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**IN THE STATE OF SOUTH CAROLINA
THE SUPREME COURT**

Jun 05 2025

S.C. SUPREME COURT

CASE NO. 2023-001318

**RUFUS RIVERS AND MERLE RIVERS, PRO SE
RESPONDENTS**

VS.

**JAMES SMITH, JR.
PETITIONER**

RESPONDENTS' MOTION TO STAY ISSUANCE OF THE REMITTITUR

COMES NOW Respondents, Rufus Rivers and Merle Rivers, respectfully requesting that this court stay the issuance of remittitur pending further federal judicial review of Respondents' constitutional claims. Respondents contend that immediate issuance remittitur would interfere with ongoing adjudication and risk irreparable harm, warranting judicial intervention.

I. PROCEDURAL BACKGROUND

1. Respondents filed a petition for writ of certiorari with the U.S. Supreme Court, which was denied on 06/02/2025.
2. Despite this denial, Respondents maintain that critical federal claims remain pending, necessitating continued judicial oversight.
3. Respondents Claims under 42 U.S. 1983 and potentially 1985 raises unresolved jurisdictional issues and due process concerns. Warranting federal adjudication before the remittitur is issued.

II. LEGAL BASIS FOR STAYING ISSUANCE OF REMITTITUR

A. Ongoing Federal Claims require judicial intervention

- Courts retain authority to stay state actions that interfere with active federal litigation (*Younger v. Harris*, 401 U.S. 37, 44(1971)).
- Premature remittitur may improperly affect jurisdictional review, requiring judicial discretion (*Clinton v. Jones*, 520 U.S. 681, 706(1997)).

B. Risk Of Irreparable Harm If Remittitur Is Issued

- Issuance before federal review concludes could moot constitutional claims, depriving Respondents of legal remedies (Matthews v. Eldridge, 424, U.S. 319, 332(1976)).
- Judicial integrity demands careful consideration of federal claims before procedural steps affecting enforcement are finalized.

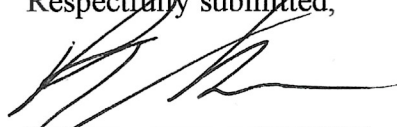
III. REQUEST FOR RELIEF

Wherefore, Respondents respectfully request that this court:

1. Stay the issuance of remittitur pending the outcome of feral proceedings addressing Respondents' constitutional claims
2. Grant any additional relief the court deems necessary to protect Respondents' rights and procedural integrity.

June 5, 2025

Respectfully submitted,



Rufus Rivers, pro se



Merle Rivers, pro se