultimately violate the petitioner's 5th and 14th amendment constitutional right by taking property without due-process of the law and failure to provide equal protection under the law?
- IV. Whether the NC appellate Courts failure to opine an appeal in strict compliance with their rules of appellate procedure is unconstitutional?
- V. Whether NC Court(s) discriminatory and less favorable than licensed attorneys treatment of self-represented litigants are unconstitutional and inconsistent with law?
- VI. Whether NC Courts (particularly the appellate courts) efforts to siphon funds (as in this matter) from the impoverished is unconstitutional?

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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†† The petitioner omits most legal authority and statutes cited from cases 1,2, and 3 such as ***Ragland v. Nash Rocky Mount Board of Education***...as they are included in this petition SOLELY to present this court a full understanding of my/petitioner's prior pro-se litigation. They are mostly irrelevant to case at hand and will not be included in the brief before this court unless they are absolutely essential to understanding the merits of case # 4!

¹ Omitted from this petition.....To Be Cited in Brief

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**: *NOT OPINED (167A24-2)*
decision improvidently dismissed
The opinion of the highest state court to review the merits appears at Appendix *D* to the petition and is *NOT OPINED*

- ☐ 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 _____.

☐ 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**:

167 p 24-2
Dismissed (NOT REVIEWED)
The date on which the highest state court decided my case was 5/21/25.
A copy of that decision appears at Appendix C.

UNTIMELY - SEE ATTACHED MOTIONS + DECLARATION
☒ A ~~timely~~ petition for rehearing was thereafter denied on the following date: 10/15/25, and a copy of the order denying rehearing appears at Appendix D.

☐ 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 + STATUTORY PROVISIONS INVOLVED

The regulations, constitutional and statutory provisions involved in this case has been fully set forth in the "Table of Authorities"

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INTRODUCTION + BACKGROUND

This case presents the issue surrounding the unconstitutionality of the courts in North Carolina (NC) treatment of the indigent/paupers/impoverished, and pro-se litigants. I/ petitioner Kimarlo Ragland¹, possess a bachelor's and master's level education in the science field, and a known pro-se litigant in NC appellant courts.

My litigation history began in 2015 after I was wrongly severed from my state career / occupation *Ragland v. Nash Rocky Mount Board of Education* (hereinafter case # 1 - NC citation omitted.). Due to my loss of income, I litigated case # 1 pro-se to the NC Supreme Court².

The NC appellate court's unfavorable treatment and disposal of my cases (self-litigating) is unconstitutional and inconsistent with law!

Prior to my litigation all terminated teachers in NC that reached the appellate courts knew which dismissal ground of the 15 set forth in NC G.S³ § 115c-325 *et seq.* Prior to case # 1, once the intermediate appellate court / NC Court of Appeals affirmed a teacher's termination / dismissal on one of the 15 grounds the teacher's termination was pretty much final!

In case # 1 *Ragland v. Nash* supra, the NC Superior Court⁴ highly eschewed their legal and statutory obligation due to me litigating pro-se and I presume my race as well. Upon information and belief, I assert that **Superior Court judges in NC are instructed to rule against litigants that are not licensed attorneys!**

Case # 1 was so cursory and committed in haste via the school board that once it reached the intermediate appellate court **the 3-judge panel did not affirm and uphold the termination on a single dismissal ground, which created new precedent within the NC jurisprudence.** Despite my case HIGHLY conflicting with the landmark NC Supreme Court case *Thompson v. Wake County*

¹ Possess a bachelor's (magna cum laude graduate) and master's degree in mathematics

² State's highest court that possess jurisdiction over all civil and criminal matters

³ General statute

⁴ A teacher's appeal right from a termination/dismissal from a school board is the jurisdictional Superior Court sitting/ exercising its duty as an appellate court (NC citation omitted)

Board of Ed. (citation omitted), the NC Supreme Court failed to intervene / grant certiorari and resolve the confusion case # 1 created in the NC jurisprudence.

Due to the NC Court of Appeals failure to uphold and affirm my termination on one of the 15 dismissal grounds, I deduce success in my litigation with respect to case # 1 despite the appellate court's failure to acknowledge such. As a result of the appellate court's actions / disposition of case # 1, the employer was not made satisfy their monetary obligation to me i.e. pay out the monetary remainder of the employment contract they breached which greatly contributed to my impoverishment / indigent status⁵.

It appeared the actions of the appellate court(s) / disposition of case # 1 and the others discussed hereafter was due primarily to my race, socioeconomic status, and me litigating pro-se. To-date I find no statute, rule, law or the like that allow or encourage courts OUTRIGHT discriminate against nor treat pro-se litigants less favorable than licensed attorneys!

In AN EXTREMELY OBVIOUS RETALIATORY MANNER the NC teaching license agency torturously interfered in case # 1 creating case # 2 *Ragland v NC Dept. of Public Instruction* (NC citation omitted). Following the Superior Court's⁶ disposition and before NC Court of Appeals commencement the state license agency through agents and their "ALL-WHITE⁷ ethics committee" attempted to intimidate and discourage my litigation before the intermediate appellate court which is equivalent to "witness intimidation." i.e. attempted me from litigating case #1⁸.

Through my self-representation and own legal tactics the license agency ABRUPTLY PIVOTED from sending bogus charges predating a license revocation

⁵ Before the dismissal hearing before the school board I opted to accept a 50% severance for which they refused, citing "only one additional month's pay in exchange for my resignation."

⁶ This superior court trial judge Marvin Blount was white, but real fair and considerate to me in a pro-se status. I infer that superior courts/ judges in NC ARE INSTRUCTED TO RULE AGAINST LITIGANTS WHO ARE NOT LICENSED

⁷ Consisted of 20-25 Caucasian adults, only 1 VERY light in complexion appeared of "other" origin

⁸ Then-state superintendent Dr. June Atkinson mailed me a notice of adverse action / attempted license revocation DATED THE SAME DAY I FILED THE APPELLATE RECORD IN CASE # 1 TO THE NC Court of Appeals

to asserting a legally insufficient collateral estoppel defense. In previous cases, the NC Supreme Court as well as the federal courts had already addressed the “collateral estoppel” defense in great detail. Whenever cases involve / present different questions of law, and burdens of proofs etc. “collateral estoppel” is inapplicable. I cited an abundance of legal authority (pre-mentioned) definitively proving the entire “collateral estoppel” was not applicable and HIGHLY INSUFFICIENT to revoke my state license; THIS WAS RETALIATORY! In case # 2 the 3-judge panel⁹ issued an unpublished opinion¹⁰ (thereby not legally upholding my license revocation)¹¹ Likewise, the NC Supreme Court failed to rectify case # 2¹² notwithstanding compounded jurisprudence confusion case #2 created.

In early 2022, the litigation of the current case before this court commenced *Ragland v. NC Division of Employment Security* (hereinafter case # 4- NC citation omitted). As fate would have it, during this same time my neighbor sought a restraining order against to prevent me from parking on a road parallel and in between our homes *Ragland v Gregory* (hereinafter case # 3-NC citation omitted). Unlike cases 1,2, and current case #4; case # 3 was not officially briefed before the NC appellate courts. However I sought another petition for a “Writ of Mandamus” before the NC Court of Appeals citing... *In re J.N.S.*, 180 NC App at 561, 637 S.E. 2d at 919 The availability of the remedy of mandamus ensures that the parties remain actively engaged in the district court process and do not “sit back” and rely upon an appeal to cure all wrongs (designated specifically for these types of cases). *In re J.N.S.*, 180 NC App at 561, 637 S.E. 2d at 919 (“I do not agree

⁹ Current Chief NC Court of Appeals Judge Chris Dillon has sat on all my cases DESPITE my request for his recusal IN THIS MATTER (see App. A – 2) consistent with the NC judicial canons requiring impartial (NON pre-dispositional) judges inter alia.

¹⁰ Issued 2019

¹¹ The issuer of my teaching license i.e. NC State Board of Education did not afford due process (never sent any correspondence to me other than initial bogus charges through June Atkinson. I discovered late 2019 that the state agency began reporting online that my license was revoked during November 2018 with NO NOTICE to me of when this occurred, no “findings of fact nor conclusions of law” (usual procedure) NOR appropriate recourse afforded me (addressing/appearing before the state board.)

¹² It was obvious to me that the appellate courts and NC agencies were acting in concert and contravention to established law and legal precedent.

that a party who waits passively for the trial court to perform the ministerial duty of entering an order that which mandamus concerns should be allowed to successfully argue [prejudice on appeal."] Within weeks of citing this **UNUSUAL PRECEDENT** I viewed a pleading **FILED IN THE EXACT SAME COURT** where an attorney likewise cited it...**(It appears many others are ascertaining knowledge from me in pro-se status.)!**

Albeit, these restraining orders are categorized as civil matters / cases, the results /punishment are criminal in nature (fines and incarceration). **In-fact being legally restrained is a prerequisite to being judicially detained.** Unlike criminal proceedings in NC, the appeal process for restraining orders bypass the Superior Courts (trial by a jury of peers), and its only recourse is an appeal directly to the NC intermediate appellate court from the district court (precursor to the Superior Court in criminal proceedings). **Essentially a person's liberty and freedom is highly compromised and can be taken without affording full due-process like a criminal proceeding!** I raised this issue in a 2022 "Petition for a Writ of Certiorari (case # 3)" to the NC Supreme Court.

Just as partiality existed in cases 1 and 2, in case # 3 the NC Court of Appeals **DELIBERATELY** waited several months against my request for intervention (Petition for an Extraordinary Writ) and responded (without intervention) **ONLY AFTER an unlawful restraining order was issued against me for 12 months**¹³. N.C. G.S. § 50 c governed this restraining order, and is legislatively designed for "non-consensual sex and stalking!" **Any literate individual even limited to an infinitesimal degree comprehension can reason that "parking on a public road" with respect to this statute on its face (mere title alone without examining it fully) FALL WOEFULLY SHORT of the designated legal requirement!** Once again, the NC Supreme Court failed to

¹³ I was already restrained because the neighbor was granted an "ex parte," temporary restraining order by the NC district court unbeknownst to me at the issued time, and without the court following proper protocol i.e. the neighbor **SHOWED ABSOLUTELY NO EVIDENCE, NOR ASSERTED IMMINENT HARM, LOSS, OR INJURY** in her complaint **WHICH IS** required for an "ex parte," temporary restraining order

intervene and the unlawful, invalid order (issued while the trial/district court was divested of jurisdiction¹⁴) expired after one year. The partial actions of the appellate courts in case # 3 resulted in me being in and out of court for nearly 2 years SIMPLY FOR PARKING ON A PUBLIC ROAD; greatly contributing to my inability to maintain stable employment and improve my financial standing!

Known changes implemented by the NC Supreme Court that I attribute solely to my *pro-se* litigation.

In 2016 once I appealed case # 1 the NC Supreme Court, and petitioned for a Discretionary Review, I arguably was one of the first, if not the first to petition the intermediate appellate court for an “EN BANC” rehearing. In December 2016 after reviewing my appeal and petition the NC Supreme Court implemented an “en banc” procedure in the NC Court of Appeals .¹⁵ Around this same time the NC Rules of Civil procedures were amended to include many clauses for pro-se litigants that did not initially exist.

Unlike my first petition requesting an extraordinary writ from the NC Supreme Court whereas the trial judge paused acknowledging being divested of jurisdiction case # 2, the trial judges in cases 3 and this case # 4 were allowed **IF NOT OUTRIGHT INSTRUCTED** to enter adverse orders against me **WHILE BEING** fully divested of jurisdiction!

STATEMENT OF THIS CASE

The respondent¹⁶ is a NC agency tasked with administering unemployment benefits to NC claimants (individuals applying for and/or receiving unemployment benefits). In January 2022 nine months after being separated from my¹⁷ employer,

¹⁴ Unlike the stay/pause in case # 2 the trial court/judge in case # 3 issued the one-year order while divested of jurisdiction due to the pending petition before the NC Court of Appeals. This raise a high suspicion of whether this trial court/judge was called and instructed to issue the invalid order.

¹⁵ I appeared to be the trailblazer in NC for this procedure of implementing a review per full cadre of intermediate appellate court.

¹⁶ Referenced in this petition as the agency and sometimes through counsel

¹⁷ Speaking in the first and second person as the petitioner + my own attorney

and MORE THAN 6 MONTHS BEYOND the appeal deadline (exhibit/ex: “X” 3-pgs) the respondent sent me a “notice of appeal” packet¹⁸. The appeal packet carefully constructed, OMITTED ALL documents that I filed prior to being determined eligible for benefits twice by two separate adjudicators prior to and post separation from employer¹⁹. The agency utilized the coronavirus pandemic²⁰ as an excuse CLAIMING an appeal (TOTALLY UNBEKNOWNST TO ME) had been filed via employer. I had already ceased collecting benefits nearly five months prior to receiving this appeal packet / Notice of Hearing. Pursuant to NC Administrative Code / governing law § 04 NCAC 24c .0206, I requested an in-person hearing TO CONFRONT MY WITNESSES²¹ which was denied. Before denying such the agency CLAIMED in-person hearings was not currently available despite more than 3 quarters of a year had elapsed after the NC governor lifted pandemic restrictions. This denial and due to my failure to visualize, I was oblivious to exactly who provided oral testimonial evidence via telephone conference provided by the agency. I also requested to post-pone this hearing until the agency resumed in person hearings which was also denied. **As I presumed the hearing officer/ appeals referee reversed the prior adjudicator’s decision that rendered me eligible for benefits creating an overpayment/ agency debt.**

Pursuant to NC G.S. 96 -15, I petitioned the Superior Court for a Judicial Review (which is the appropriate recourse/appeal process) and this matter came before a hearing in Vance County Civil Superior Court on March 6th, 2023. It is a small feat to successfully commence jurisdiction onto a trial court against this

¹⁸ **NO TIMELY APPEAL WAS TAKEN IN THIS MATTER VIA EMPLOYER . SEE DOCUMENTARY EVIDENCE “ ex: X = 3 – pgs” THAT WAS PROVIDED TO BOTH APPELLATE COURTS !**

¹⁹ The agency and employers are well known in NC to subjecting claimants to this type of malfeasance

²⁰ **The agency deviated from standard procedure and routine during the pandemic such as waiving work-search requirements. So many claimants sought benefits during the pandemic that it crashed the agency’s system. To that end, appeals would have been proportional to the number of claimants seeking benefits i.e. in the HUNDREDS OF THOUSANDS!**

²¹ I was oblivious to whom provided testimonial evidence during the telephone conference call/hearing

agency because of a strategy carefully implemented requiring the petition be acknowledged received from WHATEVER AND WHEREVER EMPLOYER! Most litigants fail to meet this standard in which the Superior Courts in turn will simply dismiss the petition/appeal. In my case the employer cited a 3rd party receiver which was labeled as a post office box 600+ miles from my residence. I likewise had to carefully maneuver to obtain an employer signature thereby acknowledging receipt of my petition in hopes of the trial court affording me proper, appropriate, and very accurate due-process i.e. not dismissing my petition/appeal²².

By all means and binding legal authority I cited and relied before the trial court; I was the prevailing party albeit *pro-se*. Post oral-argument the trial judge John Dunlow requested and afforded me 2 weeks to submit a proposed order to him. I submitted a well-detailed, 22-page objective proposed order saturated and replete with controlling, mandatory, and binding legal authority. Despite the aforementioned, the following business day after the submission of my 22-page proposed order, the decision of respondent was affirmed on 3/20/23 by A SINGLE PAGE ORDER²³ (see appendix / app B-1). I highly suspect that Judge Dunlow made this request simply as a SUBTLE ATTEMPT TO GAUGE MY APTITUDE! I appealed his order to the NC intermediate appellate court the 18th of April 2023.

By opposing party own admission (through counsel) they were instructed to prepare the final order citing / requiring the agency to issue me a waiver of the overpayment in this matter (see ex: "Y" 2-pgs) I filed a "Motion to Set Aside the Judgment" the 3rd of April 2023 which was also saturated and replete with

²² the agency (through counsel) admitted in court filings to the NC appellate courts that the petition was dismissed i.e. NOT REVIEWED (petitioner reserves the right to supplement this evidence)

²³ Judge Dunlow did not accurately adjudicate the petition by neglecting it and failing to provide the statutory attention that was required, thus FULLFILLING HIS JUDICIAL DUTY/OBLIGATION. From my inference and information gathered Judge Dunlow recently (within the past few years) became the new top sitting /Senior resident Superior Court Judge in Vance County upon retirement of long-term Judges Henry Hight and Robert Hobgood. Judge Dunlow does not appear to have a good reputation in that I fail to hear /gather anything positive as it pertains to him. I DEDUCE HIS RULING AS PARTISAN + STRICTLY ALONG IDEOLOGICAL LINES!

controlling, binding legal authority. The trial court never issued a ruling (left outstanding / in limbo²⁴) on the necessary, objective, and well-detailed aforementioned Motion, whereas an appropriate ruling would've been very "fact specific." This highly contravenes controlling and mandatory legal authority set forth in *Steven v. Guzman* 140 NC App. @ 781, 538 S.E. 2d @ 592; whereas the NC Court of Appeals ruled that trial courts **MUST ISSUE A WRITTEN ORDER ON MOTIONS** (especially written motions and when specifically requested by a party)!!! Likewise in cases 1, 2, and 3, I submitted very detailed artfully pleaded written motions to the trial courts that were all in each case simply ignored (remained outstanding).

In this matter (case # 4) obviously a written "Notice of Appeal" to the intermediate appellate court was timely filed. My "motion to set aside judgment" pended in the trial court for approximately 8 months before petitioning the NC Court of Appeals on the 18th of December 2023 via "Petition for a Writ of Mandamus." to issue a MANDATE to the trial court (App. A-1, + C-1). It appears that petitions for "Writ of Mandamus" are **SELDOM nor EVER** sought in NC Appellate Courts. When I first sought one in case # 2 I cited *Steven v. Guzman* 140 NC App. @ 781, 538 S.E. 2d @ 592 amongst many others; Administrative Law Judge Ward cited upon his stay of the matter "Due to the VERY unusual nature of Mr. Ragland's petition..." All 3 occurrences where I sought this type of Writ/Mandate in NC appellate courts **DIFFERENT CONTROLLING PRECEDENT WAS CITED** per me that **APPEAR EXTREMELY RARE nor EVER CITED** in NC Appellate courts. This was my effort to force the trial court / judge Dunlow to fulfill his legal and statutory duty/obligation such as resolving disputed and conflicting facts and evidence. Also judge Dunlow possessed the **OBLIGATORY** duty of deciding and determining questions of laws and statutory mandates such as whether the agency acted arbitrarily and capriciously, afforded appropriate due-process, followed lawful procedure or committed other errors of law etc.; citing *Outdoor v. Guilford Capital County Bd. Of Adjustment* 146 NC App.

²⁴ **HIGHLY UNLAWFUL** see *Steven v. Guzman* 140 NC App. @ 781, 538 S.E. 2d @ 592

388 (2001), 552 S.E. 2d 265. The NC Court of Appeals denied this request the 1/24/24 (see App. A - 3).

Thereafter the respondent moved for another trial court / Judge Brian Wilks to “dismiss my written appeal on the merits of the case” that was filed to the intermediate appellate court for which I objected. After receiving my objections the respondent then moved for Sanctions (in the form of a prefilng injunction/gatekeeper/gatekeeping order²⁵) pursuant to Rule 11 of the NC Rules of Civil Procedure²⁶ for which I also properly objected. Thereafter, I filed a Motion to “Deny and Dismiss” both opposing motions just mentioned. I also filed a “Notice of Removal to the federal / US District Court, regarding the instituted civil action – Rule 11 due to a suspected conspiracy against me amongst and within NC courts as a very unusual litigant. The removal action sought did not occur per federal court.

The above-paragraphed motions all came before a hearing the 15th of April 2024 whereas both motions of opposing party was granted thereby denying my motion silently (see Apps. B – 3 , 4)) . I filed my appeal of both orders / judgments the 15th of May 2024 to the NC Court of appeals.

The trial courts denial of the trial transcripts and the appellate court allowance thereof is inconsistent with controlling precedent set forth by this court, and likewise violates the equal protection clause under state and federal constitution.

Initially it appeared to me that the NC Court of Appeals/COA was attempting to impede and preclude my appeal right specifically the gatekeeper order by allowing trial judge Dunlow to issue an adverse ruling denying me **THE TRIAL TRANSCRIPTS ALL WHILE DIVESTED OF JURISDICTION** (see App B-2)²⁷ *inter alia*. Also unlike cases 1 and 2 that were fully briefed before the COA, trial

²⁵ **DESIGNED FOR LITIGANTS THAT ABUSE THE JUDICIAL SYSTEM NOT THOSE IN A PURSUIT OF JUSTICE**

²⁶ Also simply referenced as “Rule 11”

²⁷ Just as occurred in case # 3

judge Wilks refused to sign my prepared indigent order and review the documentation supporting it.²⁸

Upon my written request the NC COA issued me an order allowing me to “appeal indigent,,” but failed to explicitly state the allowance of the waiving of printing fees in this matter. To that end, I appealed to the NC Supreme Court 6/24/24 and acknowledged to them (strictly attributed to cases # 1 and 2) their implemented change of appellate procedure restricting indigent appellants to only a \$250 waiver which is highly disproportional to the total amount incurred in an appellate appeal²⁹. Within two business days thereafter, I was told over the phone via COA clerk Eugene Soar that I was not required to pay the printing fees.

However, just as Judge Wilks dismissed the written appeal on the merits of the case, the dual appeal before the COA was dismissed via written order NOT OPINION (see App. A-7)³⁰ (despite allowing me to “appeal indigent/ proceed forma pauperis”) **These appeals was dismissed contravening and contrary to each and every binding, controlling, and mandatory legal precedent set forth by the NC appellate courts regarding the dismissal of appeals. EACH OF MY DISMISSED APPEALS WERE ALL IN TOTAL COMPLIANCE WITH THE NC RULES OF APPELLATE PROCEDURE!** In my brief and Table of Additional Authorities, I cited each and every aforementioned legally controlling case available. Again the NC Supreme Court failed to rectify this injustice (App. C-2) and charged me just for filing an appeal and petition in this matter before them notwithstanding me presenting a written COA order allowing me appeal indigent (see A - 5).

²⁸ Trial judges Wilks and Dunlow may have been instructed to act accordingly

²⁹ Which I attribute SOLELY to cases 1 and 2

³⁰ Because the court POSSESSED NO legal standing for the dismissal, the court failed to opine the appeal before them in this matter that was in total compliance with the NC rules of appellate procedure.

Trial judge Wilks failed to sign my prepared indigent order and would not order the release of the trial transcripts to me³¹. I infer both trial judges Dunlow and Wilks actions were more than likely influenced by communication from the appellate courts. In *MLB v. SLJ* 519 US 102 this court ruled failure to provide trial transcripts in civil appeals when “interest is sufficiently strong” is a violation of the equal protection clause under the 14th amendment of the US constitution. It is also a violation of the equal protection clause set forth in the NC Constitution Article I Section 19” *inter alia*. I would argue that this phrase is vague and subjective because whenever an indigent appellant is faced with acquiring a trial transcript to advance a civil appeal an INTEREST IS ALWAYS SUFFICIENTLY STRONG WITH RESPECT TO THE APPELLANT. It appear to me that the respondent as well as the NC appellate courts DID NOT AND COULD NOT foresee my ability to successfully bring and present this current case to the NC appellate courts absent an indigent order and trial transcripts. Despite the many carefully constructed obstacles, I was able to bring this case / appeals + petitions for “Writ of Certiorari (PWC)³²” successfully to the NC appellate courts.

I appear to be the sole pioneer in NC (**especially pro-se**) thus far, defeating/ overcoming the type of gatekeeper order sought by the respondent **REQUIRING ALL MY FUTURE COURT FILINGS TO BE REVIEWED AND SIGNED BY A LICENSED ATTORNEY!** The NC Court of Appeals final order failed to mention let alone address my appeal of the prefiling injunction/ gatekeeper/ gatekeeping order (App A-7).

ARGUMENT

Millions of people across this nation received overpayment notices regarding unemployment benefits collected during the pandemic! In NC collections appear to have started promptly while affording claimants little to absolutely no due-process.

³¹ I utilized the narrative option afforded appellants and provided a “true sense of the testimony” verbatim

³² No appeal right lie unto the appellate court regarding a dismissal of an appeal in the trial court therefore the proper venue is the PWC

As with myself, this agency mailed non-certified hearing notices to claimants, ultimately resulting in overpayments with total indifference to and disregard for whether the notices were actually received!³³ In this matter I was rendered rightfully eligible for benefits, but was reversed following the aforementioned hearing notice by a telephone hearing official / appeals referee (for which I continually objected to)! I possess(ed) the potential, aptitude, wherewithal and ability to litigate this injustice and thus LITIGATED SUCCESSFULLY IN BLACK + WHITE! I emphatically litigated, refuted, and proved during litigation the exact antithesis of the agency's final decision, "I did not leave work without good cause attributable to the employer!"

REASONS FOR GRANTING THE PETITION

The NC Appellate courts continual efforts of charging the impoverished excessive fees are unconstitutional and violate this court's controlling precedents!

In the early litigation stages of this matter case # 4 I discovered that the NC Supreme Court also implemented changes limiting indigent appeals waivers before the appellate courts to ONLY approximately \$250 (ONLY docket and bond fee)! All INDIGENT litigants ARE NOW REQUIRED TO SPECIFICALLY REQUEST (WHICH IS USUALLY DENIED) the NC appellate courts to waive the printing fees which constitutes THE BULK OF AN APPEAL with respect to fees and expenses! Now even if a civil litigant has been deemed indigent before and in the trial court, and the trial court issue them an indigent order, THEY STILL VERY WELL MAY BE REQUIRED TO PAY THE BULK OF APPEAL EXPENSES (PRINTING FEES).³⁴

³³ In many instances I have reasons to believe telephone conference hearings was conducted in the absence of some claimants creating overpayments without assuring nor attempting to ensure the claimant received the notices.

³⁴ After EXHAUSTIVE EFFORTS on my part, the appellate court did not require me to satisfy the printing fee requirement in this case # 4, BUT NONETHELESS dismissed ALL

The NC Court of Appeals began to charge / create an invoice for (at least in my cases) ANY motion or request from the court (albeit not an astronomical fee)
The NC Supreme Court haphazardly charged me / created a HIGH / EXCESSIVE INVOICE to review the Extraordinary Writ that I sought in case # 3. Finally, notwithstanding me possessing an order from the NC Court of Appeals to proceed indigent in this case # 4, the NC Supreme Court charged me to review the appeal and petition that requested in this matter. Suffice to say, the actions of the NC appellate courts has been detrimental to my impoverishment. Their actions also, particularly the NC Supreme Court demonstrates A TOTAL AND WILLFUL INDIFFERENCE TO and DISREGARD FOR THE IMPOVERISHED! These actions CONTRAVENE STANDARDS THAT THIS COURT HAS SET FORTH TO ACCOMMODATE THE IMPOVERISHED in *Griffin v Illinois* 351 US 12, and its expansion with respect to many other cases from this court handed down post *Griffin v. Illinois supra* such as in *Douglas v. California* 372 US 353 and *MLB v SLJ* 519 US 102!

Your court has made several expansions to *Griffin v Illinois* 351 US 12 in many ways to ensure equity in the courts across this nation with respect to the poor and the wealthy. It appears the NC appellate courts are insistent on the indigent disbursing money to their courts. Further, It appears the NC appellate courts are fixed on paupers “someway out of nowhere” gathering money to expend on an attorney³⁵ to possess the slightest iota of a chance of success before their courts (or at least their acknowledgement thereof)! As of now, I surmise there may very well exist a concerted retaliatory effort on behalf of NC appellate courts against me due to my self-litigation; and the NC Supreme Court making implementations and amendments to the NC rules of appellate procedure that I attribute solely to me!

my appeals, and denied and/or dismissed all my motions and extraordinary writs sought in this matter!

³⁵ WHO IN A LOT OF CASES (CONSIDERING THEIR # OF CLIENTS) IS NOT OVERLY CONCERNED AS TO AN INDIVIDUAL PAUPER/PERSON AND THEREBY USUALLY FAIL TO POSSESS THEIR BEST INTEREST

The NC appellate Courts dismissal of my appeals + petitions are unconstitutional and run counter to this court's precedent!

The NC Supreme Court without merit dismissed all my appeals and petitions 8/27/24, 5/29/54 and finally 10/21/25 via email ³⁶ (see Apps. C-1,2 + D) **For undisclosed reasons I undeniably and indisputably possessed no access to my US mail from 12th of May 2025 through the 12th of September 2025, nor email access from the 15th of May 2025 through the 11th of September 2025.** The NC court's disposition of my appeals in this matter case # 4 ran counter to rulings this court set forth in *Douglas v. California* 372 US 353, *Griffin v Illinois* 351 US 12 *inter alia*. (App. A) The actions of the appellate courts dismissing ALL / THESE petitions and appeals also violate my NC Constitutional right to petition for a redress of grievance cited in Article 1, Section 13.

The actions of the NC court(s) has invited and allowed the respondent to take property of the petitioner without sufficient due-process and equal protection under the law violating my 5th and 14th amendment constitutional right *inter alia*.

The 28th of Sept. 2025 I petitioned the agency for a full- blanket waiver of the overpayment / debt (see ex: "Z" – 3 pgs.) consistent with trial judge Dunlow's directive (by respondent's counsel own admission see ex: Y – 2 pgs) The agency then sent a "Notice to Debtor" dated 10/10/25 stated that they essentially took my estimated \$518 state income refund tax payment. (see ex: "T")³⁷ I appealed this decision 10/27/25 (see ex: "Q" 5- pgs.) **and have not received any feedback from the appeal to-date! Post- pandemic I filed for NC unemployment benefits on 2 claims that were each withheld, abruptly withdrawn, and/or never**

³⁶ The NC appellate courts issue rulings (opinions, orders etc. via email) **The only African American Justice Anita Earls DID NOT participate in the FINAL RULING 10/21/25!**

³⁷ **JUST AS THE APPELLATE COURTS THIS AGENCY IS WELL AWARE OF MY IMPOVERISHED STATE! Petitioner has spent the past 4 years litigating this matter that should simply be NONEXISTENT which has also become a significant contributing factor!**

fully paid out with a combined estimated between \$4,500 and 5,000! (see ex F: 4-pgs)

I received a written ruling on or about the 12/2/25 allowing my waiver request in-part by deducting approximately \$2,300 from the alleged debt. Contrary to law the ruling stated that the agency considered my fault in overpayment and collection being against good equity and conscience **BUT WITHOUT ANY ELABORATION nor EXPLANATION THEREOF** (see ex: V)! I explained how they are forbidden from collections with respect to alleged overpayments created during the pandemic. Some governors issued executive orders and THE LAW IN NC SPECIFICALLY forbids any repayment/collection of unemployment insurance overpayments created during the pandemic “when the fault in overpayment was not due to the claimant and collection thereunto would be against good equity and conscience.” The agency issued me a waiver 2/24/25 decreasing the alleged overpayment by approximately \$1200 AND HAD RULED IN THE WAIVER (see ex: U) / ORDER that “the overpayment was due to no fault of mine, and repayment would be contrary to good equity and conscience” (see ex’s “Z + Q”).

I also clarified how collecting my tax payment during a much needed time as now, was and is detrimental to me attaining and maintaining basic life necessities due to no income and great financial hardship³⁸. (also see ex’s “Z + Q”) As soon as receiving the initial alleged overpayment mid-2022 I started sending numerous requests to the agency to waive this due to the unique circumstances of this matter which would also in turn save a considerable amount of litigation expenses. Considering the current alleged debt approximately \$5,400 and 2 claims that were each withheld, abruptly withdrawn (see ex: E), and/or never fully paid out combined estimated between \$4,500 and 5,000; the agency is

³⁸ For reasons beyond my control I only experience 4 months of employment in 2024 as well as this year 2025

collecting and I'm unlawfully fulfilling an UNLAWFUL, INVALID overpayment /debt in excess of the initial alleged amount sent mid – 2022 which was approximately \$9,400³⁹!

The demographic makeup of the NC appellate courts are not and never have been representative of the community! As current the intermediate appellate court of 15 judges always consist of only one African American and the rest...well you know!⁴⁰ Likewise the NC Supreme Court is composed of only one black and the rest....! These court's render / affirm jury decisions. **This court has ruled that juries must comprise / be reflective and representative of the community (diverse).** The aforementioned is a conflicting dichotomy! Although the NC appellate courts comprise of elected judges; gerrymandering /redlining efforts influence these elections such as a proceeding recent NC case. To my understanding, the only current black congressman “Don Davis” was and has great potential to be affected by the aforementioned gerrymandering /redlining that occurred. As recent as April 2026 there was an extremely controversial Leandro ruling handed down via NC Supreme Court.

North Carolina appellate courts are running rampant issuing politicized, partisan decisions strictly along ideological lines with apparently a total indifference to and disregard for controlling legal precedent set forth in this court as well as their own jurisprudence. **A COMPLETELY UNFORESEEABLE AND UNPRECEDENTED ACT** occurred by this new NC Supreme Court that

³⁹ Once the second claim was UNLAWFULLY, HAPHAZARDLY WITHDRAWN it increased the ALLEGED DEBT by nearly \$1,000 (see EX: G)

⁴⁰ During 2019 this court unusually was comprised of 2 blacks, Rueben Young authored my 2nd case, and Wanda Bryant authored my first case. Judge Young stint was very short estimated less than 18 months. During this same time history was made that the NC Supreme Court BRIEFLY had 3 African American justices

outraged the public. Within 12-18 months of the 6-1 or 5-2⁴¹ democratic controlled court striking down the voter ID law/requirement in NC, the new CURRENT 6-2 republican court **OVERTURNED THEIR OWN PRECEDENT** within only a few months of its ruling! **Again this outraged the public, and had never been seen before!** Many in the community were rallying and protesting and it, and the court was quoted on the news as an “OUT OF CONTROL COURT!” Also this year this same exact 5-2 republican controlled court garnered NATIONAL attention attempting to invalidate a democracy with the cancellation of legally casted votes initially estimated to be around 60,000!

NC Courts have failed to provide this petitioner with meaning and adequate appellate review constitutionally afforded and bestowed per their jurisprudence. The failure of the COA to opine this case unconstitutional!

NC appellate courts has decided, and disposed of all my 3 of my fully briefed cases strictly along partisan and ideological lines **RUNNING COUNTER TO THIS COURT's PRECEDENT *Griffin v Illinois* 351 US 12, and *Douglas v. California* 372 US 353 amongst many others!** If the legal briefs in my cases are read objectively, and the controlling legal authority and statutes set forth etc. are appropriately applied I would be considered the prevailing party in all my cases! **IN THIS MATTER THE RESPONDENT DID NOT FILE A LEGAL BRIEF!** It appears to me that the NC appellate courts could very well be “playing games” in all my matters to determine what may very well be ascertained and/or created by way of my very **UNIQUE pro-se LITIGATION.**

As set forth throughout this petition, the actions of NC courts (particularly the appellate courts) implicates the right to self-represent afforded by the 6th amendment of the US constitution, the 14th amendment section 1 (abridging liberty, privileges and equal protection of and under laws), as well as the NC constitution Article 1 Section 18 (open access to court, remedy of a wrong by due

⁴¹ At one point the only sitting republican was current Chief Justice Paul Newby

course of law, administering justice without favor, delay, or denial), and “equal protection” under Article 1 Section 19. An appeal is a matter of right, and must be allowed. *The Douro*, 3 Wall. 564, 18 L.Ed. 168, No decision of the Supreme Court or of a Circuit Court of Appeals has come to my attention in which it has been held that where the right of review in a civil cause is by appeal its allowance is subject to the discretion of the judge or court from which the appeal is taken. Herein this matter to avoid obvious scrutiny the intermediate appellate court disposed of this matter via order NOT OPINION! An agency abuses its discretion when it fails to issue opinions with rational explanations and adequate analysis of the record. *Siddiqui v. Holder*, 670 F.3d 736 (2012). This language implies that taking an appeal is a matter of right, and is something which the party as distinguished from court may do. When the court has rendered its judgment either party may appeal; that is, has the right to appeal, and may exercise that right by his own volition. The court cannot prevent it, nor is the right dependent upon any judicial discretion. *In United States v. Adams*, 6 Wall. 101, 18 L.Ed. 792 . The right to appeal is an absolute right granted to the defeated party by the acts of Congress. No court or judge has any jurisdiction or power to condition the allowance of an appeal upon his consideration or determination of the question whether or not the applicant presents alleged errors which form reasonable grounds for the review of the decision below. That question is reserved for the consideration of the appellate court exclusively. The petitioner has the same right to the allowance of his appeal, in the absence of error or the appearance of it, as when he presents the most conclusive reason for the belief that the decision against him was erroneous. The only question for the consideration of the court or of the judge to whom an application . *In Simpson v. First National Bank*, 129 Fed. 257, 259, 63 C.C.A. 371, 373 (8th Circuit).

In *Douglas v. California* 372 US 353 this court put forth an obligation to courts for a **FULL, UNBIASED APPEAL** once that appeal right has been created in the state!

Judges are admonished to maintain “professional competence.” We have little in the way of commentary or case law to tell us what is required to fulfill this obligation. Am I free to argue that based on the lawyer cognate, Model Rule 1.1,40 a judge who fails to write opinions with sufficient clarity of language and adequate consideration of the opinion's precedential value violates the obligation of competence? *32 Hofstra L. Rev 1215*

The right of access to the courts is a well-established constitutional right, *see, e.g., Boddie v. Connecticut*, 401 U.S. 371, 280–381, 91 S.Ct. 780, 787–788, 28 L.Ed.2d 113 (1971) (due process of law prohibits state from denying **indigents access to court** for purpose of judicially dissolving marriage), deserving the utmost protection even in the prison context. *See, Johnson v. Avery*, 393 U.S. 483, 485–49, 89 S.Ct. 747, 748–751, 21 L.Ed.2d 718 (1969) Strict scrutiny applies only when a regulation classifies persons on the basis of certain suspect characteristics or infringes the ability of some persons to exercise a *fundamental right*.” *DOT v. Rowe*, 353 N.C. 671, 676, 549 S.E.2d 203, 208 (2001) New York courts acknowledge the liability of either the state or some subdivision thereof for costs that would preclude an **indigent access to court**. This liability is based both on (1) the United States Supreme Court's¹ ruling to this effect of the Equal Protection and Due Process Clauses of the U.S. Const. Amend. XIV. Within the limits of practicability,” *id.*, at 318, a State must afford to all individuals a meaningful opportunity to be heard (OPINE / DISPOSE WITH A WRITTEN ACCURATE COURT OPINION) if it is to fulfill the promise of the Due Process Clause. *Boddie v. Connecticut*, 401 U.S. 371, 377-379 (1971) (Footnotes omitted.)

CONCLUSION

It is well settled that fairness, equity, neutrality, and impartiality are fundamental aspects to satisfy sufficient due process! Since the actions of the respondent/ as well as NC courts WOEFULLY lacked equity, neutrality and WHOLLY partial the fundamental fairness aspect of due-process *inter alia* **SIMPLY DID NOT EXIST!** To that very end, the respondent's actions of collections definitively violates the petitioners 5th amendment constitutional right

“taking property without due-process!” Likewise the petitioner’s 9th amendment constitutional right is hereby fully implicated!

WHEREFORE, I petitioner Kimarlo Ragland hereby pray unto this US Supreme Court to grant this Petition for Writ of Certiorari in accordance to the reasons set forth *inter alia*.

This 22nd day of July 2026.


/s/Kimarlo Ragland
Kimarlo Ragland *pro-se*
813 Water Street
Henderson, NC 27536

*enclosure: 2/17/26
letter to an analyst*

†† The petitioner hereby reserve the right to supplement this petition as appropriate and/or by request of the court with documents / evidence of anything asserted, avered, or alleged herein; such as UNQUESTIONABLE evidence of my inability to access my mail and email for approximately 4 months post the NC Supreme Court’s initial May 2025 rulings of dismissal!

CERTIFICATE OF SERVICE

Petitioner (Kimarlo Ragland) hereby certify that the foregoing “AMENDED United States Petition for a Writ of Certiorari” was served unto the respondent through their counsel David Adinolfi and Assistant Secretary M. Antwon Keith of the NC Department of Commerce for the Division of Employment Security (c/o) NC Division of Employment Security - Benefits Integrity Unit via United States Postal Service (USPS) first class mail with metered postage affixed by a USPS associate/worker and thereafter returning a receipt to the sender destined to the addresses that follows:

David Adinolfi
Legal Services Section
Division of Employment Security
PO Box 25903
Raleigh, NC 27611-5903

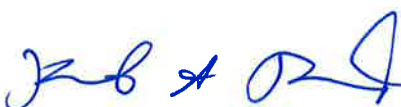
This 22nd day of July 2026.


/s/ Kimarlo Ragland
Kimarlo Ragland

Initially served 1/9/26; then 2/17/26; then 4/13/26

and thereafter electronically sent email to:

david.adinolfi@nccommerce.com ;
assistantsecretary@nccommerce.com ;
des.ui.bpc@nccommerce.com


/s/ Kimarlo Ragland
Kimarlo A. Ragland
813 Water St.
Henderson, NC 27536

APPENDIX

Appendix A Decision(s) of the State Court of Appeals

1. Initial Court of Appeals order- post Supreme Court dismissal
2. Court of Appeals order denying Recusal
3. Court of Appeals order denying "en banc" procedure (Mandamus)
4. Court of Appeals order denying "Petition for Writ of Mandamus"
5. Court of Appeals order denying "en banc" procedure (Certiorari)
6. Court of Appeals order denying "Petition for Writ of Certiorari"
7. Final Court of Appeals order (**neglecting to opine 2-pgs**)
8. Court of Appeals **INDIGENT ORDER**

Appendix B Decision(s) of the State Trial Court

1. Trial Court order affirming the final decision of the respondent
2. Trial Court order denying Trial Transcripts
3. Trial Court order dismissing appeal
4. Trial Court order granting the prefiling Injunction

Appendix C Decision(s) of the State Supreme Court Denying Review

1. State Supreme court order dismissing this appeal
2. State Supreme court order dismissing request for Certiorari
3. State Supreme court order denying request for waiver
4. State Supreme court order dismissing first appeal

Appendix D Decision(s) of the State Supreme Court Denying Rehearing

1. Final State Supreme Court order denying Rehearing –motion dismissed (Justice Anita Earls recused)

Appendix E Exhibits referenced throughout the petition

1. E claim approx. \$3,400 the agency abruptly withdrew (2 pgs)
2. F approximate 17 + weeks unpaid benefits (4-pgs)
3. G overpayment increase approx. \$1000 once claim withdrew
4. Q petitioner's appeal of agency taking \$518 (5 pgs)
5. T agency's notice of taking petitioner's \$518
6. U 1st waiver from agency
7. V 2nd waiver from agency decreasing approx.. \$2,300
8. X petitioner's portal documents showing UNTIMELY appeal 3pgs
9. Y agency's info. sent to COA (judge's direction of WAIVER) 2 pgs
10. Z petitioner's petition for FULL WAIVER 3 pgs.
11. H Petitioner's Motion to Set Aside Judgment w/ affidavit (13 pgs)
12. K Petitioner's Addendum / supplemental statements to petition



North Carolina Court of Appeals

Fax: (919) 831-3615
Web: <https://www.nccourts.gov>

EUGENE H. SOAR, Clerk
Court of Appeals Building
One West Morgan Street
Raleigh, NC 27601
(919) 831-3600

Mailing Address:
P. O. Box 2779
Raleigh, NC 27602

No. COAP23-832-1

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

From Vance
22CVS1010

ORDER

PETITION FOR WRIT OF CERTIORARI TO REVIEW ORDER OF N.C. COURT OF APPEALS filed on the 24th of June 2024 was Dismissed by order of the North Carolina Supreme Court on the 27th day of August 2024, and same has been certified to the North Carolina Court of Appeals.

IT IS THEREFORE CERTIFIED to the Clerk of Superior Court, Vance County, North Carolina that the North Carolina Supreme Court has Dismissed the PETITION FOR WRIT OF CERTIORARI TO REVIEW ORDER OF N.C. COURT OF APPEALS filed by the Petitioner in this cause.

WITNESS my hand and official seal this the 5th day of November 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:
Kimarlo Antonio Ragland, Pro Se, For Ragland, Kimarlo
Mr. David J. Adinolfi, Attorney at Law, For NC Division of Emp. Security

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Raleigh, NC

No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

ORDER

The following order was entered:

The motion filed in this cause on the 18th of December 2023 and designated 'Motion to Recuse [Judges Stroud, Dillon, and Zachary]' is denied.

By order of the Court this the 9th of January 2024.

WITNESS my hand and official seal this the 9th day of January 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

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From Vance
(22CVS1010)

No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

ORDER

The following order was entered:

The motion for an initial en banc hearing contained within petitioner's 18 December 2023 filing designated as "Motion for En Banc Decision Regarding the Petition for Writ of Mandamus" is decided as follows: having received no votes to allow, the motion is denied.

By order of the Court this the 23rd of January 2024.

WITNESS my hand and official seal this the 23rd day of January 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

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North Carolina Court of Appeals

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Raleigh, NC

No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

From Vance
(22CVS1010)

ORDER

The following order was entered:

By unanimous vote, the "Petitions for Writ of Mandamus" filed in this cause by Kimarlo Ragland on December 2023 and 7 January 2024 are denied.

By order of the Court this the 24th of January 2024.

WITNESS my hand and the seal of the North Carolina Court of Appeals, this the 24th day of January 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

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North Carolina Court of Appeals

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From Vance
(22CVS1010)

No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

ORDER

The following order was entered:

The motion for an initial en banc hearing contained within petitioner's 28 May 2024 filing designated as "Motion to ... Grant an En Banc Decision on this Motion and Certiorari Petition" is decided as follows: having received no votes to allow, the motion is denied.

By order of the Court this the 20th of June 2024.

WITNESS my hand and official seal this the 20th day of June 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

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No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

From Vance
(22CVS1010)

ORDER

The following order was entered:

By unanimous vote, the "Petition for a Writ of Certiorari" filed in this cause by Kimarlo Ragland on 28 May 2024 is denied.

By order of the Court this the 21st of June 2024.

WITNESS my hand and the seal of the North Carolina Court of Appeals, this the 21st day of June 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

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North Carolina Court of Appeals

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From Vance County
(22CVS001010)

No. 24-692

KIMARLO RAGLAND,
Appellant,

v.

**NORTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF EMPLOYMENT
SECURITY and JB HUNT TRANSPORT, INC.**
Appellee.

ORDER

The following order was entered:

Appellant Kimarlo Ragland filed a notice of appeal to this Court on 15 May 2024 "from the final order/judgment of Judge Brian Wilks that was entered the 19th, of April 2024 in Civil Superior Court of Vance County, NC." That order "dismissed [Appellant's] Appeal to the Court of Appeals of North Carolina [filed] the 18th, of April 2023 from final order of Judge John Dunlow that was entered the 22nd of March 2023."

On 5 September 2024, Appellee North Carolina Department of Commerce, Division of Employment Security, moved to dismiss Appellant's appeal.

On 20 September 2024, Appellant filed in this Court a Petition for Writ of Certiorari, asking this Court "to certify for review the attached order issued in Vance County Civil Superior Court the 19th of April 2024 by Judge Brian Wilks that dismissed [Appellant's] prior appeal on the merits of the case," and a "Motion to Equate the Review." Appellee filed a response to the Petition for Writ of Certiorari, asking that it be denied.

On 18 October 2024, Appellant moved to strike Appellee's Motion to Dismiss and response to the Petition for Writ of Certiorari.

The order designated in Appellant's notice of appeal is the 19 April 2024 order dismissing Appellant's appeal. The order asked to be reviewed via Appellant's Petition for Writ of Certiorari is also the 19 April 2024 order dismissing Appellant's appeal. However, Appellant makes no argument in his brief to this Court addressing the dismissal of his appeal. Instead, Appellant's

arguments address solely the merits of the underlying order denying him unemployment benefits entered 22 March 2023, which is not before us on appeal.

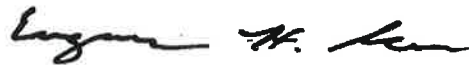
As such, Appellant has waived any argument that the trial court erred by dismissing his appeal. See N.C. R. App. P. 28(a) (2024) ("Issues not presented and discussed in a party's brief are deemed abandoned."). Accordingly, we grant Appellee's Motion to Dismiss, and we deny Appellant's Petition for Writ of Certiorari, Motion to Equate the Review, and Motion to Strike.

Appeal dismissed. Appellant to pay costs.

And it is considered and adjudged further, that Kimarlo Ragland, do pay the costs of the appeal in this Court incurred, to wit, the sum of Nine and 00/100 Dollars (\$9.00), and execution issue therefor.

By order of the Court this the 11th of March 2025.

WITNESS my hand and the official seal of the North Carolina Court of Appeals, this the 11th day of March.



Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)

Mr. David J. Adinolfi, II, Attorney at Law, For N.C. Department of Commerce, Division of Employment Security - (By Email)

The Honorable Clerk of Superior Court, Vance County

A-7₂



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Mailing Address:
P. O. Box 27
Raleigh, NC 27602

From Vance
(22CVS1010)

No. P23-832

KIMARLO RAGLAND

v.

NC DIVISION OF EMP. SECURITY

ORDER

The following order was entered:

By unanimous vote, the "Motion to Appeal Indigent" filed in this cause by Kimarlo Ragland on 28 May 2024 is allowed.

By order of the Court this the 21st of June 2024.

WITNESS my hand and official seal this the 21st day of June 2024.

Eugene H. Soar
Clerk, North Carolina Court of Appeals

Copy to:

Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Emp. Security - (By Email)
Ella Wrenn, Superior Court Administrator
JB Hunt Transport Inc.
The Honorable Clerk of Superior Court, Vance County

A-8

STATE OF NORTH CAROLINA
VANCE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
22 CVS 1010

FILED

KIMARLO RAGLAND,

Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF
EMPLOYMENT SECURITY and
JB HUNT TRANSPORT INC.,

Respondents,

2023 MAR 22 A 8:41

VANCE CO. S.C.

BY *[Signature]*

ORDER

This cause coming on to be heard, and being heard before the Hon. John M. Dunlow, Superior Court Judge Presiding over the March 6, 2023 Civil Session of the Superior Court for Vance County, upon a petition for judicial review by Kimarlo Ragland ("Petitioner") from a decision of the Board of Review for the North Carolina Department of Commerce, Division of Employment Security ("Division"), in Higher Authority Decision No. 22-HA-004246; and

The Court, having considered the Brief of the Division, all arguments presented, and examined the record and amended record on appeal, and reviewed the evidence therein contained, finds that: the Division's findings of fact were based upon competent evidence contained in the record; the Division properly applied the law to those facts; and that Higher Authority Decision No. 22-HA-004246 should be affirmed in its entirety.

It is now, therefore, ORDERED, ADJUDGED, AND DECREED that the decision of the Board of Review for the North Carolina Department of Commerce, Division of Employment Security in Higher Authority Decision No. 22-HA-004246 be, and the same is, affirmed in its entirety. All parties shall bear their own costs and legal fees.

This the 20 day of March, 2023.

[Signature: John M. Dunlow]
Hon. John M. Dunlow
Superior Court Judge Presiding

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Exhibit B

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STATE OF NORTH CAROLINA
COUNTY OF VANCE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 22-CVS-1010

KIMARLO RAGLAND,

Petitioner,

v.

N.C. DEPARTMENT OF COMMERCE;
DIVISION OF EMPLOYMENT
SECURITY and JB HUNT TRANSPORT,
INC.

Respondents.

VANCE COUNTY	
FILED	
JAN 02 2024	
AT	12:46 P
BY	CLERK OF SUPERIOR COURT

ORDER DENYING PETITIONER'S
REQUEST FOR PRODUCTION OF
STENOGRAPHIC TRANSCRIPTS AT
THE STATE'S EXPENSE

THIS CAUSE came on before the undersigned Senior Resident Superior Court Judge, in chambers, for review of Petitioner's "Motion to Prepare + Provide Transcripts with Affidavit and Verification" and "Addendum Motion to Prepare + Provide Transcripts," both of which were filed herein on August 10, 2023. In this matter, the Petitioner is proceeding pro se and the Respondent, Division of Employment Security, is represented by David J. Adinolfi, II.

WHEREAS, this matter was heard before the undersigned Superior Court Judge at the March 6, 2023 term of Vance County Superior Court on Petitioner's petition for judicial review of a decision of the Board of Review for the North Carolina Department of Commerce, Division of Employment Security; and

WHEREAS, by Order filed on March 22, 2023, the undersigned entered an Order affirming the Decision of the Board of Review; and

WHEREAS, on April 18, 2023, Petitioner filed a "Notice of Appeal" to the North Carolina Court of Appeals from the Court's March 22, 2023 Order; and

WHEREAS, also on April 18, 2023, Petitioner filed a "Petition to Proceed as an Indigent" pursuant to N.C.G.S. 1-110 and 7A-228, and, although Petitioner failed to specify the reason he wished to be declared indigent (i.e. to assert claims, to file motions, to appeal from a small claims action; or to file expunction petition) the Petition was allowed by Assistant Clerk, Rita E. Gupton; and

WHEREAS, N.C.G.S. 1-110 and 7A-228 deal with asserting claims as an indigent and appeals from the decision of a magistrate to District Court, and has no application to an appeal from a decision of a Superior Court Judge to the North Carolina Court of Appeals; and

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WHEREAS, on August 10, 2023 Petitioner filed to documents entitled "Motion to Prepare + Provide Transcripts with Affidavit and Verification" and "Addendum Motion to Prepare + Provide Transcripts," by which the Petitioner appears to be requesting the production of stenographic transcripts from "hearings on March 6, 2023 and May 22, 2023" at the State's expense; and

WHEREAS, the Order entered by Rita E. Gupton on April 18, 2023 does not authorize the production of stenographic transcripts at the State's expense.

NOW, THEREFORE, to the extent Petitioner's "Motion to Prepare + Provide Transcripts with Affidavit and Verification" and "Addendum Motion to Prepare + Provide Transcripts" seeks an Order of this Court for the production of transcripts at the State's expense, the same is hereby DENIED.

This the 2 day of January, 2024.


John M. Dunlow
Senior Resident Superior Court Judge

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STATE OF NORTH CAROLINA
VANCE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
22 CVS 1010

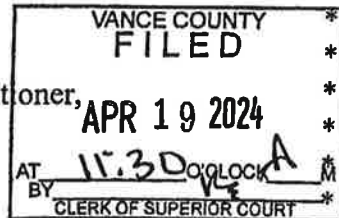
KIMARLO RAGLAND,

Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF
EMPLOYMENT SECURITY and
JB HUNT TRANSPORT INC.,

Respondents,



**ORDER GRANTING MOTION
TO DISMISS APPEAL TO
N.C. COURT OF APPEALS**

THIS CAUSE coming on to be heard by the Honorable Brian Wilks, Superior Court Judge Presiding, on April 15, 2024, pursuant to Respondent North Carolina Department of Commerce, Division of Employment Security's Motion to Dismiss Appeal to the North Carolina Court of Appeals. After reviewing the file and hearing arguments from the parties in attendance, it appears to the Court that said motion is meritorious and should be granted.

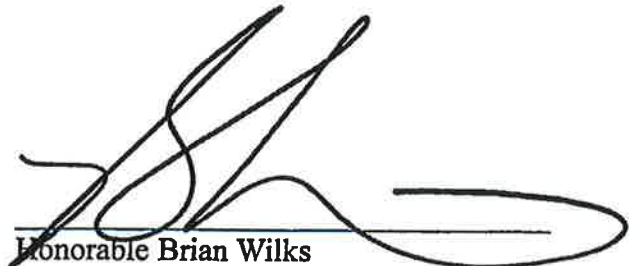
Specifically, the Court notes that on March 6, 2023, Hon. John Dunlow, Superior Court Judge Presiding issued a ruling from the bench affirming Higher Authority Decision No. 22-HA-004246 and the Order was filed on March 20, 2023. On April 18, 2023, *pro se* Petitioner filed a notice of appeal to the N.C. Court of Appeals to the ruling. Since that time, Petitioner has taken no legally cognizable steps to prosecute his appeal (i.e. Petitioner failed to order a transcript and failed to settle the Record on Appeal) in over 12 months in this matter. Accordingly, because the evidence indicates that Petitioner has abandoned his appeal due to failure to take timely action, this court retains jurisdiction to dismiss it. N.C. R. APP. P. 25(a).

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In light of the foregoing, the pending Motion to Dismiss the appeal filed by Respondent North Carolina Department of Commerce, Division of Employment Security is **GRANTED** and the appeal is dismissed with prejudice.

This the 19th day of April, 2024.



Honorable Brian Wilks
Superior Court Judge Presiding

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- 614 -

STATE OF NORTH CAROLINA
VANCE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
22 CVS 1010

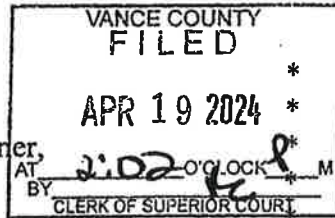
KIMARLO RAGLAND,

Petitioner,

v.

NORTH CAROLINA DEPARTMENT OF
COMMERCE, DIVISION OF
EMPLOYMENT SECURITY and
JB HUNT TRANSPORT INC.,

Respondents,



**AMENDED
ORDER GRANTING MOTION
FOR SANCTIONS
(PREFILING INJUNCTION)**

THIS CAUSE coming on to be heard by the Honorable Brian Wilks, Superior Court Judge Presiding, on April 15, 2024, pursuant to Respondent North Carolina Department of Commerce, Division of Employment Security's Motion for Sanctions. After reviewing the file and hearing arguments from the parties in attendance, it appears to the Court that said motion is meritorious and should be granted.

Specifically, the Court notes that on March 6, 2023, Hon. John Dunlow, Superior Court Judge Presiding issued a ruling from the bench dismissing Petitioner's Petition for Judicial Review, affirming Higher Authority Decision No. 22-HA-004246 and the Order was filed on March 20, 2023. On April 18, 2023, *pro se* Petitioner filed a notice of appeal to the N.C. Court of Appeals to the ruling. Since that time, Petitioner took no legally cognizable steps to prosecute his appeal (i.e. Petitioner failed to order a transcript and failed to settle the Record on Appeal) in the matter for over 12 months, but continued a pattern of filing motions and other filings, including but not limited to 2 (two) Petitions for Writ of Mandamus to the North Carolina Court of Appeals, motions to recuse several Judges, and a Petition for Removal to U.S. District Court of this non-Federal administrative appeal. All of Petitioner's papers were not warranted by existing law or by

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a well grounded argument for extending, modifying, or reversing existing law but rather were filed for several improper purposes that the Court can only glean was to cause unnecessary delay or needless increase in the cost of litigation. As such, the Petitioner has violated Rule 11(a) of the North Carolina Rules of Civil Procedure.

AND THE COURT, after reviewing the Respondent's motion for sanctions and memorandum of law, Petitioner's Petition and all related papers, and post-dismissal filings in chronological order:

- 1) "Motion for Rehearing + Post-judgment (Rule 60) Motion for Relief / To Set Aside Judgment;" 4/3/2023;
- 2) "Affidavit and memo Supporting 'Motion to Rehear and Set Aside Judgment'" 4/11/2023;
- 3) "Motion for Counsel + Petitioner's Response to Respondent's Response in Re Post-judgment Motion to Set Aside Judgment;" 4/18/2023;
- 5) "Motion to Prepare + Provide Transcripts with Affidavit and Verification;" 8/23/2023;
- 6) "Civil Status Report (addendum)" (wherein Petitioner requested a Mediator in the closed case); 12/6/2023;
- 7) "Petition for a Writ of Mandamus;" 12/18/2023;
- 8) "Memo Regarding and Invalid ; Null + Void Order;" 1/5/2024;
- 9) "Memo Supporting En Banc Decision + Recusal + Additional Info. Regarding Invalid Court Order + Additional 'Mandamus' Request;" 1/5/2024;

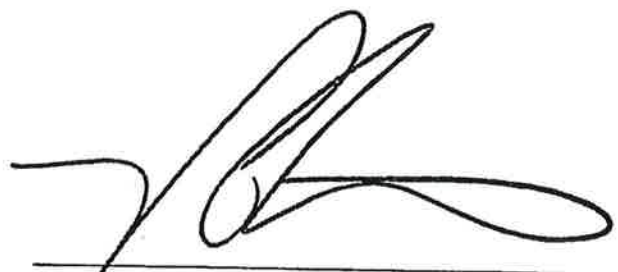
and after hearing argument on the motion for sanctions finds that defendant's motion for sanctions should be allowed as a matter of law.

WHEREFORE, it is hereby ordered that Respondent's motion for sanctions is allowed. Petitioner is enjoined by a prefiling injunction in this case, on any and all complaints, motions, petitions or other filings of any kind whatsoever in State of North Carolina Courts as it relates to this case, whereby no document of any kind may be filed by Petitioner in these premises regarding this case without:

- 1) Appending an affidavit signed by a duly licensed attorney admitted to practice law in the State of North Carolina, which affidavit must state that the attorney has reviewed the document in its entirety and, upon review, believes that the proposed filing;
 - a) can survive a motion to dismiss under Rule 12 of the North Carolina Rules of Civil Procedure;
 - b) does not in any manner violate Rule 11 of the North Carolina Rules of Civil Procedure;
 - c) is not barred by issue or claim preclusion principles;
 - d) is not repetitive of any prior filing of Petitioner's;
 - e) is not violative of any Court order; and
- 2) Obtaining prior approval and leave of the Senior Resident Superior Court Judge of the 11th Judicial District to file the document in question, upon review of the merits of such document by the Senior Resident Superior Court Judge in the 11th Judicial District in which Petitioner desires to file the document relating to this case.

This the 19th day of April, 2024.

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Honorable Brian Wilks
Superior Court Judge Presiding

Supreme Court of North Carolina

KIMARLO RAGLAND

v

NC DIVISION OF EMPLOYMENT SECURITY

From N.C. Court of Appeals
(P23-832)
From Vance
(22CVS1010)

ORDER

The following order has been entered on the motion filed on the 24th of June 2024 by Petitioner for Notice of Appeal:

"Motion Dismissed ex mero motu by order of the Court in conference, this the 21st of August 2024."

s/ Riggs, J.
For the Court

Upon consideration of the petition filed by Petitioner on the 24th of June 2024 in this matter for a writ of certiorari to review the order of the North Carolina Court of Appeals, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

"Dismissed by order of the Court in conference, this the 21st of August 2024."

s/ Riggs, J.
For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 27th day of August 2024.



Grant E. Buckner
Clerk, Supreme Court of North Carolina

M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

C-4

Supreme Court of North Carolina

KIMARLO RAGLAND

v

NC DIVISION OF EMPLOYMENT SECURITY

From N.C. Court of Appeals
(24-692 P23-832)
From Vance
(22CVS1010)

ORDER OF THE COURT

Upon consideration of the notice of appeal from the North Carolina Court of Appeals, filed by Petitioner on the 18th day of March 2025 in this matter pursuant to G.S. 7A-30 (substantial constitutional question), the following order was entered and is hereby certified to the North Carolina Court of Appeals: the notice of appeal is

Dismissed ex mero motu.

By order of the Court this the 21st day of May 2025.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 29th of May 2025.



Grant E. Buckner
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals

Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)

Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Employment Security - (By Email)

West Publishing - (By Email)

Lexis-Nexis - (By Email)

C-1

Supreme Court of North Carolina

KIMARLO RAGLAND

v

NC DIVISION OF EMPLOYMENT SECURITY

From N.C. Court of Appeals
(24-692 P23-832)
From Vance
(22CVS1010)

ORDER OF THE COURT

Upon consideration of the petition filed by Petitioner on the 18th day of March 2025 in this matter for a writ of certiorari to review the order of the North Carolina Court of Appeals, the following order was entered and is hereby certified to the North Carolina Court of Appeals:

Petition Dismissed.

By order of the Court this the 21st day of May 2025.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 29th day of May 2025.



Grant E. Buckner
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:
North Carolina Court of Appeals
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Employment Security - (By Email)
West Publishing - (By Email)
Lexis-Nexis - (By Email)

C-2



Supreme Court of North Carolina

GRANT E. BUCKNER, Clerk
Justice Building, 2 E. Morgan Street
Raleigh, NC 27601

Mailing Address:
PO Box 2170
Raleigh, NC 27602

From N.C. Court of Appeals
(24-692 P23-832)
From Vance
(22CVS1010)

29 May 2025

Kimarlo Antonio Ragland
Pro Se
813 Water Street
Henderson, NC 27536

RE: Ragland v N.C. Division of Employment Security - 167P24-2

Dear Ragland:

The following order has been entered on the motion filed on the 26th day of March 2025 by Petitioner to Waive Any and All Future Appellate Expenses:

Motion Denied.

By order of the Court this the 21st day of May 2025.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 29th day of May 2025.

Grant E. Buckner
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:
North Carolina Court of Appeals
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Employment Security - (By Email)
West Publishing - (By Email)
Lexis-Nexis - (By Email)

C-3



Supreme Court of North Carolina

GRANT E. BUCKNER, Clerk
Justice Building, 2 E. Morgan Street
Raleigh, NC 27601

Mailing Address:
PO Box 2170
Raleigh, NC 27602

From N.C. Court of Appeals
(24-692,P23-832)
From Vance
(22CVS1010)

21 October 2025

Kimarlo Antonio Ragland
Pro Se
813 Water Street
Henderson, NC 27536

RE: Ragland v N.C. Division of Employment Security - 167P24-3

Dear Ragland:

The following order has been entered on the motion filed on the 14th day of September 2025 by Petitioner for a Conference Decision with an Author:

Motion dismissed.

By order of the Court this the 15th day of October 2025.

Justice Earls did not participate in this decision.

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 21st day of October 2025.

Grant E. Buckner
Clerk, Supreme Court of North Carolina


M. C. Hackney
Assistant Clerk, Supreme Court Of North Carolina

Copy to:
North Carolina Court of Appeals
Kimarlo Antonio Ragland, For Ragland, Kimarlo - (By Email)
Mr. David J. Adinolfi, II, Attorney at Law, For NC Division of Employment Security - (By Email)
West Publishing - (By Email)
Lexis-Nexis - (By Email)

D

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