

## Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

## SUPREME COURT OF THE UNITED STATES

## Syllabus

## IN RE GOBIES

MANDAMUS TO THE UNITED STATES COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

No. 09–50. Argued July 22, 2020—Decided August 9, 2020

After the now-defunct Court of Appeals issued an “administrative order” directing the District Court to revoke the administrative privileges of its Clerk, the Clerk of the District Court filed this petition for mandamus asking that the administrative order be overturned. We granted a stay and set the petition for briefing and argument.

*Held:* The administrative order was inconsistent with both the terms of the Judicial Restructuring Act and the Constitution. Pp. 1–2.

(a) Though this case is now technically moot, it may proceed to the point of judgment due to the potential for repetition in a hypothetical future situation. Pp. 1–2.

(b) The order violated the JRA because Congress does not use *obiter dictum*. Its text must be treated as controlling. The text did not authorize the Court of Appeals to issue administrative orders implementing its own preferred policies. It authorized the Court of Appeals to review the administrative actions of the District Court and ensure they fit within the reasonable realm of acceptability. P. 2.

(c) The order was unconstitutional because the *Benda* principle bars the application of legislation affecting the Judiciary in an unjust or irrational way. If the JRA had granted the complete administrative control over the District Court the Court of Appeals claimed, it would have been unjust and irrational. Only this Court and the District Court have an appropriate place in that sphere. P. 2.

PITNEY, J., delivered the opinion for a unanimous Court.

Opinion of the Court

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## SUPREME COURT OF THE UNITED STATES

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No. 09–50

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IN RE MAMAGOBIES, PETITIONER

ON PETITION FOR WRIT OF MANDAMUS TO THE UNITED  
STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

[August 9, 2020]

JUSTICE PITNEY delivered the opinion of the Court.

On the 10th of July 2020, the now-defunct Court of Appeals issued an administrative order against Clerk of the District Court MamaGobies removing their administrative privileges from the District Court server. Petitioner, not satisfied with the “inadequate,” Pet. for Cert. 4, ruling from the Court of Appeals filed for a writ of mandamus and an emergency stay. Petitioner argued that “administrative oversight is not administrative power.” Brief for Petitioner 2. Petitioner also stated that the ruling was unconstitutional per *Benda v. United States*, 6 U.S. 24 (2018). We agree on both arguments.

First, we must recognize that the Judicial Restructuring Act (JRA) has been amended and the controversial sections repealed. Therefore, the withstanding stays on the Court of Appeals are held and their respective orders overturned. While petitioner now fails to hold standing per *Lujan v. Defenders of Wildlife*, 504 U. S. 555 (1992), we have chosen to continue to answer the questions presented to avoid future controversies arising of a similar nature. The Court of Appeals cited “administrative oversight,” JRA §2(c) when

## Opinion of the Court

removing petitioner's administrative power from the District Court server. It is the general understanding that Congress does not use *obiter dictum*. Words used in the legislature have intended meaning. What is omitted does not imply open to interpretation. Omittance is as powerful a tool as the written word. When Congress chose not to give the Circuit Court unlimited control over the running of the District Court, it did so intentionally. Congress did not intend for the Circuit Court to enact its personal, or political, ideologies onto the District. Oversight authority is the limited authority to ensure actions taken by those under such authority are not beyond a reasonable scope of acceptability.

We have discussed before that "Congress may neither intentionally require the Judiciary to be complicit in perpetrating an injustice of procedure, nor may it do so through carelessness or by giving insufficient thought to the consequences of its decision." *Benda, supra*, at 38. The assumption that Congress gave the Court of Appeals complete administrative control over the District Court and its locations is a clear injustice of the District Court's ability to self-regulate its procedures. We find the assumption unlawful. The Constitution can also guide us in our exploration of this topic: "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." U. S. Const., Art. III, §1. The judicial power includes the power to self-regulate procedures, see Rules of the Supreme Court, *sua sponte* motions. While Congress has the authority to veto rules before they enter procedures such as the Federal Rules of Civil Procedure, this administrative oversight is guaranteed by the checks and balances of the United States Constitution.

For the reasons above, we find the ruling of the defunct Court of Appeals unlawful and overturn the same.

*It is so ordered.*