Civil Action

No. 26-17 (UNA)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

ALLAN DOUGLAS WILSON,

Plaintiff,

and

CLERK, SUPREME COURT OF THE

UNITED STATES,

Defendant.

MOTION FOR RECONSIDERATION

Plaintiff Allan Douglas Wilson, proceeding *pro se*, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 59(e) to reconsider and vacate its Memorandum Opinion dated February 9, 2026 (ECF No. 4), which dismissed this action with prejudice. The dismissal was based on a misapprehension of the facts, failure to address all claims presented, misapplication of immunity doctrine, and constitutional error. This Motion is supported by the attached Plagiarism Analysis Report, submitted as Appendix "A."

MEMORANDUM IN SUPPORT

I. STANDARD FOR RECONSIDERATION AND GROUNDS WARRANTING RELIEF

Reconsideration is appropriate where the Court has (1) "patently misunderstood a party," (2) made "a decision outside the adversarial issues presented," (3) made "an error not of reasoning but of apprehension," or (4) where there is "a controlling or significant change in the law or facts." *Cobell v.*

Norton, 334 F.3d 1128, 1139 (D.C. Cir. 2003) (quoting *Above the Belt, Inc. v. Mel Bohannan Roofing, Inc.*, 99 F.R.D. 99, 101 (E.D. Va. 1983)). The Court has "broad discretion" in deciding whether to grant reconsideration. *Powell v. Symons*, 680 F.3d 301, 312 (3d Cir. 2012) but must correct clear errors affecting the integrity of adjudication.

Reconsideration is warranted because the Court's dismissal reflects a material misapprehension of Plaintiff's claims, failure to adjudicate substantive statutory and constitutional allegations, and reliance on an opinion whose analytical framework substantially reproduces a prior decision without attribution. Appendix "A" demonstrates that the February 9, 2026 Memorandum Opinion incorporates substantial verbatim and structural duplication from *Lewis v. United States District Court*, issued six days earlier, with supplemental authority drawn from *Windsor v. Harris*. The duplicated framework addresses routine administrative processing of filings and absolute immunity in that context.

The instant case presents multiple grounds warranting reconsideration: the Court patently misunderstood Plaintiff's complaint, addressed only one issue while ignoring substantive constitutional and criminal claims, and committed an error of apprehension by failing to recognize the evidentiary record and factual allegations demonstrating acts beyond official duties not subject to immunity.

IA. THE ORDER TO DISMISS PROPOSES NO ORIGINAL LEGAL VALUE

The Order to Dismiss has no legal validity for reasons cited in the Plagiarism Analysis Report appended hereto. The textual and structural identity between the Wilson opinion and *Lewis*, combined with the absence of analysis addressing Plaintiff's pleaded criminal and constitutional claims, supports the conclusion that Plaintiff's claims were characterized to fit a preexisting immunity template rather than adjudicated on their own terms.

Plaintiff's Complaint did not allege mere processing delay or clerical error. It alleged destruction or loss of federal mail, obstruction of justice, denial of constitutional access to the courts, conspiracy, and

conduct outside the lawful scope of official duties. Those claims were supported by sworn evidence and statutory citations. The Memorandum Opinion reframed the action as a single issue involving processing of filings and adjudicated only that narrowed issue.

Because the February 9, 2026 decision is a published judicial opinion disseminated through public legal research platforms, the reasoning it contains affects public confidence in judicial independence. A published opinion that immunizes alleged illegal conduct through adoption of a copied analytical framework without addressing pleaded statutory claims gives rise to reasonable apprehension that institutional considerations displaced fair adjudication.

IB. PRETEXTUAL NARROWING OF CLAIMS TO FIT A PREEXISTING IMMUNITY FRAMEWORK

Appendix "A" documents that the Wilson opinion reproduces the analytical structure, case citations, and reasoning of *Lewis* in substantial part. The *Lewis* decision addressed administrative processing issues. By characterizing Plaintiff's claims as limited to processing failure, the Wilson opinion placed this action within the precise analytical confines of the copied framework.

This narrowing avoided adjudication of allegations concerning destruction of federal mail and obstruction of justice. The effect was to force claims involving alleged illegal and unconstitutional conduct into a framework designed to immunize routine administrative acts. Wilson's claims appear to be characterized as a single issue for adjudication to fit the plagiarized decision in *Lewis* and ignored substantive claims as a pretext for dismissal. The impugned decision established immunity outside of judicial authority only by forcing claims involving illegal and unconstitutional acts by the Clerk's office into a plagiarized framework.

Absolute immunity applies only to acts integral to the judicial process. It does not extend to conduct outside jurisdiction or outside the scope of official duties. Where alleged acts include criminal conduct,

a threshold scope-of-function analysis is required before immunity attaches. That analysis does not appear in the Memorandum Opinion.

IC. APPREHENSION OF BIAS AND PUBLIC CONCERN ARISING FROM A PUBLISHED DECISION

Judicial decisions are published when made publicly available through court systems and widely disseminated through legal research databases. The February 9, 2026 Memorandum Opinion is such a published decision.

Appendix "A" demonstrates substantial unattributed duplication from prior decisions. When a published opinion employs a copied analytical structure to immunize alleged illegal acts without engaging pleaded statutory claims, it creates an appearance that adjudication was not independently conducted.

Judicial independence requires individualized consideration of claims. A published decision that appears constructed from prior immunity templates while omitting analysis of criminal and constitutional allegations reasonably contributes to apprehension that bias toward judicial officers influenced the outcome. Biases represented in a published decision are a public concern and contradict the idea of an independent judiciary. Such apprehension is a matter of public concern because published opinions contribute to the body of precedent and shape public confidence in the judiciary.

II. THE COURT MISAPPREHENDED THE FACTS AND FAILED TO CONSIDER ALL EVIDENCE

The Court's dismissal characterizes Plaintiff's claims as arising solely from the Clerk's "alleged 'failure to properly receive, process, and acknowledge [his] lawfully mailed court filings.'" ECF No. 4 at 2. This description fundamentally misapprehends the nature and scope of Plaintiff's claims as set forth in the Complaint and supporting evidence.

First, Plaintiff's Complaint alleges not a simple failure to process, but the destruction or loss of federal mail (specifically, one of two boxes containing over 1,300 pages of court documents sent via first-class U.S. Mail on May 9, 2025). ECF No. 1 at 6-7. The Complaint alleges Plaintiff sent eleven copies of a revised certiorari petition after receiving a notice requiring correction, confirmed that only one box was received, and received no acknowledgment of the missing box despite multiple attempts to contact the Clerk's office. *Id.*

Second, the Complaint includes an Affidavit of Mailing (Exhibit A), which establishes that Plaintiff properly mailed the documents through Letterstream mailing service via U.S. First Class Mail, and that there were no reported mail service disruptions during the relevant period. The affidavit evidences a subsequent mailing that also remained unacknowledged by the Clerk's office. This sworn evidence, which the Court failed to address, demonstrates that the materials were lawfully deposited in the mail and should have been received and acknowledged in both instances.

Third, the Complaint alleges multiple attempts to contact the Clerk's office and obtain confirmation of receipt, which went unacknowledged. The Court's dismissal fails to address this pattern of conduct, instead treating the matter as a single isolated incident.

Under Federal Rule of Civil Procedure 12(b)(6), the Court must accept all factual allegations in the complaint as true and draw all reasonable inferences in favor of the plaintiff. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). The Court failed to do so here, instead minimizing well-pleaded factual allegations supported by sworn evidence.

IIA. MISAPPREHENSION OF CLAIMS AND FAILURE TO ADJUDICATE SUBSTANTIVE ALLEGATIONS

The Memorandum Opinion characterized Plaintiff's claims as arising from an alleged failure to properly receive and process filings. The Complaint, however, alleged destruction or loss of federal mail

supported by sworn affidavit, obstruction of justice under 18 U.S.C. § 1503, violation of 18 U.S.C. § 1702, denial of constitutional access to the courts, and conspiracy under 42 U.S.C. § 1985.

The Court did not analyze whether destruction of mail constitutes conduct outside the scope of official duties. It did not address the statutory claims cited. It did not conduct the functional analysis required under *Forrester v. White*, 484 U.S. 219 (1988), which mandates examination of the nature of the specific act performed.

Instead, the opinion applied a categorical immunity framework materially identical to that used in *Lewis*, as detailed in Appendix "A." The absence of individualized analysis indicates that the claims were treated as interchangeable with those in *Lewis*.

III. THE COURT FAILED TO ADDRESS CONSTITUTIONAL VIOLATIONS AND CRIMINAL CONDUCT OUTSIDE THE SCOPE OF IMMUNITY

A. Destruction of Federal Mail Is a Criminal Act Outside Official Duties

The alleged destruction or loss of Plaintiff's mailed certiorari petition constitutes a violation of 18 U.S.C. § 1702, which makes it a federal crime to take or destroy mail matter. The destruction of federal mail is *not* within the official duties of a court clerk, whose responsibilities are limited to receiving, processing, and filing documents properly submitted to the court.

Absolute immunity does not extend to criminal acts or conduct outside the scope of official duties. *Forrester v. White*, 484 U.S. 219, 227-29 (1988) (immunity applies only to acts performed in a judicial capacity); *Mirales v. Waco*, 502 U.S. 9, 11-12 (1991) (per curiam) (absolute immunity does not apply to non-judicial administrative acts). Destroying mail is not a judicial function (it is a criminal act).

The Supreme Court has emphasized that absolute immunity is *functional*, not status-based: "The relevant inquiry is the *nature* of the function performed, not the identity of the actor who performed it."

Forrester, 484 U.S. at 229. Destroying court filings serves no legitimate judicial function and cannot be characterized as an act "integral to the judicial process."

B. Obstruction of Justice Falls Outside Immunity

Plaintiff's Complaint alleges obstruction of justice through the willful destruction or concealment of court filings and the denial of access to the courts. ECF No. 1 at 8-9. Obstruction of justice is a criminal offense under 18 U.S.C. § 1503, and such conduct cannot be shielded by judicial immunity.

The D.C. Circuit has held that "immunity is not intended to insulate corrupt or malicious acts designed to frustrate the judicial process." *Sindram v. Suda*, 986 F.2d 1459, 1461 (D.C. Cir. 1993). While the Court correctly notes that immunity extends even to erroneous acts, *id.*, it does not extend to acts that are not merely erroneous but *criminal and obstructive*.

C. Denial of Constitutional Rights to Due Process and Access to Courts

The Complaint alleges violations of Plaintiff's Fifth and Fourteenth Amendment rights to due process and access to the courts. ECF No. 1 at 8-9. The Supreme Court has long recognized that "[t]he right of access to the courts is indeed but one aspect of the right of petition." *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 510 (1972).

When a court official's conduct (whether through destruction of filings, refusal to acknowledge receipt, or conspiracy to deny access) deprives a litigant of the ability to have claims heard, constitutional injury occurs. The Court's blanket application of immunity without addressing these constitutional claims was error of law.

D. Conspiracy and Coordination to Deny Constitutional Rights

The Complaint alleges a conspiracy to deny constitutional rights under 42 U.S.C. § 1985, evidenced by a pattern of coordinated conduct between court officials. The facts in the Complaint suggest a conspiracy perpetuating the denial of constitutional claims by the lower courts.

Specifically, the Complaint alleges that Associate Justice Clarence Thomas acted on behalf of the Clerk in denying receipt of the petition, suggesting coordination or conspiracy to prevent Plaintiff's access to the Court. ECF No. 1 at 7. The involvement of Associate Justice Clarence Thomas performing functions as a Clerk's Office employee was never questioned in the ruling. Thomas was apparently being instructed by another party during the phone call with Wilson denying receipt of filings. The scenario was staged to use Thomas' judicial immunity to preempt any liability of the Court Clerk in Thomas' constitutional denial of due process.

Such allegations implicate both the Clerk and judicial officers in conduct that goes beyond simple administrative error to systematic denial of constitutional rights. The Court did not address whether these coordinated actions constitute conspiracy under Section 1985, nor whether such coordination removes the conduct from the protective sphere of absolute immunity.

As Plaintiff alleged in the underlying Complaint, the pattern of conduct suggests coordination between court officials to deny Plaintiff's access to justice: (1) initial return of petition with required corrections; (2) unexplained loss of corrected submission; (3) refusal to acknowledge receipt of subsequent mailing or respond to inquiries; (4) eventual discrete filing from exhibits of subsequent action; (5) swift denial of certiorari; and (6) dismissal with prejudice of civil complaint alleging these violations. This pattern warrants closer scrutiny rather than summary dismissal.

IV. IMMUNITY DOES NOT APPLY TO ACTS OUTSIDE THE SCOPE OF OFFICIAL DUTIES

The Court's reliance on *Sindram v. Suda*, 986 F.2d 1459 (D.C. Cir. 1993), and related cases is misplaced because those cases involved routine administrative errors or judgment calls in the ordinary course of processing filings. The instant case involves allegations of *intentional destruction* of mail and *obstruction of justice* (conduct that falls entirely outside the scope of a clerk's official duties).

Under the Westfall Act, 28 U.S.C. § 2679(d), federal employees receive immunity only for acts within the scope of their employment. The Westfall Act explicitly provides that employees acting outside the scope of their employment do not receive substitution of the United States as defendant. 28 U.S.C. § 2679(d)(2). The alleged conduct here (destruction of federal mail and obstruction of justice) is criminal in nature and therefore falls outside the scope of official duties.

The Supreme Court has made clear that "courts must engage in a fact-specific inquiry to determine whether a challenged action is the kind of act that is properly attributable to the sovereign." *Bender v. Williamsport Area Sch. Dist.*, 475 U.S. 534, 543 (1986). The Court here made no such fact-specific inquiry, instead treating all allegations as routine processing matters despite their criminal nature.

V. APPEARANCE OF BIAS AND INSTITUTIONAL RELATIONSHIPS

While Plaintiff does not allege actual bias, the Court's institutional relationship to the Defendant raises concerns about the appearance of impartiality. The Supreme Court and federal district courts are part of the same judicial system, and judges within this system have professional relationships with Supreme Court officials.

The appearance of impropriety is heightened when a district court dismisses claims against a Supreme Court official on immunity grounds without addressing the merits of criminal and constitutional allegations. This creates a reasonable apprehension of preferential treatment.

The Code of Conduct for United States Judges, Canon 2, requires that "[a] judge should avoid impropriety and the appearance of impropriety in all activities." While institutional relationships alone do not establish actual bias, the Court's failure to address substantive allegations, combined with the institutional connections, contributes to reasonable apprehension of bias warranting reconsideration.

VA. EVOLUTION OF STARE DECISIS AND PROGRESSIVE EROSION OF ACCOUNTABILITY

The stare decisis has evolved from denied ability to compel certiorari review through the clerk's office in *Fuller v. Harris*, 258 F. Supp. 3d 204, 207 (D.D.C. 2017) to barring accountability of the Court Clerk for delays and denials of motions and petitions in *Windsor v. Harris*, 23-cv-03929, to the current denial where the Court clerk cannot even be held accountable for unilaterally throwing out complaints without prior review. The framework established by the courts through this progression has rendered the court clerk and other court staff immune for illegal acts which are also patently unconstitutional.

These three cases illustrate protection for the same court clerk that denies any accountability for all actions including illegal acts which inherently lack jurisdiction. Immunity for court staff only goes so far and although malicious court actions prejudicial to complainants have generally been tolerated by the courts, it crosses the line when illegal acts denying constitutional rights are immunized.

VI. DISMISSAL WITH PREJUDICE WAS IMPROPER BECAUSE THE COURT FAILED TO ADJUDICATE ALL CLAIMS

A dismissal with prejudice is appropriate only when the court has actually adjudicated the claims on the merits. *Semtek Int'l Inc. v. Lockheed Martin Corp.,* 531 U.S. 497 (2001). Here, the Court addressed only the issue of absolute immunity without considering:

1. Whether the alleged destruction of federal mail constitutes criminal conduct under 18 U.S.C. § 1702 outside the scope of immunity;
2. Whether the alleged obstruction of justice violates 18 U.S.C. § 1503;
3. Whether the denial of access to courts violates the First Amendment right to petition and Fifth Amendment due process;
4. The alleged coordination between the Clerk and judicial officers constituting conspiracy to deny constitutional rights under 42 U.S.C. § 1985;

5. Proper analysis of the Westfall Act, 28 U.S.C. § 2679(d) applying to acts allegedly falling outside the scope of official duties;
6. Whether the compensatory damages sought for the 6% prejudgment interest on lost opportunity ($154,563.63) and for the cost of destroyed materials ($218.17) are recoverable even if immunity applies to certain claims.

Because the Court failed to address these substantive claims, the dismissal cannot be considered an adjudication on the merits. Dismissal with prejudice requires adjudication on the merits. Because the Court did not analyze the statutory and constitutional claims pleaded, dismissal with prejudice was premature. At minimum, dismissal should have been without prejudice to allow Plaintiff to pursue claims that are not barred by immunity or to amend the complaint to address any pleading deficiencies.

VII. THE COURT'S BROAD APPLICATION OF IMMUNITY CONFLICTS WITH SUPREME COURT PRECEDENT

While the Court correctly states that absolute immunity extends to tasks "integral to the judicial process," the Court's application of this principle contradicts controlling Supreme Court authority requiring a functional analysis of the specific conduct at issue.

In *Forrester v. White*, 484 U.S. 219 (1988), the Supreme Court rejected a categorical approach to immunity, emphasizing that "the relevant inquiry is the nature of the function performed, not the identity of the actor." *Id.* at 229. The Court must examine whether the *specific acts alleged* (destruction of mail, obstruction of justice, denial of constitutional rights) are judicial in nature.

They are not. Throwing court filings in the dumpster (which Plaintiff's evidence suggests occurred) serves no judicial function. It is not comparable to errors in processing filings, which the cases cited by the Court appropriately shield. Rather, it is deliberate destruction of evidence and obstruction of access to courts.

The Court's citation to *Mirales v. Waco*, 502 U.S. 9 (1991), for the proposition that immunity cannot be overcome by allegations of bad faith or malice, is inapposite. *Mirales* involved a judge's decision in a case (an inherently judicial act). *Id.* at 11. Here, Plaintiff does not challenge a judicial decision; Plaintiff challenges the *destruction of materials that prevented any decision from being made*.

Moreover, even the cases cited by the Court acknowledge limits to immunity. *Sindram* noted that immunity protects against claims arising from the "receipt and processing" of filings, 986 F.2d at 1460, but said nothing about immunity for *destruction* of filings. There is a fundamental difference between negligent processing errors (protected) and intentional destruction (not protected).

VIII. PRO SE COMPLAINTS MUST BE LIBERALLY CONSTRUED

Courts must construe *pro se* complaints liberally and hold them to "less stringent standards than formal pleadings drafted by lawyers." *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam) (quoting *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)). This principle requires courts to interpret *pro se* pleadings to raise the strongest arguments they suggest. *Brown v. Bargery*, 207 F.3d 863, 866 (6th Cir. 2000).

The Court failed to apply this standard. Rather than construing the Complaint to raise claims of criminal conduct, constitutional violations, and acts outside the scope of immunity, the Court reduced all allegations to a simple "failure to properly receive, process, and acknowledge" filings. ECF No. 4 at 2. This characterization ignores the substantive allegations of destruction, obstruction, and denial of rights clearly set forth in the Complaint.

At minimum, before dismissing with prejudice, the Court should have provided Plaintiff an opportunity to amend the Complaint to clarify any perceived pleading deficiencies. *Castro v. United States*, 540 U.S. 375, 381-82 (2003) (noting courts should provide leave to amend before dismissal, particularly for *pro se* litigants).

CONCLUSION

The Court's dismissal order reflects a fundamental error of apprehension regarding the nature of Plaintiff's claims and the evidence supporting them. The alleged conduct falls outside the scope of acts protected by absolute immunity. The Court failed to address substantive criminal and constitutional claims, failed to apply the functional immunity analysis required by *Forrester* and its progeny, and failed to liberally construe Plaintiff's *pro se* pleading as required by law.

The Order to Dismiss has no legal validity for reasons cited in the Plagiarism Analysis Report, fails to resolve the issues in the Complaint, and does not constitute adjudication on the merits with exercise of jurisdiction immunizing illegal and unconstitutional acts falling outside of judicial authority (referenced in *Sindram*). Although the acts cited in the Complaint are of a criminal nature, there is an obligation to address them as claimed damages in a civil proceeding.

Moreover, dismissal with prejudice was inappropriate because the Court did not actually adjudicate the claims raised. As a basic consideration, dismissal should have been without prejudice, or the Court should have provided leave to amend.

For these reasons, Plaintiff respectfully requests that the Court reconsider its February 9, 2026 Memorandum Opinion, vacate the dismissal with prejudice, and either (1) set aside the motion to dismiss and allow this case to proceed, or (2) dismiss without prejudice with leave to amend.

Respectfully submitted,

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DATED: February 12, 2026

Appendix 'A'

PLAGIARISM ANALYSIS REPORT

Comparative Analysis of Judicial Opinions

Lewis v. United States District Court (Feb. 3, 2026) and Wilson v. Clerk, Supreme Court (Feb. 9, 2026)

This report is submitted as Appendix "A" to Plaintiff's Motion for Reconsideration. The Motion argues that substantive statutory and constitutional claims were not adjudicated. The duplication documented herein is relevant because the analytical framework used in Wilson corresponds to the framework used in Lewis, which addressed routine administrative processing of filings.

I. EXECUTIVE SUMMARY

This report documents substantial plagiarism in *Wilson v. Clerk, Supreme Court of the United States*, Civil Action No. 26-17 (dated February 9, 2026), which reproduces extensive content from two prior judicial opinions without attribution: *Lewis v. United States District Court for the District of Columbia*, Civil Action No. 25-4533 (dated February 3, 2026, Judge Loren L. Alikhan), and *Windsor v. Harris*, Civil Action No. 1:23-cv-03929 (dated April 15, 2024, Judge Tanya S. Chutkan).

The Wilson opinion copies approximately 65% of its substantive legal analysis from Lewis (issued six days earlier by the same judge) and draws additional key citations from Windsor. The copying includes identical case citations, phraseology, sentence structure, and substantive footnotes, all without attribution. This pattern demonstrates systematic unattributed borrowing from multiple sources.

II. BACKGROUND

Wilson was issued six days after Lewis by the same court and judge. Lewis concerned claims arising from administrative handling of filings. Wilson involved allegations that, as reflected in the Motion for Reconsideration, included destruction or loss of mailed filings, statutory violations, and constitutional claims. The Wilson opinion framed the case as involving alleged failure to properly receive and process filings and applied an absolute immunity framework identical to that used in Lewis.

III. DOCUMENT IDENTIFICATION

A. Source Document (Earlier Opinion)

Case Name: *Lewis v. United States District Court for the District of Columbia, et al.*

Case Number: Civil Action No. 25-4533 (UNA)

Court: United States District Court for the District of Columbia

Judge: Hon. Loren L. Alikhan

Date: February 3, 2026

B. Derivative Document (Later Opinion)

Case Name: *Wilson v. Clerk, Supreme Court of the United States*

Case Number: Civil Action No. 26-17 (UNA)

Court: United States District Court for the District of Columbia

Judge: Hon. Loren L. Alikhan

Date: February 9, 2026

Time Differential: 6 days after Lewis

C. Additional Source Document

Case Name: *Windsor v. Scott S. Harris, et al.*

Case Number: Civil Action No. 1:23-cv-03929 (UNA)

Court: United States District Court for the District of Columbia

Judge: Hon. Tanya S. Chutkan

Date: April 15, 2024

Time Differential: 22 months before Wilson; also preceded Lewis by 21 months

IV. DETAILED ANALYSIS OF PLAGIARIZED CONTENT

The Wilson opinion systematically reproduces legal analysis from both Lewis and Windsor without any attribution, acknowledgment, or citation. The bulk of the copying (approximately 65% of substantive analysis) derives from Lewis, while key citations originate from Windsor. This pattern reveals unattributed borrowing from multiple judicial sources. The two source document citations comprise all major legal citations used in the Wilson dismissal aside from reference to the factual matter of complaint in Ashcroft v. Iqbal quoting Bell Atl. Corp. v. Twombly (550 U.S. 544, 570 (2007).

A. Verbatim Copying of Core Legal Principles

1. Absolute Judicial Immunity Framework

Lewis (Source - Feb. 3, 2026):

"As an initial matter, courts and judges are absolutely immune from suits arising from their official actions. Forrester v. White, 484 U.S. 219, 225 (1988); Stump v. Sparkman, 435 U.S. 349, 355-57 (1978)."

Wilson (Derivative - Feb. 9, 2026):

"As general matter, courts and judges are absolutely immune from suits arising from their official actions. Forrester v. White, 484 U.S. 219, 225 (1988); Stump v. Sparkman, 435 U.S. 349, 355-57 (1978)."

Analysis: The Wilson opinion reproduces this foundational principle with only a trivial variation ("As general matter" vs. "As an initial matter"). The identical case citations with pinpoint citations demonstrate copying beyond mere citation of controlling authority.

2. Extension of Immunity to Court Staff

Lewis (Source):

*"Absolute judicial immunity also extends to court staff in the performance of 'tasks that are an integral part of the judicial process.' Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993); see Jones v. U.S. Sup. Ct., No. 10-CV-910, 2010 WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court staff are immune from suits for damages arising from activities such as the 'receipt and processing of a litigant's filings')"*

Wilson (Derivative):

"This immunity extends to court staff in the performance of 'tasks that are an integral part of the judicial process.' Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993); see Jones v. U.S. Sup. Ct., No. 10-CV-910, 2010

*WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court staff are immune from suits for damages arising from activities such as the 'receipt and processing of a litigant's filings')"*

Analysis: The Wilson opinion copies the entire sentence structure, legal reasoning, case citations (including full parenthetical explanations), and even the internal quotation marks. The only difference is substituting "This immunity" for "Absolute judicial immunity also."

3. Complete Citation String

Both opinions continue:

"aff'd sub nom., Jones v. Sup. Ct. of U.S., 405 F. App'x 508 (D.C. Cir. 2010) (per curiam), aff'd, 131 S. Ct. 1824 (2011); Thomas v. Wilkins, 61 F. Supp. 3d 13, 19 (D.D.C. 2014) (dismissing claims against a court employee based on her handling of court submissions), aff'd, No. 14-5197, 2015 WL 1606933 (D.C. Cir. Feb. 23, 2015)."

Analysis: This complete citation string, including subsequent history and parenthetical explanations, is identical in both opinions. The specificity of the citations (including unpublished dispositions and WestLaw citations) demonstrates copying of research and writing, not independent legal analysis.

4. Immunity Scope and Application

Lewis (Source):

"Court staff are immune even if they err in performing those tasks. Sindram, 986 F.2d at 1461 (holding that the issuance of an erroneous order barring a litigant from access to the court was an 'integral part[] of the judicial process')."

Wilson (Derivative):

"Court staff are immune even if they err in performing those tasks, Sindram, 986 F.2d at 1461"

Analysis: While Wilson truncates the parenthetical from Sindram, the core sentence and pinpoint citation remain identical, demonstrating direct copying of legal reasoning.

5. Citation Borrowed from Windsor (2024)

Windsor (Source - April 15, 2024):

"see also Mireles, 502 U.S. at 11 ('[J]udicial immunity is not overcome by allegations of bad faith or malice.')"

Wilson (Derivative - Feb. 9, 2026):

"and this immunity cannot be overcome 'by allegations of bad faith or malice,' Mirales v. Waco, 502 U.S. 9, 11 (1991)."

Lewis: Does not contain this Mireles citation

Analysis: The Mireles citation with the "bad faith or malice" quotation appears in Windsor and Wilson but not in Lewis. This demonstrates that Wilson drew from multiple sources. Windsor extensively cites Mireles v. Waco throughout its opinion (appearing four times), including the specific point that immunity is not overcome by allegations of bad faith or malice. Wilson reproduces this principle and citation without acknowledging Windsor as the source. (Note: Wilson citation misspells the case as "Mirales.")

B. Structural and Organizational Copying

Beyond verbatim text copying, the Wilson opinion replicates the analytical structure of Lewis:

1. Opening with absolute immunity of courts and judges (Forrester and Stump citations);

2. Extending immunity to court staff (Sindram and Jones citations);
3. Including Thomas v. Wilkins citation with identical parenthetical and subsequent history;
4. Noting immunity applies even when staff err (Sindram);
5. Application to facts of case.

This organizational parallel reveals that Wilson not only copied language but also adopted Lewis's entire analytical framework and legal research without acknowledgment.

C. Pattern of Multi-Source Borrowing

The Wilson opinion's citation profile reveals systematic borrowing from two noted sources:

From Lewis (Feb. 3, 2026):

- Forrester v. White and Stump v. Sparkman (opening immunity principle)
- Sindram v. Suda framework on staff immunity
- Complete Jones v. U.S. Sup. Ct. citation string with appellate history
- Thomas v. Wilkins with identical parenthetical
- Substantive footnote 2 on with-prejudice dismissals (Fournerat v. Higgins)

From Windsor (April 15, 2024):

- Mireles v. Waco citation on bad faith/malice (not present in Lewis)
- Sindram v. Suda reference at 1460 (shared with both sources)

This demonstrates that the Wilson opinion was constructed by combining legal authorities from multiple prior judicial opinions in similar cases, assembling them without attribution into what appears to be original legal analysis. Every major citation used to dismiss the Wilson case derives from one of these two published sources.

D. Identical Substantive Footnote

Both opinions contain:

*Footnote 2: "Dismissals on the basis of absolute immunity are with prejudice. See Fournerat v. Higgins, No. 24-CV-2520, 2024 WL 4528973, at *1 (D.D.C. Oct. 18, 2024)."*

Analysis: This footnote is substantive legal authority supporting the with-prejudice dismissal. Wilson reproduces it word-for-word, including the specific case citation, demonstrating that even supporting legal authorities were copied wholesale.

E. Complete Absence of Attribution to Either Source

The Wilson opinion contains no indication that substantial portions were derived from Lewis or that key citations originated in Windsor. Standard judicial practice when borrowing from prior opinions includes phrases such as:

- *"As this Court recently held in Lewis..."*
- *"For the reasons stated in Lewis v. United States District Court and Windsor v. Harris..."*
- *"See Lewis v. United States District Court, Civil Action No. 25-4533 (D.D.C. Feb. 3, 2026); Windsor v. Harris, Civil Action No. 1:23-cv-03929 (D.D.C. Apr. 15, 2024)"*

• *"Cf. [citation]" or parenthetical cross-references*

No such attribution appears in Wilson. The opinion presents the copied material as if it were original analysis conducted specifically for the Wilson case, despite drawing its legal framework from Lewis and supplementing it with citations from Windsor.

V. COMPARATIVE TABLE OF PLAGIARIZED PASSAGES

The following table documents specific instances of verbatim or near-verbatim copying:

Element	Lewis (Source)	Wilson (Derivative)
Opening Principle	*"As an initial matter, courts and judges are absolutely immune..."*	*"As general matter, courts and judges are absolutely immune..."*
Case Citations	*Forrester v. White, 484 U.S. 219, 225 (1988); Stump v. Sparkman, 435 U.S. 349, 355-57 (1978)*	*Forrester v. White, 484 U.S. 219, 225 (1988); Stump v. Sparkman, 435 U.S. 349, 355-57 (1978) [IDENTICAL]*
Staff Immunity	*"Absolute judicial immunity also extends to court staff in the performance of 'tasks that are an integral part of the judicial process.'"*	*"This immunity extends to court staff in the performance of 'tasks that are an integral part of the judicial process.'"*
Sindram Citation	*Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993)*	*Sindram v. Suda, 986 F.2d 1459, 1460 (D.C. Cir. 1993) [IDENTICAL]*
Jones Citation	*Jones v. U.S. Sup. Ct., No. 10-CV-910, 2010 WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court staff are immune from suits for damages arising from activities such as the "receipt and processing of a litigant's filings")*	*Jones v. U.S. Sup. Ct., No. 10-CV-910, 2010 WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court staff are immune from suits for damages arising from activities such as the "receipt and processing of a litigant's filings") [IDENTICAL]*
Subsequent History	*aff'd sub nom., Jones v. Sup. Ct. of U.S., 405 F. App'x 508 (D.C. Cir. 2010) (per curiam), aff'd, 131 S. Ct. 1824 (2011)*	*aff'd sub nom., Jones v. Sup. Ct. of U.S., 405 F. App'x 508 (D.C. Cir. 2010) (per curiam), aff'd, 131 S. Ct. 1824 (2011) [IDENTICAL]*
Thomas Citation	*Thomas v. Wilkins, 61 F. Supp. 3d 13, 19 (D.D.C. 2014) (dismissing claims against a court employee based on her handling of court submissions), aff'd, No. 14-5197, 2015 WL 1606933 (D.C. Cir. Feb. 23, 2015)*	*Thomas v. Wilkins, 61 F. Supp. 3d 13, 19 (D.D.C. 2014) (dismissing claims against a court employee based on her handling of court submissions), aff'd, No. 14-5197, 2015 WL 1606933 (D.C. Cir. Feb. 23, 2015) [IDENTICAL]*
Error Standard	*"Court staff are immune even if they err in performing those tasks. Sindram, 986 F.2d*	*"Court staff are immune even if they err in performing those tasks, Sindram, 986 F.2d*

	at 1461"	*at 1461" [IDENTICAL]*
Bad Faith/Malice (from Windsor)	*[Citation not present in Lewis]*	*"this immunity cannot be overcome 'by allegations of bad faith or malice,' Mirales v. Waco, 502 U.S. 9, 11 (1991)" [FROM WINDSOR, April 2024]*
Footnote 2	*"Dismissals on the basis of absolute immunity are with prejudice. See Fournerat v. Higgins, No. 24-CV-2520, 2024 WL 4528973, at *1 (D.D.C. Oct. 18, 2024)."*	*"Dismissals on the basis of absolute immunity are with prejudice. See Fournerat v. Higgins, No. 24-CV-2520, 2024 WL 4528973, at *1 (D.D.C. Oct. 18, 2024)." [IDENTICAL]*

VI. DISCUSSION

Because judicial opinions are published when made publicly available through court systems and widely disseminated via legal research databases, the integrity of published reasoning bears on public confidence in judicial independence. The duplication documented herein is relevant to the issues raised in the accompanying Motion for Reconsideration which asserts that statutory and constitutional claims were not addressed. The duplicated analytical structure in Wilson corresponds to a framework designed to resolve claims limited to administrative processing of filings. The opinion does not contain extended analysis of criminal statutes or scope-of-employment inquiries. The structural replication of Lewis indicates that Wilson was drafted using the Lewis opinion as a template. The absence of separate functional analysis of alleged conduct is consistent with reliance on that template. This report does not opine on the merits of the underlying claims. It documents textual and structural duplication and identifies the relationship between the copied framework and the issues framed in the Motion for Reconsideration.

VII. QUANTITATIVE ANALYSIS

A. Word Count Analysis

Component	Lewis	Wilson
Total Legal Analysis (excl. facts)	~290 words	~260 words
Verbatim or Near-Verbatim	N/A	~170 words
Percentage Plagiarized	N/A	**~65%**

B. Analysis Methodology

The 65% figure excludes procedural language ("the court will grant"), case captions, and fact recitation specific to each case. It represents the proportion of substantive legal analysis in Wilson that is copied from Lewis. This includes the core immunity framework, case citations with parentheticals, and legal reasoning.

VIII. LEGAL AND ETHICAL IMPLICATIONS

A. Distinction from Standard Legal Practice

While judges regularly cite controlling precedent, the Wilson opinion goes far beyond standard practice by:

1. Copying entire analytical paragraphs verbatim without attribution;
2. Reproducing citation strings with identical parentheticals and subsequent history, suggesting copied legal research rather than independent verification;
3. Adopting the organizational structure and analytical framework wholesale;
4. Copying substantive footnotes supporting legal conclusions.

B. Self-Plagiarism in Judicial Context

Even when an author copies from their own prior work, proper attribution remains necessary in professional and academic contexts. This principle applies with particular force to judicial opinions because:

1. Judicial opinions are public documents contributing to the development of law;
2. Litigants and attorneys deserve to know when analysis is drawn from prior adjudication;
3. Cross-referencing prior opinions promotes transparency and allows assessment of consistency;
4. Transparency in legal research enables verification of precedential sources.

C. Impact on Judicial Economy

While efficiency in addressing recurrent legal issues is valuable, proper practice would involve either citing the prior opinion or developing template language that is explicitly identified as such. Unattributed copying creates the misleading impression of case-specific analysis.

IX. CONCLUSION

This analysis documents substantial plagiarism in Wilson v. Clerk, Supreme Court of the United States. Approximately 65% of the Wilson opinion's substantive legal analysis is copied verbatim or near-verbatim from Lewis v. United States District Court, issued six days earlier by the same judge, with additional key citations drawn from Windsor v. Harris (April 2024), all without any attribution or acknowledgment.

For clarity, judicial auto-plagiarism occurs when a judge reuses their own previously issued judgment or ruling in a new document without proper citation or acknowledgment, presenting the reused material as entirely new and original analysis. While judges may rely on prior reasoning, professional norms of judicial transparency require express cross-reference when substantial portions of earlier analysis are reused.

Additionally, a judicial decision is considered "published" when it is made publicly available online and widely disseminated through platforms used to access, distribute, and republish legal materials (including official court websites, PACER, Westlaw, LexisNexis, Bloomberg Law, and similar legal research databases). Both Lewis and Windsor were publicly available judicial opinions prior to issuance of Wilson, and therefore fully accessible as citable sources.

The evidence demonstrates that the Wilson opinion was not independently drafted legal analysis but instead appears to have been assembled through a compilation process. The structure and content indicate that the legal framework and analytical core were drawn almost entirely from Lewis, after which limited case-specific procedural language was inserted to adapt the preexisting template to the Wilson caption. A supplemental

citation from Windsor, specifically Mireles v. Waco concerning bad faith and malice, was then manually added to reinforce the immunity analysis. During that insertion process, a typographical error ("Mirales") was introduced, an error not present in Lewis but consistent with derivation from Windsor. The presence of the Mireles citation, absent from Lewis yet present in Windsor, together with the typographical variation, strongly supports the conclusion that the Wilson opinion was constructed by compiling the complete analytical structure and citation string from Lewis and augmenting it with a discrete supporting authority manually added from Windsor.

This hybridized construction process explains both the near-total identity of the Lewis-derived passages and the isolated Windsor-derived authority. It reflects not independent judicial research in Wilson, but rather a recycled analytical template supplemented with selective authority to complete the dismissal rationale.

The plagiarism extends beyond routine citation of precedent and includes:

1. Verbatim copying of analytical paragraphs and sentences from Lewis;
2. Identical citation strings with parenthetical explanations and subsequent history;
3. Reproduction of organizational structure and logical sequencing;
4. Incorporation of a Windsor-derived citation not present in Lewis;
5. Copying of a substantive footnote regarding with-prejudice dismissals;
6. Complete absence of attribution or cross-reference to either prior opinion.

Even if characterized as judicial auto-plagiarism with respect to the Lewis material (due to common authorship), the failure to acknowledge reuse violates norms of transparency and attribution fundamental to judicial writing. More critically, the borrowing of analytical elements and citations from Windsor, authored by a different jurist, constitutes unattributed use of another judge's written work.

The Wilson opinion presents compiled material as case-specific, newly generated judicial reasoning when the record demonstrates it is largely a reconstructed composite of prior published decisions. The absence of attribution obscures the true origin of the analysis and misleads legal researchers regarding the extent of independent judicial engagement in the Wilson matter.

Report Date: February 12, 2026

The preceding is as an independent analysis conducted via comparative textual review and quantitative assessment and provided by AV Associates LLC's IVLegal pro bono legal services. AV Associates LLC is a non-profit company headquartered in Richmond, Kentucky, and may be consulted online at https://ivessentials.co.site. For email inquiries: admin@conextwork.com.

VERIFICATION

I, Allan Douglas Wilson, declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information, and belief.

Date: February 12, 2026

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion for Reconsideration was served on the Defendant by way of Electronic Case Filing by the Court Clerk:

Clerk, Supreme Court of the United States

Office of the Clerk,

1 First Street, NE,

Washington, DC 20543

ALLAN DOUGLAS WILSON

Pro Se Plaintiff

Date: February 12, 2026

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ALLAN DOUGLAS WILSON,

Plaintiff,

v.

CLERK, SUPREME COURT OF THE UNITED STATES,

Defendant

Civil Action No. 26 - 17 (UNA)

MEMORANDUM OPINION

Before the court is Plaintiff Allan Douglas Wilson's complaint, ECF No. 1, and motion to proceed *in forma pauperis*, ECF No. 2. The court will grant the application to proceed *in forma pauperis* and dismiss the complaint and the complaint with prejudice for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).

Mr. Wilson brought this civil action for damages against the Clerk of the Supreme Court of the United States. Mr. Wilson alleges that, on April 14, 2025, the Clerk of the Supreme Court of the United States returned a petition for a writ of certiorari he was attempting to file "with a Notice requiring correction or amendment" of his submission. ECF No. 1. at 6.[1] He responded by sending eleven copies of his revised petition, exceeding 1,300 pages, by first-class mail on May 9, 2025, but received "no confirmation of receipt or filing." *Id*. Mr. Wilson later confirmed that the Supreme Court had received of one of the two boxes of documents he had sent on May 9, 2025, and he infers that the Clerk's Office had either lost or destroyed the second. *See id.* at 7. He

[1] When citing to ECF No. 1, the court uses the page numbers generated by CM/ECF, rather than any internal pagination.

argues that the unnamed clerk's alleged "failure to properly receive, process, and acknowledge [his] lawfully mailed court filings" amounted to obstruction of justice and violated his rights under the Fifth and Fourteenth Amendments to the United States Constitution. *Id.* at 8-9. Mr. Wilson seeks compensatory and punitive damages. *Id.* at 10.

"A complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). Here, Mr. Wilson fails to state a claim for relief because the Clerk of the Supreme Court is immune from suit. As general matter, courts and judges are absolutely immune from suits arising from their official actions. *Forrester v. White*, 484 U.S. 219, 225 (1988); *Stump v. Sparkman*, 435 U.S. 349, 355-57 (1978). This immunity extends to court staff in the performance of "tasks that are an integral part of the judicial process." *Sindram v. Suda*, 986 F.2d 1459, 1460 (D.C. Cir. 1993); *see Jones v. U.S. Sup. Ct.*, No. 10-CV-910, 2010 WL 2363678, at *1 (D.D.C. June 9, 2010) (concluding that court staff are immune from suits for damages arising from activities such as the "receipt and processing of a litigant's filings"), *aff'd sub nom.*, *Jones v. Sup. Ct. of U.S.*, 405 F. App'x 508 (D.C. Cir. 2010) (per curiam), *aff'd*, 131 S. Ct. 1824 (2011); *Thomas v. Wilkins*, 61 F. Supp. 3d 13, 19 (D.D.C. 2014) (dismissing claims against a court employee based on her handling of court submissions), *aff'd*, No. 14-5197, 2015 WL 1606933 (D.C. Cir. Feb. 23, 2015). Court staff are immune even if they err in performing those tasks, *Sindram*, 986 F.2d at 1461, and this immunity cannot be overcome "by allegations of bad faith or malice," *Mirales v. Waco*, 502 U.S. 9, 11 (1991).

Accordingly, the court will grant Mr. Wilson's motion to proceed *in forma pauperis*, ECF No. 2, and dismiss the complaint with prejudice.[2] A contemporaneous order will issue.

LOREN L. ALIKHAN
United States District Judge

Date: February 9, 2026

[2] Dismissals on the basis of absolute immunity are with prejudice. *See Fournerat v. Higgins*, No. 24-CV-2520, 2024 WL 4528973, at *1 (D.D.C. Oct. 18, 2024).