

## Appendix D: Allegations of Procedural Obstruction by Supreme Court Clerk Scott S. Harris

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### Introduction

This appendix outlines specific allegations of procedural obstruction by Supreme Court Clerk Scott S. Harris and his office concerning the Emergency Writ of Mandamus (Docket No. 24-430) and the Motion to Expedite submitted by Petitioners. The following timeline provides detailed references to communications and events indicating potential administrative delays and rejections that have impeded Petitioners' access to timely judicial review. These actions, if substantiated, may constitute a breach of due process and compromise the timely handling of an urgent election-related matter.

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### 1. Timeline of Documented Communications and Alleged Delays

#### 1. October 7, 2024:

- **Event:** Delivery of the Emergency Writ of Mandamus to the Clerk's Office.
- **Details:** USPS tracking numbers 9405511206205494150645, 9405511206205494153189, and 9405511206205494155398 confirm that the filings were received by the Clerk's Office at 7:32 AM EST.

#### 2. October 8, 2024:

- **Event:** Filing of the Motion for Expedited Docketing.
- **Details:** Petitioners submitted this motion, emphasizing the urgency of immediate docketing due to the imminent November 5 election and the critical nature of the case.

#### 3. October 9, 2024:

- **Event:** Issuance of Rejection Letter by Clerk's Office.
- **Details:** Emily Walker, on behalf of Clerk Scott S. Harris, issued a rejection letter citing procedural defects such as consolidated contact information. Petitioners argue that these reasons are arbitrary and inconsistent with standard practices, resulting in an unnecessary delay.

**4. October 12, 2024:**

- **Event:** Return of Unopened Emergency Writ Packages.
- **Details:** USPS tracking confirms that the Clerk's Office returned the Petitioners' unopened packages containing the Emergency Writ, further delaying the case's judicial review.

**5. October 13, 2024:**

- **Event:** Formal Request for Immediate Docketing.
- **Details:** Gregory Stenstrom sent a letter to Clerk Harris, requesting the prompt docketing of the Emergency Writ and Motion to Expedite and urging their delivery to Justice Alito. This letter stressed the urgency of the situation given the upcoming election and the need for swift judicial action.

**6. October 14, 2024:**

- **Event:** Filing of the Amended Motion to Expedite.
- **Details:** Petitioners submitted an amended motion reiterating the need for expedited review. This amendment emphasized that procedural delays would lead to irreparable harm by compromising the integrity of the November 5 election.

**7. November 1, 2024:**

- **Event:** Submission of Whistleblower Disclosure by Gregory Stenstrom.
- **Details:** Stenstrom sent a whistleblower disclosure letter directly to Clerk Harris, accusing him of withholding the Emergency Writ and Motion to Expedite from Justice Alito, who is assigned to the Third Circuit. Stenstrom requested that these filings be delivered to Justice Alito without further delay, documenting specific concerns of obstruction.

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## **2. Legal and Constitutional Implications of Alleged Procedural Obstruction**

The above actions, if verified, raise significant legal and constitutional concerns:

- **Due Process Violations:** The repeated delays and administrative rejections infringe upon Petitioners' right to procedural due process, especially as these actions impede their access to timely judicial review in a case with significant national implications.
- **Potential Violations of Federal Law:** These alleged actions may constitute obstruction under **18 U.S.C. § 1505** (Obstruction of Proceedings), as well as **18 U.S.C. § 1346** (Honest Services Fraud), particularly if they represent an intentional effort to impede due process.
- **Risk to Judicial Integrity and Public Confidence:** By allegedly obstructing access to the judiciary, the Clerk's Office risks eroding public trust in the impartiality and efficacy of the Supreme Court, particularly concerning an urgent election-related case. Timely judicial intervention in cases of national importance is critical for maintaining public confidence.

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## **Conclusion**

The documented actions of Clerk Harris and his staff, if substantiated, constitute a barrier to Petitioners' right to due process. Judicial Watch respectfully requests that the Court investigate these allegations and consider appointing a Special Master to oversee the case's processing to ensure transparency and prevent further administrative interference. Judicial Watch urges the Court to address these issues promptly to protect both judicial integrity and the integrity of the upcoming election.