

## **Question**

If a litigant is filing suit in federal court and has active mandamus petitions containing evidence for claims in the Oklahoma Western District, can those petitions be referenced as evidence if unrefuted and involve the same parties? For example, can the litigant cite a link to a Supreme Court website filing?

## **Answer (U.S. Federal)**

### **Short response**

Mandamus petitions filed in the Oklahoma Western District can generally be referenced as evidence in federal court if they are relevant to the claims, involve the same parties, and are properly authenticated. While citing a link to a Supreme Court website filing may be permitted, proper authentication of the evidence is still required under the Federal Rules of Evidence.

### **Summary**

Based on the Federal Rules of Evidence, particularly Rules 402 and 901, a litigant filing suit in federal court can reference active mandamus petitions from the Oklahoma Western District as evidence if those petitions contain information relevant to the claims in the current suit, involve the same parties, and are properly authenticated. Rule 402 establishes that all relevant evidence is generally admissible unless excluded by the Constitution, federal statutes, the Federal Rules of Evidence, or other Supreme Court rules. The mandamus petitions would likely be considered relevant if they contain evidence supporting claims in the current litigation and involve the same parties.

Authentication requirements under Rule 901 must also be satisfied, which could be accomplished by showing that the mandamus petitions were filed in a public office as authorized by law. Regarding citing a link to a Supreme Court website filing, this may be permissible as a form of referencing a public record, but the litigant would still need to authenticate the document by demonstrating it is from the official repository where such documents are kept. The court would ultimately determine whether these requirements are met based on the specific circumstances of the case and the nature of the evidence contained in the petitions.

## **Background and Relevant Law**

### **Federal Rules of Evidence on Admissibility**

The admissibility of evidence in federal court proceedings is primarily governed by the Federal Rules of Evidence. These rules establish the

framework for determining what evidence may be presented and considered in federal litigation. For the question at hand—whether mandamus petitions filed in the Oklahoma Western District can be referenced as evidence in a federal court case—Rules 402 and 901 are particularly relevant.

## **General Admissibility of Relevant Evidence**

[28 U.S.C. r. 402](#) establishes the fundamental principle of evidence admissibility in federal courts: "Relevant evidence is admissible unless any of the following provides otherwise: \* the United States Constitution; \* a federal statute; \* these rules; or \* other rules prescribed by the Supreme Court. Irrelevant evidence is not admissible." This rule creates a presumption of admissibility for all relevant evidence, subject only to specific exclusions found in the enumerated sources of law.

The threshold question in determining whether mandamus petitions can be referenced as evidence is whether they are relevant to the claims in the current lawsuit. Evidence is considered relevant if it has any tendency to make a fact more or less probable than it would be without the evidence, and the fact is of consequence in determining the action. If the mandamus petitions contain information that bears on the issues in the current litigation, they would likely meet this relevance threshold, especially if they involve the same parties and similar or related claims.

The fact that Rule 402 was amended in 2011 as part of the restyling of the Evidence Rules "to make them more easily understood" with "no intent to change any result in any ruling on evidence admissibility" indicates that the fundamental principle of admitting relevant evidence remains unchanged. Therefore, the basic framework for analyzing whether mandamus petitions can be referenced as evidence has remained consistent.

## **Authentication Requirements**

Even if evidence is relevant, it must also be properly authenticated before it can be admitted. [28 U.S.C. r. 901](#) addresses this requirement: "To satisfy the requirement of authenticating or identifying an item of evidence, the proponent must produce evidence sufficient to support a finding that the item is what the proponent claims it is." This rule ensures that evidence presented to the court is genuine and is what it purports to be.

Rule 901 specifically addresses public records: "Evidence that: (A) a document was recorded or filed in a public office as authorized by law; or (B) a purported public record or statement is from the office where items of this kind are kept." This provision is particularly relevant to mandamus petitions, which are official court filings and thus fall within the category of public records.

The authentication requirement for mandamus petitions would likely be satisfied by demonstrating that they were indeed filed in the appropriate court (the Oklahoma Western District) and are part of the official court record. This could be accomplished through various means, such as a

certified copy of the petition from the court clerk or, potentially, by referencing the official court docket.

## **Analysis**

### **Admissibility of Mandamus Petitions as Evidence**

When analyzing whether mandamus petitions can be referenced as evidence in a federal court case, we must consider both their relevance and authenticity.

#### **Relevance Analysis**

Under [28 U.S.C. r. 402](#), the mandamus petitions would be admissible if they are relevant and not excluded by any constitutional provision, federal statute, the Federal Rules of Evidence, or other Supreme Court rules. For mandamus petitions that contain evidence related to claims in the current litigation and involve the same parties, there is a strong argument for relevance.

The fact that the petitions are "active" and "unrefuted" as mentioned in the question is significant. "Unrefuted" suggests that the evidence or assertions in the petitions have not been challenged or contradicted, which could strengthen their probative value. The involvement of the same parties also enhances their relevance, as it establishes a direct connection between the evidence in the petitions and the parties in the current litigation.

However, relevance alone does not guarantee admissibility. The petitions must not be excluded by any other rules or principles. For example, if the petitions contain hearsay, privileged information, or other inadmissible content, those portions might be excluded despite their relevance. Additionally, a court might exclude even relevant evidence if its probative value is substantially outweighed by a danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence under Rule 403 (though this rule was not specifically provided in the materials).

#### **Authentication Analysis**

Under [28 U.S.C. r. 901](#), the mandamus petitions would need to be authenticated before they could be admitted as evidence. As public records filed in a federal court, they would likely fall under Rule 901's provision for authenticating public records.

The rule provides that authentication can be satisfied by "[e]vidence that: (A) a document was recorded or filed in a public office as authorized by law; or (B) a purported public record or statement is from the office where items of this kind are kept." Mandamus petitions filed in the Oklahoma Western District Court are clearly documents "filed in a public office as authorized by law," and thus could be authenticated under this provision.

Authentication could be accomplished through various means, such as:

1. Obtaining a certified copy of the petition from the court clerk
2. Having a witness with knowledge testify that the document is what it is claimed to be
3. Presenting evidence of the petition's appearance, contents, substance, internal patterns, or other distinctive characteristics, taken in conjunction with circumstances
4. Referring to the official court docket or records system

## Citing a Link to a Supreme Court Website Filing

The question also asks whether a litigant can "cite a link to a Supreme Court website filing." This presents a slightly different issue than referencing the mandamus petitions themselves.

### Authentication of Electronic Records

When citing a link to an official court website (such as the Supreme Court's website), authentication becomes a key consideration. Under [28 U.S.C. r. 901](#), the litigant would need to produce evidence sufficient to support a finding that the electronic document is what the litigant claims it is.

Rule 901 specifically addresses public records, stating that authentication can be satisfied by evidence that "a purported public record or statement is from the office where items of this kind are kept." A document accessible through an official Supreme Court website link would likely qualify as a public record from the office where such records are kept.

However, simply providing a URL link might not be sufficient for authentication purposes. The court may require additional evidence to establish that the link indeed leads to an official Supreme Court website and that the document accessed through that link is an authentic court record. This could potentially be addressed through judicial notice of the official nature of the Supreme Court's website, or by providing additional verification of the document's authenticity.

It's also worth noting that courts may have specific local rules or practices regarding the citation of electronic sources that would need to be considered.

### Practical Considerations

From a practical standpoint, citing a link to a Supreme Court website filing raises several considerations:

1. **Permanence:** Web links can change or become inaccessible over time, potentially creating issues with the court's ability to access the referenced material.
2. **Format:** Courts typically prefer citations to official reporters or specific docket entries rather than URLs, following established citation formats.

3. **Accessibility:** Not all participants in the litigation may have equal access to electronic resources, potentially creating fairness concerns.
4. **Official Record:** Courts generally rely on their own official record-keeping systems rather than external websites, even those of other courts.

Given these considerations, a more prudent approach might be to:

- Cite the mandamus petition using standard legal citation format
- Include the URL as a supplementary reference if relevant
- Provide a printed copy of the document as an exhibit if necessary
- Ensure proper authentication through official channels

## **Unrefuted Evidence and Same Parties**

The question specifically mentions that the mandamus petitions are "unrefuted" and involve the "same parties." These factors merit additional consideration.

### **Unrefuted Evidence**

The fact that evidence in the mandamus petitions is "unrefuted" does not automatically make it admissible or conclusive in a separate federal court case. While it may enhance the persuasive value of the evidence, each court proceeding is generally independent, and evidence must satisfy the admissibility requirements in each case separately.

However, in some circumstances, unrefuted evidence from a prior proceeding involving the same parties might have preclusive effect under doctrines such as collateral estoppel or issue preclusion. These doctrines prevent re-litigation of issues that have already been decided in a prior proceeding, provided certain conditions are met. While the provided materials do not directly address these doctrines, they are relevant considerations when evaluating the use of evidence from prior proceedings.

### **Same Parties**

The involvement of the same parties in both the mandamus proceedings and the current litigation is significant for several reasons:

1. It strengthens the relevance connection between the mandamus petitions and the current case.
2. It may implicate preclusive doctrines that could give the findings in the mandamus proceedings binding effect in the current case.
3. It may impact the authentication process, as parties who were involved in the prior proceedings may be less likely to challenge the authenticity of documents from those proceedings.

4. It could affect judicial efficiency considerations, as courts generally favor avoiding duplicative litigation between the same parties.

## Exceptions and Caveats

While the Federal Rules of Evidence generally allow for the admission of relevant and authenticated evidence, there are several exceptions and caveats that could affect the admissibility of mandamus petitions in a federal court case:

### Potential Exclusions Under Other Rules

Although Rule 402 creates a presumption of admissibility for relevant evidence, it explicitly acknowledges that evidence may be excluded by other sources of law. The materials provided do not include other potentially applicable rules of evidence that might exclude otherwise relevant evidence, such as:

- Hearsay rules (Rules 801-807)
- Character evidence restrictions (Rules 404-405)
- Subsequent remedial measures (Rule 407)
- Compromise offers and negotiations (Rule 408)
- Privileged information (Rules 501-502)

If the mandamus petitions contain information that would be excluded under these or other rules, those portions might not be admissible despite their relevance and proper authentication.

### Judicial Discretion

Courts have considerable discretion in evidentiary matters, and a judge might exclude evidence that would otherwise be admissible based on case-specific considerations. For example, if referencing the mandamus petitions would cause undue delay, waste time, or confuse the issues, a court might limit or exclude such evidence.

### Procedural Context

The procedural posture of the case could also affect whether mandamus petitions can be referenced as evidence. For example:

- At the pleading stage, courts are generally limited to considering the complaint and documents incorporated by reference.
- In a motion for summary judgment, courts consider evidence that would be admissible at trial.
- During trial, the formal rules of evidence apply most strictly.

The ability to reference mandamus petitions may vary depending on which stage of litigation the case is in.

## **Specific Limitations on Electronic Citations**

The Federal Rules of Evidence do not explicitly address the citation of links to court websites or electronic resources. Courts may have varying approaches to accepting such citations, and local rules or standing orders might provide specific guidance that would need to be considered.

## **Conclusion**

Based on the Federal Rules of Evidence provided, mandamus petitions filed in the Oklahoma Western District can generally be referenced as evidence in a federal court case if they are relevant to the claims in the current suit, involve the same parties, and are properly authenticated.

Under [28 U.S.C. r. 402](#), relevant evidence is presumptively admissible unless excluded by the Constitution, federal statutes, the Federal Rules of Evidence, or other Supreme Court rules. Mandamus petitions containing evidence related to claims in the current litigation and involving the same parties would likely satisfy the relevance requirement, especially if they are "unrefuted" as mentioned in the question.

However, relevance alone is not sufficient. The petitions must also be properly authenticated under [28 U.S.C. r. 901](#), which requires producing "evidence sufficient to support a finding that the item is what the proponent claims it is." For public records like mandamus petitions, authentication can be satisfied by evidence that the document was filed in a public office as authorized by law or comes from the office where such records are kept.

As for citing a link to a Supreme Court website filing, while Rule 901 does provide for the authentication of public records, simply providing a URL link might not be sufficient without additional authentication. The litigant would need to establish that the document accessed through the link is an authentic court record. This might require additional verification beyond merely citing the link.

Several practical considerations should also be kept in mind:

1. Electronic citations raise issues of permanence, format, and accessibility.
2. Courts generally prefer traditional citation methods for legal authorities.
3. Local rules or standing orders may provide specific guidance on electronic citations.
4. The procedural context of the case may affect what evidence can be considered.

In conclusion, while mandamus petitions can generally be referenced as evidence if they meet the requirements of relevance and authentication, the specific manner of reference—particularly citing a link to a court website—may require additional steps to ensure compliance with evidentiary standards. Litigants should consider traditional methods of referencing

court documents alongside any electronic citations to maximize the likelihood of the evidence being properly considered by the court.

## Legal Authorities

### [28 U.S.C. r. 402 28 U.S.C. r. 402 General Admissibility of Relevant Evidence](#)

#### **Extract**

Relevant evidence is admissible unless any of the following provides otherwise: \* the United States Constitution; \* a federal statute; \* these rules; or \* other rules prescribed by the Supreme Court. Irrelevant evidence is not admissible.

#### **Summary**

The passage from 28 U.S.C. r. 402 establishes that relevant evidence is generally admissible in federal court unless excluded by the Constitution, federal statutes, the Federal Rules of Evidence, or other rules prescribed by the Supreme Court. This suggests that if the mandamus petitions are relevant to the claims and involve the same parties, they could potentially be referenced as evidence, provided they are not excluded by any of the aforementioned rules or statutes. The passage does not specifically address the admissibility of citing a link to a Supreme Court website filing, but it implies that the relevance and compliance with other rules are key factors in determining admissibility.

### [28 U.S.C. r. 901 28 U.S.C. r. 901 Authenticating Or Identifying Evidence](#)

#### **Extract**

To satisfy the requirement of authenticating or identifying an item of evidence, the proponent must produce evidence sufficient to support a finding that the item is what the proponent claims it is... Evidence About Public Records. Evidence that: (A) a document was recorded or filed in a public office as authorized by law; or (B) a purported public record or statement is from the office where items of this kind are kept.

#### **Summary**

For evidence to be admissible in federal court, it must be authenticated or identified as what it is claimed to be. The passage provides examples of how evidence can be authenticated, including evidence about public records. If a mandamus petition is filed in a public office as authorized by law, it could potentially be referenced as evidence if it meets the authentication requirements. The passage suggests that documents recorded or filed in a public office can be authenticated as public records, which may apply to mandamus petitions if they are part of the public record.

This memo was compiled by Vincent AI based on vLex materials available as of June 14, 2025. [View full answer on vLex](#)