

Willie J. Robinson
President

January 19, 2026

Tricell Dunn-Dickens
1st Vice-President

In Support of Appellant Nicholaus Clarence Garcia

Ninth Circuit Case No. USCA 25-7801

Ivy Winston
2nd Vice-President

U.S. District Court (N.D. Cal.) Case No. 3:25-cv-07110-RFL

Related Marin County Superior Court Case No. FL2103195

Linda J. Whitmore
3rd Vice-President

To the Honorable Judges of the Ninth Circuit:

John Stewart, Jr
Secretary

The NAACP Richmond Branch respectfully submits this letter as amicus curiae in support of Appellant Nicholaus Clarence Garcia, a Latino and Indigenous father and self-represented litigant who alleges constitutional violations arising from Marin County Superior Court proceedings. This letter is offered in furtherance of the NAACP's mission to protect civil rights, ensure equal justice, and oppose institutional practices that disproportionately harm communities of color. Given the significant constitutional issues presented, this matter has also been escalated for review and coordination at the NAACP State Conference level.

Vacant
Assistant Secretary

Kathie B. Brooks
Treasurer

Vacant
Assistant Treasurer

This amicus submission does not seek to litigate custody facts, nor does it request this Court to serve as a family court of review. Instead, the NAACP writes to emphasize the broader civil rights stakes: the preservation of due process, access to courts, a neutral decisionmaker, and protection from retaliation for protected petitioning activity, particularly where the record alleges escalating obstruction after a father of color asserted statutory and constitutional rights. The NAACP takes no position on disputed factual issues and offers this submission solely to address the constitutional process concerns presented.

This case presents serious allegations that court actors and government institutions used procedural suppression and retaliatory measures to deny a self-represented Latino/Indigenous father meaningful access to a neutral tribunal and judicial review. If supported by the record, these practices implicate core constitutional protections, including the right to petition, procedural due process, and the fundamental liberty interest in the parent-child relationship. The NAACP respectfully urges the Court to ensure that constitutional safeguards remain enforceable in practice, including where the underlying forum is family court.

- I. The NAACP's Interest: The NAACP has longstanding concern regarding the disproportionate burden placed on self-represented litigants and parents of color in court systems where procedural barriers can determine outcomes without meaningful transparency or

review. Where filings are suppressed or removed, where service is evaded even through official channels, and where a judicial officer rules on their own disqualification challenge while continuing to take substantive action, the harm is not merely individual. Such practices undermine public confidence in the judiciary and raise serious concerns under the United States Constitution.

II. Constitutional Issues Implicated: Appellant's allegations, taken as a whole, raise urgent constitutional concerns including:

Procedural Due Process: The Fourteenth Amendment requires notice, a meaningful opportunity to be heard, and a neutral decisionmaker before the state deprives a parent of fundamental rights and family integrity.

Access to Courts: The Constitution protects meaningful access to judicial remedies. Alleged conduct such as rejection, deletion, or suppression of filings, or obstruction of service and record creation, if true, would impermissibly burden access to review.

Retaliation for Petitioning: The First Amendment protects the right to petition the government for redress of grievances. Allegations of escalating adverse actions following objections, writ filings, complaints, and civil rights litigation raise serious concerns of unconstitutional retaliation.

Familial Association: The parent-child relationship is a protected liberty interest. Restrictions on contact without lawful findings or neutral procedure implicate fundamental rights requiring heightened procedural safeguards.

III. Broader Public Interest and Need for Clear Guardrails: Family courts and related proceedings can operate with limited transparency while wielding extraordinary coercive authority. Communities of color and self-represented parents are particularly vulnerable where procedural noncompliance can go unchecked. Because this matter is now before the Ninth Circuit, the Court's resolution of the constitutional questions presented may influence access-to-courts protections and procedural safeguards for families throughout the Circuit.

If the record supports Appellant's allegations, this case presents an important opportunity for this Court to reaffirm that constitutional protections do not disappear based on the subject matter of a case or the socioeconomic status of a litigant. The NAACP respectfully requests careful consideration of these constitutional issues

and any relief the Court deems appropriate to safeguard neutral adjudication, meaningful access to review, and protection from retaliation.

Respectfully submitted,

Willie Robinson