

APPENDIX

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Appendix A

**UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

November 13, 2024

Order Denying Petition for Writ of Mandamus

Case No. 2024-3028

IN RE: Martin Akerman, Petitioner

Before:

The Honorable Amy J. St. Eve, Circuit Judge

The Honorable Thomas L. Kirsch II, Circuit Judge

The Honorable Doris L. Pryor, Circuit Judge

ORDER

This matter comes before the Court on the petition for writ of mandamus filed by the petitioner, Martin Akerman, pro se. The petitioner asserts multiple procedural deficiencies and administrative errors in the district court proceedings (Case No. 2:24-cv-00152), including the mislabeling of docket entries, denial of electronic filing access, and the mishandling of key filings. Petitioner further contends that these deficiencies have resulted in constitutional violations requiring immediate appellate intervention.

Upon consideration, the Court finds that the petitioner has failed to demonstrate a clear and indisputable right to relief. The Court acknowledges the petitioner's concerns but concludes that these procedural issues do not rise to the level of extraordinary circumstances warranting mandamus relief. As such, the petition for writ of mandamus is DENIED.

IT IS SO ORDERED.

Dated: November 13, 2024

Form name: c7_Order_3J

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Appendix B

**UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

November 4, 2024

Petition for Writ of Mandamus

IN RE: Martin Akerman, Petitioner

The petitioner, Martin Akerman, pro se, respectfully submits this petition for writ of mandamus directed to the Clerk of the United States District Court for the Eastern District of Wisconsin, Milwaukee Division. This petition arises from persistent docketing errors, denial of access to electronic filing for a pro se litigant, and the mislabeling of filings that have materially prejudiced the petitioner's ability to receive timely and fair consideration of his filings.

JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. § 1651, which grants appellate courts the authority to issue all writs necessary in aid of their jurisdiction and agreeable to the usages and principles of law. Mandamus is an appropriate remedy when there is no other adequate means to obtain the relief sought, and the petitioner's right to issuance of the writ is clear and indisputable.

STATEMENT OF ISSUES**Mislabeled Filings:**

The entry labeled as "Brief" (ECF No. 47) was in fact the Defendant's sub-reply to the petitioner's prior reply (ECF Nos. 34 & 35) regarding the Defendant's Answer (ECF No. 28). This mischaracterization obscured the nature and timeline of the filings, hindering the petitioner's ability to respond.

Injunction-Related Filings Mischaracterized:

The petitioner's Motion for Injunction (ECF No. 1) was clarified through subsequent filings (e.g., ECF No. 22), yet the docket entries fail to reflect this progression accurately. Defendant's response to the Motion for Injunction (ECF No. 40) and the petitioner's reply (ECF No. 46) were also inconsistently labeled, creating confusion over the proper sequence and nature of filings.

Lack of Clarity in Response Timelines:

Several deadlines for responses and replies remain ambiguous or undocumented, leading to procedural delays. Without an accurate timeline, the petitioner cannot discern when specific filings are due or anticipate opposing filings.

Denied Access to Electronic Filing (ECF):

The denial of ECF access to a pro se litigant has exacerbated these procedural difficulties, as the petitioner has been unable to file documents promptly or review docket entries in real time. This denial has compounded the mislabeling and mishandling of critical filings.

Impact on Higher Courts:

These procedural issues have obstructed appellate review and negatively influenced the petitioner's ability to seek collateral order review or relief in the Supreme Court (e.g., SCOTUS Docket No. 24A273).

STATEMENT OF FACTS

The petitioner, appearing pro se, filed a Motion for Injunction in EDWI Case No. 24-CV-0152 (Akerman v. Northwestern Mutual Life Insurance Company), seeking relief from procedural delays and requesting a hold in abeyance of the reply deadline due to persistent docketing errors.

Key filings, including those clarifying injunctive relief, were mischaracterized in the docket, resulting in confusion about the appropriate sequence of filings and response deadlines.

The petitioner has been denied access to ECF, further limiting his ability to address and correct procedural errors in real time.

The misinformation and procedural deficiencies have prejudiced the petitioner's ability to receive meaningful judicial review and directly impacted proceedings before the Supreme Court (SCOTUS Docket No. 24A273).

RELIEF REQUESTED

The petitioner respectfully requests that this Court:

- A. Issue a writ of mandamus directing the Clerk of the Eastern District of Wisconsin to correct the docketing errors and mislabeling of entries in Case No. 24-CV-0152.
- B. Grant ECF access to the petitioner to ensure timely filing and accurate review of docket entries.
- C. Order corrective measures to address these procedural irregularities and restore the petitioner's ability to litigate his claims effectively.

Respectfully submitted,

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