

No. 25-1162

IN THE
IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

Ryan Dillon-Capps

Plaintiff-Appellant,

v.

Ohana Growth Partners, LLC et al.,

Defendants-Appellees.

On Appeal from
the U.S. District Court
for the District of Maryland
No. 1:24-CV-3744

Ryan Dillon-Capps Affidavit of PACER account disabled

Ryan Dillon-Capps
1334 Maple Avenue
Essex Maryland 21221
ryan@mxt3.com
703-303-1113

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Introduction

I, Ryan Dillon-Capps (née Wagner), the Plaintiff-Appellant-Petitioner, being over the age of eighteen (18), competent to testify, and having personal knowledge of the facts contained herein, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

As shown in Exhibit 401B, at 1, the screenshot taken on Tuesday, June 10, 2025, at 10:47 a.m. shows what I discovered when I logged into my PACER account through the Fourth Circuit Court of Appeals website. The pop-up stated that my PACER account had been disabled due to non-payment. After providing the PACER Service Center phone number—(800) 676-6856—along with the Service Center’s hours and email address, it stated: “You may continue to log in and perform other activities (e.g., e-file, request filing privileges), but you will not have PACER search privileges.” However, this was untrue. Upon successful login, I was immediately returned to the login screen. I was unable to bypass the loop to access filing capabilities.

As shown in Exhibit 401B, at 2, the screenshot taken on Tuesday, June 10, 2025, at 11:07 p.m. shows the call log to (800) 676-6856—the PACER Service Center. During the call on Tuesday June 10, 2025, at 10:54 a.m., lasting 32 minutes and 20 seconds, I informed the PACER Service Center

that I was a litigant granted an exemption by the Fourth Circuit Court, and that I was unable to e-file or access my account. I was informed that there was nothing they could do about the access issue, and that the exemption would not prevent my account from being disabled for non-payment. The PACER Service Center provided me with a six-day extension, and on Monday June 16, 2025, my ability to litigate in any federal court through PACER will be blocked when my account is disabled again due to non-payment.

Exhibit 401B—PACER account disabled

p.1 PACER account disabled for non-payment pop-up;

p.2 Call log dated June 10, 2025, documenting communications with the PACER Service Center.

Declaration of Affirmation

I solemnly declare and affirm under penalty of perjury, based on my personal knowledge, that the contents of the foregoing affidavit and all accompanying exhibits are true and correct to the best of my knowledge.

June 11, 2025

/s/ Ryan Dillon-Capps

Ryan Dillon-Capps

1334 Maple Avenue
Essex, Maryland
21221

ryan@mxt3.com
703-303-1113