

October 12, 2026

The Honorable Donald J. Trump

President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

**RE: EMERGENCY REQUEST FOR EXECUTIVE ACTION - SCOTUS No. 26-179,
CONSTITUTIONAL NON-ADJUDICATION, POTENTIAL RICO IMPLICATIONS, AND
SYSTEMIC FINANCIAL RISK**

Dear Mr. President:

Further to my October 6, 2026 letter, I am writing because subsequent historical analysis has materially sharpened the issue now before us.

The matter is no longer simply whether one property owner, one appraisal district, or one Texas case received the wrong result.

The historical record establishes an extraordinary anomaly.

For nearly a century, when state procedural or jurisdictional mechanisms threatened to prevent adjudication of federal rights, the Supreme Court of the United States intervened. In *McKnett v. St. Louis & San Francisco Railway*, *Felder v. Casey*, *Howlett v. Rose*, *Haywood v. Drown*, and most recently *Williams v. Reed*, the Supreme Court rejected state mechanisms that prevented or materially obstructed federal rights from receiving an effective judicial remedy.

Here, four Texas courts left the asserted federal constitutional claims without a merits determination, and the Supreme Court of the United States denied review in No. 26-179 without addressing those claims.

The result is an asserted no-remedy architecture that remains intact and is replicable nationwide.

Where the constitutional consequence is repeatedly identified in the pleadings; where the same consequence persisted through successive tribunals; where the resulting structure conflicts with the principles reflected in *McKnett*, *Felder*, *Howlett*, *Haywood*, and *Williams*; and where the Supreme Court itself previously warned in *Haywood* against creating a jurisdictional 'roadmap' by which States could circumvent federal law, the possibility of coordinated or knowingly maintained constitutional nullification can no longer responsibly be dismissed without immediate investigation.

If evidence establishes coordination, common purpose, or knowing preservation of a structure designed to prevent adjudication of federal constitutional rights, then this matter transcends ordinary judicial error.

It becomes an institutional constitutional crisis of the highest order.

No. 26-179 is the vehicle that exposed a potentially replicable constitutional failure. The immediate concern is no longer confined to the litigants or even to Texas. The concern is whether the procedural architecture left standing in Texas can now be used elsewhere to place federal constitutional claims beyond meaningful adjudication.

The **National Constitutional Emergency** is not simply that one case was denied. The emergency is that a potentially replicable method of constitutional non-adjudication has been exposed. If that method can be copied, the question is no longer what happened to these Plaintiffs. The question is whether federal constitutional rights can be made practically unenforceable State by State.

This letter is not the beginning of the warning. It is the point at which the constitutional, evidentiary, criminal-investigative, and financial-stability warnings converge.

TWO CLOCKS ARE NOW RUNNING

Mr. President, there are two independent but interconnected clocks.

1. THE CONSTITUTIONAL CLOCK

A Petition for Rehearing has been prepared in Supreme Court No. 26-179.

Supreme Court Rule 44.2 permits only 25 days after denial of certiorari for a rehearing petition, and that period cannot be extended. The grounds are restricted to intervening circumstances of substantial or controlling effect or other substantial grounds not previously presented.

That means the remaining opportunity for Supreme Court reconsideration is finite and rapidly closing.

There is also an important procedural limitation: the Court's rules prohibit the filing of an ordinary amicus brief supporting or opposing a rehearing petition.

Accordingly, I am not asking you to order the Supreme Court to hear this case. I don't believe the President possesses that power.

I am asking you to direct the Executive Branch to determine immediately what lawful action remains available while the Rule 44.2 window remains open.

The Office of the Solicitor General exists specifically to supervise and conduct litigation for the United States in the Supreme Court. Solicitor General John Sauer, the Attorney General, and the appropriate Executive Branch officials can immediately examine this record and determine whether an emergency federal response is warranted.

2. THE FINANCIAL-STABILITY CLOCK

The second clock may be even less forgiving.

The appraisal evidence does not stop with individual property taxes.

The asserted transmission chain is:

Property overvaluation -> Over-taxation -> Inflated taxable-value assumptions -> School-district and municipal borrowing supported by those assumptions -> Bond issuance and debt service dependent upon continued tax-base credibility -> Repricing of municipal credit -> Liquidity and collateral stress -> Broader fixed-income contagion.

We have modeled this through what we call the Bond Credibility Chain and Dynamic Contagion.

That model produces scenarios in which school-district and municipal bonds reprice first and distress then propagates rapidly through interconnected fixed-income markets.

I am not asking you to accept that model on faith.

I am asking your Administration to test it immediately.

If the model is wrong, prove it wrong.

If it is right, delay is itself a risk multiplier.

The Financial Stability Oversight Council was created to identify risks to U.S. financial stability, promote market discipline, and respond to emerging threats to the financial system. It is chaired by the Secretary of the Treasury and brings together the major federal financial regulators.

That is why this cannot be placed into an ordinary investigative queue for eight, twelve, or sixteen months.

Markets will not wait for an administrative timetable.

THE SECRETARY OF THE TREASURY HAS ALREADY BEEN PUT ON NOTICE

This financial stability warning did not originate with this letter.

On September 24, 2026, an Advanced Evidence Verification Report - Property-Valuation Data, Tax-Roll Integrity, and Municipal-Credit Transmission Risk - was prepared for the Honorable Scott Bessent, Secretary of the Treasury.

The report did not ask Secretary Bessent or Treasury to accept my allegations as proven. It asked Treasury to independently reconcile the documentary evidence, data lineage, certified tax-base information, appraisal records, and municipal-credit transmission pathway against authoritative government and market sources.

On September 25, 2026, a Formal Notice of Criminal Allegation - Demand for Certified Bond Genealogy, Evidence Preservation, and Financial-Stability Verification - was directed to Secretary Bessent as a companion to the Advanced Evidence Verification Report and the Treasury Data Verification Package.

That notice likewise did not ask Treasury to presume criminal guilt. It placed the allegations, identified evidence, preservation concerns, bond genealogy, and verification challenge into a defined and testable framework.

Treasury therefore has already been provided a pathway to answer the financial question with certified data.

What has changed since those materials were transmitted is not the underlying evidence. What has changed is that the constitutional significance of the courts' refusal to adjudicate that evidence can now be seen against nearly a century of Supreme Court precedent.

McKnett, Felder, Howlett, Haywood, and Williams demonstrate a historical pattern in which the Supreme Court intervened when state procedural or jurisdictional mechanisms threatened to render federal rights practically unenforceable.

No. 26-179 presents the opposite outcome: the asserted no-remedy architecture remains standing and unadjudicated.

That connects the constitutional failure directly to the financial problem.

The valuation evidence remains unresolved because there was no merits adjudication. The tax-base integrity question therefore remains unresolved. The municipal-credit implications remain unresolved. The Bond Credibility Chain remains unverified by the governmental institutions possessing the authoritative data. And the potential Dynamic Contagion consequences remain outstanding while the judicial clock continues to run.

All of these downstream consequences originate from the same unresolved predicate: the evidence has never received meaningful merits adjudication.

The appraisal evidence, tax-roll evidence, bond evidence, Treasury verification package, federal criminal allegations, constitutional litigation, and systemic-risk analysis are not separate stories. They are one evidentiary chain. Each downstream consequence remains unresolved because the predicate questions were never adjudicated on the merits. The SCOTX-versus-SCOTUS comparison now exposes the

constitutional mechanism by which that unresolved condition was allowed to persist. All of those paths now converge in this letter to you, Mr. President.

The Executive Branch does not need to design the verification process from scratch. The Treasury verification protocol has already been reduced to specific custodians, specific records, specific reconciliation tests, and specific escalation criteria. What is now required is authority, speed, and coordination.

POTENTIAL RICO IMPLICATIONS MUST ALSO BE EXAMINED

There is an additional issue that should not be ignored: whether the underlying conduct presents potential RICO implications.

RICO is not being introduced for the first time in this emergency letter. The September 25 Treasury notice already identified 18 U.S.C. § 1962, including RICO conspiracy under § 1962(d), as a potential federal theory for investigative review and expressly identified the elements that still must be proved.

I am not asserting in this letter that RICO liability has already been established. That determination belongs to federal investigators and prosecutors.

The federal RICO statute prohibits participation in an enterprise affecting interstate or foreign commerce through a pattern of racketeering activity and separately prohibits conspiracy to violate those provisions.

The investigative question therefore is straightforward:

If evidence establishes that multiple persons or entities knowingly participated in a continuing enterprise that used interstate communications, financial transactions, governmental processes, false valuation information, concealment, obstruction, or other qualifying predicate conduct to produce or preserve fraudulent tax values and debt instruments, does the conduct satisfy the statutory requirements of 18 U.S.C. §§ 1961-1962?

That question should be answered by DOJ and the FBI from the evidence.

It should not be dismissed without examination.

The same evidence must also be examined for any separate violations involving deprivation of federal rights, conspiracy against rights, securities law, public corruption, obstruction, fraud, and preservation or destruction of records.

Five successive non-merits outcomes do not, by themselves, prove a criminal conspiracy. But if the federal right, the no-remedy consequence, and the effect of continued non-adjudication were repeatedly placed before the decision-makers, then the pattern raises a legitimate investigative question under 18 U.S.C. §§241 and 242: whether the resulting deprivation was merely parallel judicial decision-making or whether evidence exists of agreement, specific intent, or willful action under color of law to prevent the exercise of federal rights.

When did each actor acquire actual notice that the procedural architecture allegedly eliminated every forum capable of granting the federal relief, what did each actor do after receiving that notice, and is there evidence that any two or more actors communicated or coordinated to preserve that result?

THE HISTORICAL CONTRAST IS NOW IMPOSSIBLE TO IGNORE

The historical pattern is remarkably consistent:

- 1934 - McKnett: A State could not refuse a federal cause of action.
- 1988 - Felder: A state procedural barrier burdening a §1983 remedy was rejected.
- 1990 - Howlett: A State could not use immunity or jurisdiction rules to neutralize a federal civil-rights action.

- 2009 - Haywood: The Supreme Court rejected a state jurisdictional workaround and warned against providing States a 'roadmap' for circumventing federal law.
- 2025 - Williams: The Supreme Court rejected an exhaustion 'catch-22' that prevented a class of federal claims from being heard.
- 2026 - No. 26-179: Certiorari was denied, leaving the asserted no-remedy structure intact and unadjudicated.

That contrast demands an answer.

Not months from now. Now.

I AM REQUESTING AN EMERGENCY 72-HOUR EXECUTIVE TRIAGE

I respectfully request that you direct an immediate Executive Branch response consisting of the following:

First - Solicitor General / DOJ Constitutional Review. Direct the Attorney General and Solicitor General John Sauer to personally review No. 26-179, the Petition for Rehearing, Williams v. Reed, Haywood v. Drown, and the asserted Texas no-remedy architecture, and determine what lawful federal action remains available while the Rule 44.2 window remains open.

Second - Treasury / FSOC Emergency Stress Review. Direct Secretary Bessent and FSOC staff to activate and complete an expedited review using the verification framework already delivered to Treasury: the Advanced Evidence Verification Report, Treasury Data Verification Package, Bond Credibility Chain, school-district debt assumptions, property-tax valuation inputs, and Dynamic Contagion model.

Third - DOJ / FBI Preservation and Investigative Triage. Direct immediate preservation and review of appraisal data, certified tax rolls, CAMA/GIS records, spreadsheets, internal communications, software records, bond-support materials, and related evidence before any additional records can disappear or become unavailable.

Fourth - RICO Predicate Assessment. Direct DOJ and the FBI to determine whether the evidence establishes an enterprise, a pattern, and qualifying predicate acts sufficient to warrant a RICO investigation under 18 U.S.C. §§ 1961-1962, including any conspiracy analysis under § 1962(d).

Fifth - SEC Municipal-Securities Review. Direct the appropriate SEC personnel to determine whether municipal securities were issued, sold, rated, or supported using materially inaccurate tax-base or valuation information and whether disclosure obligations were satisfied.

Sixth - Interagency Financial-Stability Determination. Require Treasury, FSOC, DOJ, SEC, FBI, and the Solicitor General to provide an expedited preliminary determination of whether the evidence presents a material constitutional risk, a potential federal criminal issue, a potential RICO enterprise or pattern, a municipal-securities disclosure or fraud issue, or a systemic financial-stability risk.

This can be done without prejudging anyone's liability.

It requires only one thing: look at the evidence now.

WHY ORDINARY PROCESS IS NOT ENOUGH

Mr. President, I understand the normal answer to allegations of this magnitude: 'DOJ will investigate.'

That answer is inadequate under these circumstances.

The judicial clock is measured in days.

The financial-risk model involves potentially nonlinear market transmission.

Evidence preservation cannot be deferred indefinitely.

And if the no-remedy architecture described in No. 26-179 is capable of replication, every State in the Union potentially has before it a blueprint for placing a class of federal rights beyond meaningful adjudication.

The Executive Branch does not need to accept my conclusions in order to act. It need only determine whether the evidence warrants immediate verification.

The cost of immediate verification is small. The cost of discovering after the fact that the warning was correct could be incalculable.

THE CENTRAL CONSTITUTIONAL QUESTION HAS NOT CHANGED

When constitutional rights exist in text, but asserted violations cannot obtain meaningful adjudication, what practical protection remains for the citizen who invokes them?

Four Texas courts did not provide a merits adjudication.

The Supreme Court denied review.

The constitutional issue remains unresolved.

The alleged valuation methodology continues.

The debt remains outstanding.

Interest continues to compound.

And the asserted architecture remains available for replication.

I have repeatedly asked one simple thing:

Please prove where I am wrong.

If the evidence is wrong, expose the error.

If the mathematics are wrong, identify the equation.

If the appraisal analysis is wrong, demonstrate the lawful USPAP-compliant methodology.

If the bond model is wrong, stress-test it.

If there is no constitutional deprivation, identify the tribunal capable of adjudicating the federal claims and granting the relief sought.

If there is no coordinated activity, let the evidence establish that fact.

But silence and non-adjudication cannot answer these questions. Nor can they eliminate the consequences of leaving them unanswered. The United States was born from a constitutional grievance over taxation imposed without meaningful representation and lawful consent. When citizens conclude that taxation is being imposed while every available forum refuses to adjudicate the legality of the underlying governmental conduct, the danger extends beyond individual property rights or financial loss. It reaches public confidence in the legitimacy of constitutional government itself. History teaches that prolonged taxation grievances combined with the perceived absence of meaningful political or judicial remedy can produce profound social and political instability. The purpose of raising that history is not to predict or encourage civil strife, but to prevent it by restoring lawful adjudication before public confidence deteriorates further.

The constitutional safety valve is adjudication. When government taxes, citizens challenge the legality of that taxation, and every available tribunal declines to decide the merits, that safety valve is placed at risk.

The founding grievance was 'taxation without representation.' The present constitutional question is whether taxation can continue where citizens assert federal constitutional violations yet cannot obtain a merits adjudication from any tribunal capable of granting relief.

Given the documented sequence of non-merits dispositions (non-adjudication) and the resulting architecture capable of replication, the record presents a constitutional failure requiring immediate examination.

THIS IS THE MOMENT FOR EXECUTIVE TRIAGE - NOT EXECUTIVE PREJUDGMENT

I am not asking you to determine guilt.

I am asking you to ensure that the institutions of the United States determine the facts before the remaining judicial opportunity disappears and before financial markets are forced to determine the credibility of the underlying tax base themselves.

If investigation establishes independent judicial decisions and lawful appraisal and bond practices, the evidence will say so.

If instead the evidence establishes coordinated governmental conduct, knowing preservation of a no-remedy structure, fraudulent valuation practices, qualifying RICO predicates, securities violations, or systemic financial exposure, then the United States will know what it is confronting.

Either outcome is preferable to silence.

Mr. President, time is not merely of the essence. Time is part of the risk.

General Blaine Holt and or Peter Ticktin and or David Kenney and or myself, are prepared to personally present this matter and its supporting evidence to your Administration.

I respectfully request immediate action.

Respectfully,



Mitchell Vexler

President

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PRESENTATION MATERIALS AVAILABLE FOR IMMEDIATE PRESENTATION OR TRANSMISSION

- SCOTX vs. SCOTUS Case Comparison - non-adjudication / replication analysis.
- Advanced Evidence Verification Report - Property-Valuation Data, Tax-Roll Integrity, and Municipal-Credit Transmission Risk (prepared for Secretary Scott Bessent, September 24, 2026).
- Formal Notice of Criminal Allegation - Demand for Certified Bond Genealogy, Evidence Preservation, and Financial-Stability Verification (directed to Secretary Scott Bessent, September 25, 2026).
- Petition for Rehearing - Supreme Court No. 26-179.
- Bond Credibility Chain / Dynamic Contagion supporting materials and verification framework.
- Evidence Repository at www.mockingbirdproperties.com/dcad