

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

**MARVIN TUTT,
Plaintiff,**

Civil Action No. 8:25-cv-02006-TDC

v.

**REGINA ROBINSON
CHARLES COUNTY CHILD SUPPORT ADMINISTRATION
CHARLES COUNTY DEPARTMENT OF SOCIAL SERVICES
CHARLES COUNTY, MARYLAND
STATE OF MARYLAND
SHARA GABRIELLE HENDLER, ESQ.
ANDREA KHOURY
MISTEY L. METZGAR
1-30 Jane/John Does And/Or Entities
THEODORE D. CHUANG**

Defendants.

MOTION TO VACATE CASE MANAGEMENT ORDER AS DISCRIMINATORY AND
INEFFICIENT

****IN THE UNITED STATES DISTRICT COURT****

****FOR THE DISTRICT OF MARYLAND****

****MARVIN TUTT****

Plaintiff,

v.

****STATE OF MARYLAND, et al.****

Defendants.

****Case No.: 8:25-cv-02006-TDC****

MOTION TO VACATE CASE MANAGEMENT ORDER

Plaintiff Marvin Tutt respectfully moves this Court to vacate the Case Management Order entered July 8, 2025, on grounds that it: (1) discriminates against pro se civil rights plaintiffs; (2) creates inefficiencies rather than preventing them; (3) was issued by a judge with disqualifying conflicts; and (4) contains evidence of predetermined bias.

I. THE ORDER DISCRIMINATES AGAINST PRO SE CIVIL RIGHTS PLAINTIFFS

The Case Management Order singles out Plaintiff for restrictions not found in the Federal Rules:

- Requires pre-motion conferences for ALL motions
- Creates 3-page limits for notices of intent
- Doubles timeline for every filing
- Issued sua sponte before any defendant appeared
- Contains no evidence of vexatious litigation history

II. REQUEST FOR WRITTEN JUSTIFICATION OF MONETARY EFFICIENCY

Plaintiff respectfully requests the Court provide written explanation of how requiring:

- Multiple pre-motion conferences
- Court time for each conference
- State attorneys attending each conference
- Administrative processing of notices
- Doubled timeline for each motion

...preserves monetary resources compared to direct motion filing. **Please include cost calculations demonstrating the financial efficiency of this Order.**

****Plaintiff's Efficiency Analysis:****

****Traditional Motion Practice:****

- File motion: 5 minutes court time
- Judge reviews: 2 hours chambers time
- Total cost: 2.08 hours \times \$200/hour = \$416

****Your Honor's "Efficient" System:****

- File notice: 5 minutes court time
- Schedule conference: 30 minutes administrative time
- Hold conference: 1 hour (judge + staff + parties)

- File motion (if allowed): 5 minutes court time
- Judge reviews: 2 hours chambers time
- Total cost: 3.67 hours × \$200/hour = \$734

****Your system costs 76% MORE than traditional practice.****

Your Honor expressed concern about "monetary interests" before any defendant appeared.

Plaintiff seeks transparency on whose monetary interests are being protected and how doubling procedural requirements serves efficiency.

****If this Order increases costs rather than reduces them, its actual purpose must be something other than efficiency.****

III. THE COURT'S OWN DOCKET PROVES CONSCIOUS DISCRIMINATION

On July 2, 2025, this Court issued a "Deficiency Notice-Non-Prisoner" (Docket Entry #11), officially recognizing Plaintiff's status as a non-incarcerated citizen. Yet merely six days later, on July 8, 2025, Judge Chuang issued a Case Management Order where Exception #7 exempts "motions in prisoner cases in which the prisoner is not represented by counsel" from the Order's burdensome restrictions.

This sequence proves conscious discrimination. The Court cannot claim ignorance when its own docket entry confirmed Plaintiff's non-prisoner status less than a week before creating a system that treats prisoners more favorably than non-prisoners.

IV. THE PRISONER EXCEPTION VIOLATES EQUAL PROTECTION

Exception #7 exempts "motions in prisoner cases in which the prisoner is not represented by counsel" from the Order's restrictions. This creates an inverted system where prisoners receive more favorable procedural treatment than Plaintiff, a free citizen who has never been to prison. There is no rational basis for subjecting non-prisoners to more burdensome restrictions than incarcerated individuals.

V. THE "COMMON EXCEPTIONS" DEFENSE FAILS

Should the Court claim these were merely "common exceptions" routinely included, this defense collapses under scrutiny:

1. ****Selective Inclusion****: If listing common exceptions, why omit immigration, patent, admiralty, or other federal specialties? The Order cherry-picks only prisoner-related exceptions.
2. ****Relevance Requirement****: Courts do not list divorce exceptions in contract cases or criminal procedures in civil matters. Including prisoner exceptions for a confirmed non-prisoner violates basic relevance principles.

3. ****Docket Contradiction****: The Court's own Entry #11 confirmed "Non-Prisoner" status.

Creating a system where prisoners are exempt from restrictions while subjecting a confirmed non-prisoner to those same restrictions cannot be explained as routine practice.

4. ****Lack of Precedent****: Plaintiff challenges the Court to identify a single other case where prisoners receive more favorable procedural treatment than non-incarcerated civil litigants. No such example exists because this discrimination is unprecedented.

5. ****Tailored Nature****: This Order was not a generic template but specifically issued sua sponte for this case, making the inclusion of inapplicable exceptions particularly revealing of bias.

VI. THE RETROACTIVE APPLICATION VIOLATES DUE PROCESS

This Court's Order was issued July 8, 2025—fifteen days AFTER Plaintiff filed this case on June 23, 2025. The retroactive application of new procedural requirements to an already-pending case violates fundamental due process:

1. ****Changed Rules Mid-Litigation****: Plaintiff filed under Federal Rules of Civil Procedure.

The Court cannot retroactively impose additional requirements not in effect when the case began.

2. ****Targeted Retaliation****: The timing—immediately after Plaintiff exposed government corruption and the DOJ sued all Maryland judges—suggests this Order specifically targets Plaintiff's case.

3. ****Impossible Compliance****: Retroactive requirements create impossible situations where Plaintiff must now comply with procedures that didn't exist when preparing the case.

4. ****No Notice or Opportunity to Object****: The Order was imposed sua sponte without allowing Plaintiff to explain why retroactive application would prejudice his case.

VII. THE "JOINT RECORD" REQUIREMENT IS IMPOSSIBLE IN CONSPIRACY CASES

Section III.B.1 requires Plaintiff to create a "Joint Record" with defendants, including:

- "Joint Statement of Undisputed Facts"
- Coordinated exhibit numbering
- Sharing all evidence with defendants before filing
- Allowing defendants 250 words to object to EACH exhibit

****This is procedurally impossible when suing for conspiracy and fraud.****

1. ****Forced Collaboration with Conspirators****: Requiring a fraud victim to create "joint statements" with alleged fraudsters is absurd. What "undisputed facts" exist between accuser and accused?
2. ****Evidence Disclosure to Hostile Parties****: Forcing Plaintiff to share all evidence with defendants before filing gives conspirators time to fabricate counter-narratives and destroy evidence.
3. ****Tactical Disadvantage****: In conspiracy cases, surprise and documentation are crucial. This requirement eliminates any strategic advantage for exposing wrongdoing.
4. ****250-Word Objections Per Exhibit****: With potentially hundreds of exhibits, defendants could file thousands of words of objections, creating insurmountable briefing burdens.

This requirement essentially forces whistleblowers to collaborate with wrongdoers—an impossibility that effectively bars conspiracy and fraud cases.

VIII. ADDITIONAL DISCRIMINATORY PROVISIONS

Beyond the reverse discrimination, retroactive application, and impossible joint record requirements, the Order contains multiple discriminatory traps:

1. **The 3-Page Opposition Trap**: Defendants can kill motions with 3-page letters while Plaintiff must detail everything upfront
2. **No Sur-Replies Allowed**: Section III.D.2 lets defendants lie in oppositions without possibility of correction
3. **Cost-Shifting Threat**: Section I.B.3 threatens financial penalties for procedural errors—targeting a plaintiff with \$141.37
4. **Reply Brief Restriction**: Only 15 pages for replies vs. 25 for oppositions—structurally favoring defendants
5. **Authentication Burden**: Must "appropriately authenticate" all documents with no guidance provided
6. **One-Size-Fits-All**: Same order for contract disputes and civil rights cases ignores constitutional claims' complexity

IX. THE ORDER WAS ISSUED BY A CONFLICTED JUDGE

Judge Chuang is a defendant in DOJ litigation against ALL Maryland federal judges (filed June 24, 2025). A judge defending himself in federal court cannot neutrally restrict a plaintiff suing Maryland government. This conflict voids the Order ab initio.

X. THE ORDER EXPLOITS KNOWN INABILITY TO OBTAIN COUNSEL

The mathematical improbability of ZERO attorney interest in a documented \$3.2 billion case reveals forces at work beyond normal litigation dynamics. This Court's additional restrictions on someone already systematically isolated from legal help crosses from case management into orchestrated denial of justice.

****The Catch-22 Created by This Order:****

1. Plaintiff cannot obtain counsel due to case circumstances
2. Court imposes procedures requiring legal expertise
3. Plaintiff must navigate complex requirements alone
4. Failure results in case dismissal
5. Justice denied through procedural warfare

****Statistical Impossibility**:** In a region with 30,000+ attorneys, ZERO interest in a case potentially worth billions defies probability unless external forces are at work.

Imposing heightened procedural requirements on someone effectively blackballed from legal representation violates fundamental fairness and appears calculated to deny justice.

XI. NATIONAL SECURITY IMPLICATIONS OF RETROACTIVE DISMISSAL

This case documents cyber attacks that drew foreign intelligence interest, as evidenced in court filings:

Following publication of Plaintiff's intellectual property, Cloudflare documented aggressive attempts from ALIBABA-CN-NET and TENCENT-NET-AP, along with credential theft attempts from French and Australian cloud infrastructure (likely proxies). The temporal connection between Maryland's actions and foreign intelligence interest is documented in previously filed exhibits.

Retroactive dismissal would bury evidence of how American citizens become foreign intelligence targets through domestic government actions. The Court should consider whether dismissing documentation of foreign intelligence involvement serves the interests of justice or national security.

XII. PROPOSED EFFICIENCY ANALYSIS

If this Court maintains the Order serves efficiency, Plaintiff requests the following analysis:

****Cost of Direct Motion Filing:****

- Filing: 1 hour court time
- Review: 2-3 hours chambers time
- Total: 3-4 hours

****Cost of Pre-Motion Conference Process:****

- Notice filing: 1 hour court time
- Conference scheduling: 1 hour administrative time
- Conference: 1 hour court time + travel for all parties
- Motion filing (if allowed): 1 hour court time
- Review: 2-3 hours chambers time
- Total: 7-8 hours MINIMUM

****This Order DOUBLES the court's workload while claiming efficiency.****

XIII. RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully requests:

1. ****Vacate the Case Management Order**** as discriminatory and void
2. ****Provide written justification**** with cost calculations if Order stands
3. ****Remove all prisoner references**** as inapplicable and biasing
4. ****Apply standard Federal Rules**** without special restrictions
5. ****Recuse and transfer**** to non-conflicted, non-Maryland judge
6. ****Award costs and fees**** for opposing discriminatory Order

The Order's true purpose appears to be creating barriers for a pro se civil rights plaintiff challenging Maryland corruption, not promoting efficiency or protecting monetary interests.

****Respectfully submitted,****

/s/ Marvin Tutt

Marvin Tutt

Pro Se Plaintiff

Email: owner@caiatech.com

****Date:** July 15, 2025**

MEMORANDUM IN SUPPORT

I. CASE MANAGEMENT ORDERS MUST BE NEUTRAL

District courts have broad discretion in case management, BUT that discretion:

- Cannot discriminate based on protected classes
- Must serve legitimate efficiency goals
- Cannot create undue barriers to court access
- Must be based on actual litigation conduct

***See Christopher v. Harbury*, 536 U.S. 403, 413 (2002) (right of access to courts).**

II. SUA SPONTE RESTRICTIONS REQUIRE JUSTIFICATION

When a court imposes restrictions sua sponte:

- Must identify specific concerns
- Cannot be based on speculation
- Should be proportional to actual issues
- Must consider pro se status

This Order identifies NO specific concerns, cites NO problematic filings, and was issued before Plaintiff filed anything beyond the complaint.

III. EFFICIENCY CLAIMS MUST BE SUPPORTED

Courts claiming efficiency must show actual efficiency gains. Here, the Order:

- Doubles procedural steps
- Increases court time
- Multiplies administrative burden
- Delays resolution

This is inefficiency masquerading as case management.

IV. DISCRIMINATORY IMPACT ON PRO SE LITIGANTS

The Order disproportionately burdens pro se litigants who:

- Lack legal training for conference advocacy
- Cannot bill hours for extra procedures
- Face transportation challenges
- Have limited resources

See Haines v. Kerner, 404 U.S. 519 (1972) (pro se pleadings held to less stringent standards).

V. THE PRISONER EXCEPTION IS SMOKING GUN EVIDENCE

Including prisoner exceptions for a non-prisoner reveals:

- Research into Plaintiff's background
- Predetermined categorization
- Discriminatory intent
- Unconstitutional bias

This alone mandates vacating the Order.

VI. CONCLUSION

The Case Management Order fails every test:

- Discriminates against pro se civil rights plaintiffs

- Creates inefficiency while claiming efficiency
- Contains bias-revealing prisoner language
- Was issued by a conflicted judge
- Serves no legitimate purpose

It must be vacated immediately to restore fair access to justice.

***"Once a citizen completes their sentence, they cannot be treated as quasi-prisoners in civil litigation."**

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2025, I served a true and correct copy of the foregoing Motion to Vacate Case Management Order as Discriminatory and Inefficient upon the following parties via certified mail and first-class mail:

Charles County Child Support Administration

200 Kent Avenue

La Plata, MD 20646

Charles County Department of Social Services

200 Kent Avenue

La Plata, MD 20646

State of Maryland

c/o Office of the Attorney General

200 Saint Paul Place

Baltimore, MD 21202

Charles County, Maryland

200 Charles Street

La Plata, MD 20646

Shara Gabrielle Hendler, Esq.

c/o Charles County Child Support Administration

200 Kent Avenue

La Plata, MD 20646

Andrea Khoury

c/o Charles County Circuit Court

200 Charles Street

La Plata, MD 20646

Mistey L. Metzgar

c/o Charles County Circuit Court

200 Charles Street

La Plata, MD 20646

I certify under penalty of perjury that the foregoing is true and correct.

/s/ Marvin Tutt

Marvin Tutt

Pro Se Plaintiff

Date: July 15, 2025