

(ORDER LIST: 607 U.S.)

TUESDAY, JANUARY 20, 2026

CERTIORARI -- SUMMARY DISPOSITION

25-162 TENNESSEE V. KENNEDY, SEC. OF H&HS, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the Sixth Circuit with instructions to dismiss the case as moot. See *United States v. Munsingwear, Inc.*, 340 U. S. 36 (1950). Justice Jackson, concurring: Although I would require that the party seeking vacatur establish equitable entitlement to that remedy, I accede to vacatur here based on the Court's established practice when the mootness occurs through the unilateral action of the party that prevailed in the lower court. See *Acheson Hotels, LLC v. Laufer*, 601 U. S. 1 (2023) (Jackson, J., concurring in the judgment).

ORDERS IN PENDING CASES

25A408 IN RE GREGORY A. J. VAN ETTEN

The application for stay addressed to Justice Gorsuch and referred to the Court is denied.

25A568 JOYNER, LEROY T. V. UNITED STATES

The application for stay addressed to Justice Jackson and referred to the Court is denied.

25A633 KANAYAMA, MASAHIKE V. KOWAL, SCOTT, ET AL.

The application for stay addressed to The Chief Justice and referred to the Court is denied.

25-5559 SEPEHRY-FARD, FAREED V. SUPERIOR COURT OF CA, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

25-6097 GLYNN, SHANNA M. V. MARQUETTE POLICE DEPT., ET AL.

25-6171 DiBELARDINO, ALDO V. MIYARES, ATT'Y GEN., VA, ET AL.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until February 10, 2026, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI DENIED

24-7194 CARVER, NEIL A. V. TEXAS

24-7400 MAYFIELD, BRANDON L. V. UNITED STATES

24-7508 MEDRANO, CURTIS D. V. UNITED STATES

25-269 ZHERKA, SELIM V. BONDI, ATT'Y GEN.

25-344 CROMWELL, ROBERT, ET AL. V. TACON, WILLIAM

25-349 AUDI AG V. L. W., ET AL.

25-425 DUARTE, STEVEN V. UNITED STATES

25-436 VOLKSWAGEN AKTIENGESELLSCHAFT V. HERNANDEZ, BLANCA, ET AL.

25-439 TOBIEN, KARL V. NATIONWIDE GEN. INS. CO.

25-458 COLLINS, WILLIAM V. BONDI, ATT'Y GEN., ET AL.

25-462 CHINOOK LANDING, LLC V. UNITED STATES

25-491 FILYAW, GILLIAN V. CORSI, STEVE, ET AL.

25-583 TOWE, RODNEY V. GEORGIA

25-584 ROSELLINI, KENNETH J. V. WILCOX, JUDGE, ET AL.

25-589 MITCHELL, ROBERT B. V. GENERAL MOTORS LLC

25-602 DÍAZ SANTIAGO, RAY L. V. CÁRRION MORALES, JOSÉ R., ET AL.

25-638 CHEN, ZHONGXIAO M. V. MI STATE UNIV.

25-642 PIERRE, LORENZO G. V. UNITED STATES
25-691 PARKER, LONNIE J. V. UNITED STATES
25-695 MATTHEW, MAXWELL A. V. UNITED STATES
25-5009 WILLIS, JOSHUA V. UNITED STATES
25-5220 HOWARD, JONATHAN R. V. UNITED STATES
25-5259 MARSHALL, ANTONIO V. UNITED STATES
25-5327 REESE, ANDREW R. V. UNITED STATES
25-5358 COMPTON, DEONTAY T. V. UNITED STATES
25-5382 OSBORNE, MELEKE V. UNITED STATES
25-5388 CANTU, KEVIN P. V. UNITED STATES
25-5415 WILLIAMS, ROBERTO A. V. UNITED STATES
25-5417 MITCHELL, SHALIK R. V. UNITED STATES
25-5421 HERNANDEZ, JOSE A. V. UNITED STATES
25-5424 KEARNEY, KIYEL T. V. UNITED STATES
25-5433 TERRY, JON J. V. UNITED STATES
25-5437 FOWLER, SEQUAN A. V. UNITED STATES
25-5438 FINNEY, TAMONTE V. UNITED STATES
25-5439 GREENE, NAIM V. UNITED STATES
25-5441 PERRY, AZONTAY M. V. UNITED STATES
25-5443 CREWS, DONOVAN L. V. UNITED STATES
25-5459 WOODALL, ROBERT K. V. KENTUCKY
25-5467 ADAMS, PATRICK L. V. UNITED STATES
25-5477 THOMAS, CORNELL V. UNITED STATES
25-5481 OLIVAS, ISAAC J. V. UNITED STATES
25-5482 HAYNES, BRANDON A. V. UNITED STATES
25-5485 TRUEX, TAYLOR D. V. UNITED STATES
25-5503 SCOTT, BOBBY N. V. UNITED STATES
25-5510 BARRY, MONTE V. UNITED STATES

25-5514 BETANCOURT, JOSEPH L. V. UNITED STATES
25-5516 GARCIA, JOSHUA O. V. UNITED STATES
25-5522 MOORE, GARY C. V. UNITED STATES
25-5535 CARBAJAL, JASON D. V. UNITED STATES
25-5550 NELSON, JERMAINE V. UNITED STATES
25-5565 BRANSON, MARCUS D. V. UNITED STATES
25-5566 ALVAREZ, ALEX V. UNITED STATES
25-5597 BUSH, JOSEPH C. V. UNITED STATES
25-5599 SEWARD, RAYMOND L. V. UNITED STATES
25-5601 MASON, JOHN E. V. UNITED STATES
25-5603 CAMPBELL, GERMAINE E. V. UNITED STATES
25-5607 GILBERT, DUSTIN D. V. UNITED STATES
25-5614 COLEMAN, FRANKLIN J. V. UNITED STATES
25-5624 BROWN, NATHANIEL J. V. UNITED STATES
25-5626 CHAFIN, ANDREW V. UNITED STATES
25-5627 COLES, LENNIE E. V. UNITED STATES
25-5655 ALLEN, WALTER L. V. UNITED STATES
25-5656 STERNQUIST, KARA V. UNITED STATES
25-5658 ROYAL, DEVONTAE L. V. UNITED STATES
25-5667 TOWN, ANTONIO D. V. UNITED STATES
25-5668 COLEMAN, MATTHEW C. V. UNITED STATES
25-5678 SHOFFNER, THOMAS J. V. UNITED STATES
25-5707 ROBINSON, REGINALD V. UNITED STATES
25-5708 KETZNER, JASON V. UNITED STATES
25-5731 BROWN, DAVID A. V. UNITED STATES
25-5747 KIMBLE, SIDNEY D. V. UNITED STATES
25-5748 LEE, SHE L. Y. V. UNITED STATES
25-5850 STALEY, TREMON V. UNITED STATES

25-5858 PECK, ROBERT V. UNITED STATES
25-5875 HEMPHILL, CHRISTOPHER D. V. UNITED STATES
25-5900 ANDERSON, LATISHA V. UNITED STATES
25-5903 ROBINSON, JOSEPH V. V. UNITED STATES
25-5909 CONTRERAS, STEVIE G. V. UNITED STATES
25-5912 EVERETTE, DAVID V. NEW YORK
25-5916 ESPINAL, LUIS V. UNITED STATES
25-5952 OWENS, THEO M. V. UNITED STATES
25-5976 MARROW, HENRY L. V. UNITED STATES
25-5999 PARKER, ERIC D. V. UNITED STATES
25-6054 MILLER, CLYDE V. UNITED STATES
25-6062 MORGAN, CARL V. UNITED STATES
25-6064 STOKES, MARCUS G. V. UNITED STATES
25-6078 WHITAKER, TORRENCE D. V. UNITED STATES
25-6080 SHELTON, WARREN E. V. DOTSON, DIR., VA DOC
25-6081 JABR, TAREQ R. V. OH DEPT. OF TAXATION, ET AL.
25-6084 PERRY, PAUL G. V. VAN GORDER, WARDEN
25-6091 SEALED APPELLANT V. FORD, ATT'Y GEN. OF NV
25-6093 OLIVER, SHARI L. V. OLIVER, MATTHEW W.
25-6096 McCORMICK, MARKUS O. V. McLEOD, DEPUTY SHERIFF, ET AL.
25-6099 RAHAIM, CHRISTOPHER J. V. BURKE, KEN, ET AL.
25-6102 NELSON, JAMES D. V. ACEVEDO, ACTING WARDEN
25-6104 HENDERSON, TERENCE V. DEPT. OF ARMY, ET AL.
25-6106 GONZALEZ, RICO V. UNITED STATES
25-6107 JOHNSON, DAVON A. V. UNITED STATES
25-6108 WILLIAMS, JOHNATHAN A. V. UNITED STATES
25-6111 BULLS, DEWAYNE V. FBI, ET AL.
25-6112 ARABZADEGAN, LUKE M. V. TEXAS

25-6113 BOYKIN, MARSHAUN V. IL DOC, ET AL.

25-6117 JOHNSON, RONALD V. KANSAS

25-6118 DOE, JANE V. UNIV. OF CHICAGO, ET AL.

25-6121 HARRIS, JONATHAN A. V. SADLER, J., ET AL.

25-6122 GRANGER, JOSHUA C. V. UNITED STATES

25-6129 WILLIAMS, PAUL V. UNITED STATES

25-6130 DRAKE, ERIC V. TEXAS

25-6143 DILWORTH, RODNEY J. V. GUERRERO, DIR., TX DCJ

25-6146 ROBERSON, WILLIAM G. V. DART, SHERIFF

25-6148 SEMPER, JEHAN V. BESSENT, SEC. TREASURY, ET AL.

25-6149 JONES, BYRON V. MICHIGAN

25-6150 LANCRANJAN, CRISTINA M. V. SUPERIOR COURT OF CA, ET AL.

25-6153 SANCHEZ, MARCO A. V. UNITED STATES

25-6154 KELLEY, KARYN M. V. FEENEY, MARY, ET AL.

25-6164 JACKSON, SHANNON B. V. TEXAS

25-6170 VICTOR, ERROL V. LOUISIANA, ET AL.

25-6177 PELLOW, JESSE D. V. PRESBYTERIAN HOMES, INC.

25-6187 WILSON, MAURICE V. UNITED STATES

25-6189 WILLIAMS, JAVONTE V. UNITED STATES

25-6243 HOWARD, RICHARD B. V. UNITED STATES

25-6279 WOLF, STEVEN M. V. FLORIDA

25-6281 DUBOIS, ANDRE M. V. UNITED STATES

25-6297 POLINSKI, PETER J. V. UNITED STATES

25-6298 POLINSKI, PETER J. V. UNITED STATES

25-6299 POLINSKI, PETER J. V. UNITED STATES

25-6307 RACE, CARL S. V. MT PRISON INFIRMARY, ET AL.

25-6309 THAWNEY, MELQUAN V. UNITED STATES

25-6311 SMITH, CHRISTOPHER V. UNITED STATES

25-6313 SIMONSON, OWEN Z. V. UNITED STATES

25-6323 HILL, DONALD I. V. UNITED STATES

25-6325 DeWITT, STEVEN R. V. HANEY, CERESSA, ET AL.

25-6327 KIRBY, THELONIOUS W. V. UNITED STATES

25-6347 LUNDI, JIM V. UNITED STATES

25-6348 MRABET, MOUNIR V. UNITED STATES

25-6353 SOSNIAK, MARCIN V. MIMS, WARDEN

25-6354 DAISE, OSRIC T. V. UNITED STATES

25-6359 TUGGLE, TRAVIS V. UNITED STATES

25-6366 HOWARD, JARRETT V. UNITED STATES

25-6367 FUENTES, LUIS D. V. UNITED STATES

25-6368 GARZA-GOMEZ, LUIS V. UNITED STATES

25-6369 DURHAM, DONNELL S. V. UNITED STATES

25-6371 SIMMONS, BOBBY D. V. UNITED STATES

25-6373 SMITH, LATONIA V. UNITED STATES

25-6375 WHITE, EDDIE V. UNITED STATES

25-6387 DIAZ GONZALEZ, JOAN V. UNITED STATES

25-6390 SEREAL, BUSCH V. UNITED STATES

25-6405 KENT, JEREL D. V. DIXON, SEC., FL DOC

25-6409 HOFFMAN, KRYSTLE V. ILLINOIS

25-6428 SOTTILE, JOSHUA A. V. PORTLAND, OR

The petitions for writs of certiorari are denied.

24-909 AGUDAS CHASIDEI CHABAD V. RUSSIAN FED'N, ET AL.

The petition for a writ of certiorari is denied. Justice Kavanaugh took no part in the consideration or decision of this petition. Justice Jackson took no part in the consideration or decision of this petition. See 28 U. S. C. §455 and Code of Conduct for Justices of the Supreme Court of the United States,

Canon 3B(2)(e) (prior judicial service).

25-5253 TUOPEH, STEVEN V. SOUTH DAKOTA

The petition for a writ of certiorari is denied. Justice Jackson would grant the petition for a writ of certiorari.

25-5879 ALLEN, MICHAEL V. GUZMAN, WARDEN

25-6100 SULLIVAN, LEIHINAHINA V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. As the petitioners have repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioners unless the docketing fees required by Rule 38(a) are paid and the petitions are submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Justice Jackson, dissenting: I respectfully dissent from the order barring these incarcerated petitioners from filing future *in forma pauperis* petitions in noncriminal matters. See *Howell v. Circuit Court of Indiana*, 607 U. S. ____ (2026) (Jackson, J., dissenting).

25-6114 DAVIS, LAWRENCE A. V. USDC ND FL

The petition for a writ of certiorari before judgment is denied.

25-6278 DIEHL, DAVID A. V. UNITED STATES

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner

unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*). Justice Jackson, dissenting: I respectfully dissent from the order barring this incarcerated petitioner from filing future *in forma pauperis* petitions in noncriminal matters. See *Howell v. Circuit Court of Indiana*, 607 U. S. ____ (2026) (Jackson, J., dissenting).

MANDAMUS DENIED

25-571	IN RE RAYON PAYNE
25-6103	IN RE SANTOS HERNANDEZ
25-6128	IN RE JOSEPH CAMMARATA
25-6159	IN RE MOHAMED NGUIDA

The petitions for writs of mandamus are denied.

REHEARING DENIED

25-5523	IBRAHIM, MOHAMED A. V. LYNN, ALLISON L.
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The petition for rehearing is denied.

JACKSON, J., dissenting

SUPREME COURT OF THE UNITED STATESINDIANA, EX REL. DANNY W. HOWELL *v.* CIRCUIT
COURT OF INDIANA, WELLS COUNTY, ET AL.ON PETITION FOR WRIT OF CERTIORARI AND MOTION FOR
LEAVE TO PROCEED IN FORMA PAUPERIS TO THE
SUPREME COURT OF INDIANA

No. 25–5557. Decided January 20, 2026

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

JUSTICE JACKSON, dissenting from denial of motion for leave to proceed *in forma pauperis*.

To file a petition in this Court, litigants must pay a \$300 fee, along with the (much higher) cost of printing 40 bound copies of their filing. Litigants who cannot afford the filing fee and the cost of printing can request to proceed *in forma pauperis*. The Court largely grants these requests, allowing those litigants to file for free, but our openness to indigent litigants has its limits. In fact, the Court sometimes imposes blanket filing bars that prohibit litigants from filing any more *in forma pauperis* petitions in noncriminal matters going forward, regardless of the merits of their claims.

Today, the Court bars essentially all future filings from Danny Howell (an indigent inmate serving a 70-year sentence) because Howell previously submitted a handful of pe-

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titions we deemed “frivolous.”¹ Even if Howell were to identify meritorious grounds for habeas relief or wanted to bring a justifiable challenge to his conditions of confinement, he will now be prevented from doing so unless he pays the filing fee—no matter what. A categorical, forward-looking filing bar is a questionable restriction as to any litigant who cannot afford to pay a filing fee. For me, it is an intolerable one as to incarcerated individuals. Accordingly, I respectfully dissent.

I

The Court began imposing prospective filing bars on *in forma pauperis* litigants in 1989. First was Jessie McDonald. The Court’s decision to bar McDonald made intuitive sense: He had filed 73 petitions over the preceding 18 years, several of which were collateral attacks on a state conviction for which he was no longer incarcerated. *In re McDonald*, 489 U. S. 180, 183 (*per curiam*). Over the dissent of four Justices, the Court barred McDonald from proceeding *in forma pauperis* when seeking extraordinary writs in the future.²

Less than two years later, over the dissent of three Justices, the Court imposed another filing bar, this time preventing Michael Sindram from proceeding *in forma*

¹See this Court’s Rule 39.8 (“If satisfied that a petition for a writ of certiorari, jurisdictional statement, or petition for an extraordinary writ is frivolous or malicious, the Court may deny leave to proceed *in forma pauperis*”).

²We emphasized that extraordinary writs are “‘drastic and extraordinary remedies,’ to be ‘reserved for really extraordinary causes.’” *In re McDonald*, 489 U. S., at 185 (quoting *Ex parte Fahey*, 332 U. S. 258, 259–260 (1947)). We further noted that the Court had “not granted the sort of extraordinary writ relentlessly sought by [McDonald] to any litigant—paid or *in forma pauperis*—for at least a decade.” 489 U. S., at 184. The nature of extraordinary writs not only made McDonald’s repeated filings frivolous, but it also meant that the filing bar—which targeted only future requests for that particular form of relief—did not significantly burden McDonald’s access to the Court.

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pauperis when seeking extraordinary writs in the future. Sindram had filed 43 separate petitions over the prior three years, the majority of which related to a speeding ticket he had received years earlier. *In re Sindram*, 498 U. S. 177, 177–178 (1991) (*per curiam*).

The following year, the Court significantly expanded the reach of its filing bar. Over the course of a decade, petitioner James Martin had filed 54 *in forma pauperis* petitions requesting writs of certiorari in connection with a variety of civil disputes. With two Justices dissenting, the Court barred Martin from filing any future petitions for certiorari in noncriminal cases; unlike *McDonald* and *Sindram*, this bar was not limited to requests for extraordinary writs. *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1, 2–3 (1992) (*per curiam*). Martin’s circumstances lent this Court a useful shorthand: When we bar indigent litigants from filing any future *in forma pauperis* petitions, we now say that we are “*Martinizing*” them.

The Court’s exasperation with *McDonald*, *Sindram*, and *Martin* was understandable. Each of those litigants had flooded the Court with dozens of frivolous filings, causing significant administrative burdens. In the Court’s view, a prospective filing bar was necessary to “curb serious abuses” of its docket and to ensure that the Court could allocate its resources “in a way that promotes the interests of justice.” *McDonald*, 489 U. S., at 184.

Even so, its decision to permanently restrict an indigent litigant’s access to this Court was hotly contested. The dissenters in *McDonald* worried that, in the Court’s “fervor [to] ensur[e] that rights granted to the poor are not abused,” it had “embark[ed] on [an] unprecedented and dangerous course.” *Id.*, at 185–187 (Brennan, J., dissenting). Similarly, to the dissenters in *Sindram*, even though prolific litigants do cause a “minimal annoyance,” preserving their access was “well worth the cost” given the Court’s “longstanding tradition of leaving [its] door open to all

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classes of litigants.” 498 U. S., at 182 (Marshall, J., dissenting). The dissenters feared that *in forma pauperis* filing bars abandoned that “proud and decent” tradition. *Ibid.* They also predicted that what started as a rare step would turn out to be “merely the prelude” to a more habitual shutting of the courthouse doors. *McDonald*, 489 U. S., at 187 (Brennan, J., dissenting).

II

The dissenters were right. The Court has steadily expanded the reach of *Martin*, transforming what was once an extraordinary measure into a routine order.

Howell’s case is a prime example. He has filed only six petitions over the span of 14 years—hardly a flood. Before this one, Howell’s last petition was in 2018, eight years ago. Moreover, quite unlike *McDonald*, *Sindram*, or *Martin*, Howell is in state custody and serving a long prison sentence; all six of his petitions have raised claims challenging aspects of his conviction.

Howell’s case is not an outlier. By my count, the Court has now invoked *Martin* hundreds of times to prospectively bar indigent litigants from filing *in forma pauperis*. We no longer wait for a petitioner to inundate the Court with frivolous filings. Instead, we reflexively *Martinize* petitioners after only a few petitions. See, e.g., *In re Nelson*, 607 U. S. ____ (2025) (*Martinized* after five petitions); *Navarro Martin v. Florida*, 607 U. S. ____ (2025) (*Martinized* after six petitions).

Even more troubling, though the Court did not have occasion to consider in *McDonald*, *Sindram*, or *Martin* whether filing bars were necessary or appropriate for incarcerated litigants, we now routinely impose filing bars on prisoners. See, e.g., *Crosby v. Starr*, 607 U. S. ____ (2025) (*Martinized* after filing a petition for certiorari arising from habeas proceedings raising claims under the First Step Act); *Brunson v. Herring*, 604 U. S. ____ (2024) (*Martinized*

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after filing a petition for certiorari arising from habeas proceedings raising claims of actual innocence); *Kaetz v. United States*, 602 U. S. ____ (2024) (*Martinized* after filing a petition for certiorari arising from proceedings under 28 U. S. C. §2255 raising ineffective-assistance-of-counsel claims). According to our Clerk’s Office, more than half of the petitioners whose filings we have categorically rejected per *Martin* in the past 22 years were prisoners.

III

Applying *Martin* routinely to bar the filings of indigent incarcerated petitioners goes too far. In my view, such a restriction foolishly trades a pound of values for an ounce of convenience. That is, the Court now blocks indigent incarcerated individuals from ever more accessing our courthouse, just to avoid a minor administrative burden.

To be clear: *Martinized* petitioners are totally barred from ever filing *in forma pauperis* noncriminal petitions in the future—even to raise new claims based on favorable changes in the law (which sometimes happen), or to challenge the ongoing conditions of their confinement (which, in our society, prisoners are allowed to do). The future is famously hard to predict. So the justification for a permanent filing bar—even one related to the Court’s administrative convenience—is murky at best.

Changes in the law can give rise to meritorious challenges that a prisoner might be able to raise by filing a civil habeas petition. Consider, for instance, the *pro se* petitioner in *Welch v. United States*, 578 U. S. 120 (2016), who filed an *in forma pauperis* petition raising a collateral challenge to his sentence in light of our prior decision in *Johnson v. United States*, 576 U. S. 591 (2015). Welch’s filing ultimately resulted in the Court applying *Johnson* retroactively. 578 U. S., at 130. But if Welch had been *Martinized*, he would have been unable to seek relief in this Court.

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Similarly, the conditions of a prisoner’s confinement may give rise to new constitutional claims. In *Wilkins v. Gaddy*, 559 U. S. 34 (2010) (*per curiam*), for example, we held that a *pro se* petitioner proceeding *in forma pauperis* had stated an Eighth Amendment claim based on an assault by prison officials. Had Wilkins been *Martinized*, he would have been barred from obtaining the relief to which he was due under our Constitution. Unfortunately, poor conditions in prisons across the country continue to pose potential constitutional problems.³ Indigent prisoners who are *Martinized* are unable to come to this Court to challenge these unsafe conditions and vindicate their constitutional rights.

In short, because time moves on after a person is imprisoned and things happen, we simply do not and cannot know whether indigent prisoners who have filed multiple “frivolous” petitions in the past might have a meritorious claim in the future. When liberty, bodily integrity, or fundamental fairness is at stake, preventing such litigants from ever again accessing our review imperils our ability to provide equal justice for all.

Meanwhile, the administrative burden involved in reviewing repeated (even frivolous) petitions filed by prisoners is minimal. It is the rare incarcerated person who has the wherewithal to flood the Court with filings, at least in the way that Martin, Sindram, and McDonald had done. Practicalities ordinarily do not allow for this, since prisoners often lack regular access to paper, pens, envelopes, and stamps. *Pro se* prisoners also usually handwrite their filings—a time-intensive process. And, regardless, it is not

³See, e.g., Dept. of Justice, Investigation of Alabama’s State Prisons for Men 5–6 (Apr. 2, 2019), <https://www.justice.gov/crt/case-document/file/1149971/dl?inline=> (detailing Alabama’s failure to provide safe conditions for its prisoners); Dept. of Justice, Investigation of Georgia Prisons 3 (Oct. 1, 2024), https://www.justice.gov/d9/2024-09/findings_report_-_investigation_of_georgia_prisons.pdf (describing Georgia’s failure to protect incarcerated people from violence).

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difficult for Court staff to sort out *in forma pauperis* filings that raise new, potentially meritorious claims from repetitive, meritless petitions.

I believe that when balancing prisoners’ access to judicial review, on the one hand, and reducing our administrative burden, on the other, we should err on the side of keeping our courthouse doors open. For a system designed to administer justice, reflexively rejecting (potentially meritorious) petitions from incarcerated litigants has a cost that is much too high when compared to the (meager) administrative efficiency gains. Nor should we forget the role that indigent incarcerated litigants have played in the development of important constitutional doctrines—and through habeas proceedings no less. See, *e.g.*, *Gideon v. Wainwright*, 372 U. S. 335 (1963); see also *Sindram*, 498 U. S., at 181 (Marshall, J., dissenting).

Accordingly, I would not apply the filing bar that the Court imposes for frequent “frivolous” filers to prisoners who, like Howell, seek to proceed *in forma pauperis*.