

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

NATHANIEL BORRELL DYER,

Plaintiff,

v.

ATLANTA INDEPENDENT
SCHOOL SYSTEM (a/k/a ATLANTA
PUBLIC SCHOOLS),

Defendant.

Civil Action No. 1:26-cv-01284-MHC

**DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFF'S NOTICE
OF REMAND AND MOTION FOR SANCTIONS**

Plaintiff Nathaniel Borrell Dyer spends just two paragraphs of his twelve-page brief explaining why remand is proper. His sparse arguments do not address the key issue: his Complaint expressly asserts only federal claims, which give this Court original jurisdiction and made removal proper. And although the parties dispute whether he has Article III standing to bring those claims, he asks the Court to remand prematurely before determining whether it has subject-matter jurisdiction. That shouldn't happen.

Completely unrelated to his request for remand, Dyer also asks the Court to impose sanctions on APS's counsel based on unproven conduct in a case that he lost years ago. There is no legitimate basis for asking the Court to do so. In reality, Dyer

seeks to relitigate an issue that has already been decided against him and that is irrelevant to his present suit. For these reasons and those discussed below, APS asks the Court to deny Dyer's Notice of Remand and Motion for Sanctions and to award APS reasonable attorney's fees incurred in responding to the request for sanctions.

ARGUMENT AND CITATION OF AUTHORITY

This brief proceeds in two parts. The first shows why Dyer's motion for remand should be denied. The second shows why Dyer's motion for sanctions is meritless.

I. The Court should deny Dyer's motion for remand.

In this case, there are only two paths to remand. Either Dyer could show a procedural defect in the removal, or APS could fail to establish that the Court has subject-matter jurisdiction over his claims. *See* 28 U.S.C. § 1447(c). As an initial matter, Dyer has not argued that APS failed to follow required removal procedures, so the Court cannot remand on that basis.¹ *See Yusefzadeh v. Nelson, Mullins, Riley*

¹ In any event, APS has complied with all required procedures for removal. APS received a copy of the Complaint—which Dyer originally filed in the Superior Court of Fulton County, Georgia—on February 4, 2026. [Doc. 1 ¶ 3.] APS filed its Notice of Removal [Doc. 1] on March 6, 2026, within the thirty-day period required by 28 U.S.C. § 1446. [*See id.*] APS filed the Notice in the proper district court, as the Superior Court of Fulton County is located within the Atlanta Division of this Court. The Notice explained the basis for APS's removal. [*Id.* ¶ 6.] APS attached all process, pleadings, and orders from the state court action as Exhibit 1 to its Notice [*Id.* Ex. 1] and filed a Notice of Filing Notice of Removal with the Clerk of the Superior Court of Fulton County, which it also served on Dyer.

& Scarborough, LLP, 365 F.3d 1244, 1246 (11th Cir. 2004) (any procedural defects associated with the removal “could only have been raised by [plaintiff] within the allotted time period of 28 U.S.C. § 1447(c)”).

The Court’s subject-matter jurisdiction is the true core of the remand issue. The Court no doubt has original jurisdiction over Dyer’s claims, which arise entirely under federal law. And whether Dyer has Article III standing—and ultimately, whether the Court has subject-matter jurisdiction—has yet to be decided. Unless and until the Court determines that it lacks jurisdiction over Dyer’s claims, remand is inappropriate.

A. The Court has original jurisdiction over Dyer’s claims because they arise under federal law.

APS’s basis for removal is 28 U.S.C. § 1331, which confers on the district courts “original jurisdiction² of all civil actions arising under the Constitution, laws, or treaties of the United States.” Courts follow the well-pleaded complaint rule to determine whether a claim arises under federal law pursuant to 28 U.S.C. § 1331. *Smith v. GTE Corp.*, 236 F.3d 1292, 1310 (11th Cir. 2001). The well-pleaded

² Original jurisdiction and subject-matter jurisdiction are not the same thing. Under 28 U.S.C. § 1441, a case is removable when the district court has original jurisdiction over it—a question that depends on whether the claims arise under federal law—while subject-matter jurisdiction, including Article III standing, is a separate inquiry addressed post-removal under 28 U.S.C. § 1447(c). *See Mittenthal v. Florida Panthers Hockey Club, Ltd.*, 472 F. Supp. 3d 1211, 1222 (S.D. Fla. 2020), abrogated on other grounds by *Drazen v. Pinto*, 74 F.4th 1336 (11th Cir. 2023).

complaint rule “provides that federal jurisdiction exists only when a federal question is presented on the face of the plaintiff's properly pleaded complaint.” *Caterpillar, Inc. v. Williams*, 482 U.S. 386, 392 (1987). “A well-pleaded complaint presents a federal question where it ‘establishes either that federal law creates the cause of action or that the plaintiff's right to relief necessarily depends on resolution of a substantial question of federal law.’” *Smith*, 236 F.3d at 1310 (quoting *Franchise Tax Bd. v. Construction Laborers Vacation Tr. for S. Cal.*, 463 U.S. 1, 27–28 (1983)).

Turning to Dyer's Complaint, it is clear that the Court has original jurisdiction. The only claims Dyer asserts against APS (styled as distinct “Counts” under a section titled “Legal Claims”) are: (1) violation of equal protection under 42 U.S.C. § 1983; (2) violation of Title VI of the Civil Rights Act; and (3) violation of the Individuals with Disabilities Education Act (IDEA). [See Doc. 1-1 at 8.] Regardless of the merits of Dyer's claims, which we address in APS's brief supporting its motion to dismiss [Doc. 2-1], each is created by and depends on federal statutes or constitutional rights. Thus, this Court no doubt has original jurisdiction over Dyer's purely federal claims.

B. The only basis for remand is a determination by the Court that it lacks subject-matter jurisdiction, which it has not made.

Dyer offers two arguments in support of his motion for remand. First, he says remand is required because his claims don't arise “solely” under federal law. [Doc.

7 at 11.] Second, he claims that the fact that APS has challenged his standing requires remand. [Doc. 7 at 11]; *see* [Doc. 2 at 5–12]. Both arguments are wrong because federal law authorizes district courts to exercise supplemental jurisdiction over state law claims, and the Court’s determination about Dyer’s standing must precede any order to remand.

Dyer’s first argument for remand ignores the fact that district courts may exercise supplemental jurisdiction over certain state law claims. While he is correct that APS must establish this Court’s jurisdiction, *see Diaz v. Sheppard*, 85 F.3d 1502, 1505 (11th Cir. 1996), he incorrectly asserts—with no legal authority backing him—that this Court has jurisdiction only if his claims arise *solely* under federal law. [Doc. 7 at 11.] In his present motion, he argues for the first time that he has asserted state law claims arising from alleged “violations of Go Team consultation requirements and state due process rights.”³ [Doc. 1-1 at 8.] This is an improper attempt to amend his Complaint, which contains no such claims. *See* Fed. R. Civ. P. 15(a)(1)-(2). And the undersigned knows of no state law authorizing a private cause of action for alleged violations of “Go Team consultation requirements.” In any event, even if he had pled cognizable state law claims, there is no question that the exercise of supplemental jurisdiction under 28 U.S.C. § 1367 would still be proper.

³ Dyer does not mention his so-called state law claims anywhere in his Response Opposing APS’s Motion to Dismiss. [See Doc. 6.]

The existence of a state law claim alongside a federal one does not automatically rob a district court of jurisdiction over the federal claim. *See* 28 U.S.C. § 1367(a). When a district court has original federal question jurisdiction, it may exercise supplemental jurisdiction over state law claims so long as they are “so related” to the federal claims that they “form part of the same case or controversy under Article III[.]” *Id.* State law claims form part of the same case or controversy as federal claims when they arise out of “a common nucleus of operative fact.” *United Mine Workers of Am. v. Gibbs*, 383 U.S. 715, 725 (1966).

Dyer’s purported state law claims, whatever those may be, meet that test. Dyer alleges that APS is required to engage with Go Teams before making major school decisions. [Doc. 1-1 at 6.] And he alleges that APS’s financial and school-closure decisions violated equal protection, Title VI, and the IDEA. [Doc. 1-1 at 8.] Assuming that Georgia law authorizes private causes of action for Dyer’s ad hoc state law claims, they arise out of the same facts as his federal claims. Thus, the Court could properly exercise supplemental jurisdiction over Dyer’s state law claims.

Next up is Dyer’s assertion that APS’s challenge to his standing requires this Court to remand the case to state court, even before this Court has decided whether he lacks standing. [*See* Doc. 7 at 11]. The problem with this argument is that it inverts the normal framework for determining whether subject-matter jurisdiction exists in

the first place. Dyer confuses the situation at hand—in which this Court has not yet determined the contested issue of whether he has standing—with the situation in which a court has already determined that the plaintiff lacks standing. That matters because only the latter situation triggers mandatory remand. *See* 28 U.S.C. § 1447(c); *see also Ladies Mem’l Ass’n, Inc. v. City of Pensacola, Florida*, 34 F.4th 988, 994 (11th Cir. 2022) (“When a case is removed from state to federal court and the plaintiffs do not have Article III standing in federal court, the district court’s only option is to remand back to state court.”).

A federal court must determine whether it has subject-matter jurisdiction at the outset of a case. And Article III standing is a threshold jurisdictional question. *Mack v. USAA Cas. Ins. Co.*, 994 F.3d 1353, 1356 (11th Cir. 2021). It follows that the Court must determine whether Dyer has standing to determine whether it has subject-matter jurisdiction, and this inquiry must precede any decision to remand. *See Esteves v. SunTrust Banks, Inc.*, 615 Fed. App’x 632, 637 (11th Cir. 2015) (remand required after district court concluded the plaintiffs’ amended complaint did not present a justiciable controversy). But the mere assertion of a jurisdictional challenge isn’t enough to mandate remand. *See Ladies Mem’l Ass’n Inc. v. City of Pensacola, Fla.*, 662 F. Supp. 3d 1212, 1218 (N.D. Fla. 2023) (defendants’ belief that “they had a strong argument that [p]laintiffs lacked standing for all but one of their federal claims . . . did not foreclose [them] from removing the action” in the

first place). Instead, the Court must determine that Dyer lacks standing before ordering remand.

We now turn to his motion for sanctions.

II. The Court should deny Dyer’s motion for sanctions.

In addition to his motion to remand, Dyer aims to resurface spurious allegations that APS’s counsel “fabricated evidence” in an unrelated lawsuit nearly a decade ago. He now seeks sanctions—remand, denial of APS’s Motion to Dismiss, and a referral to the State Bar of Georgia—for that supposed misconduct.

His motion is frivolous. Dyer presents no evidence that APS’s counsel knowingly falsified a document in the earlier case. Nor can Dyer tie the alleged misconduct in the earlier case to this one. Because Dyer shows neither bad faith nor any nexus between the prior litigation and this case, he cannot properly invoke this Court’s inherent power to sanction. On top of that, the prior court’s ruling precludes him from relitigating this matter now. For those reasons, this Court should deny his request for sanctions.

A. Summary of the prior lawsuit.

In 2018, Dyer sued APS to challenge his suspension from Atlanta Board of Education meetings after he repeatedly used racial slurs during public comment. *See Dyer v. Atlanta Indep. Sch. Sys.*, 426 F. Supp. 3d 1350, 1356-57 (N.D. Ga. 2019), *aff’d*, 852 F. App’x 397 (11th Cir. 2021) (“*Dyer I*”). He asserted violations of his

First Amendment and Fourteenth Amendment rights, along with state-law claims. *Id.* at 1357.

The letter at the center of Dyer's motion for sanctions became a point of contention during *Dyer I*. APS presented Dyer with a suspension letter dated February 6, 2018, at his deposition. Dyer testified that he had received it:

1 MR. MOULARD: I'll mark this ^{Page 150} Exhibit 12.
2 (Exhibit D-12 was marked for
3 identification.)
4 BY MR. MOULARD:
5 Q Do you recognize this document?
6 A Yes, I do.
7 Q So this is a letter dated February 6,
8 2018, signed by Board Member Jason Esteves; correct?
9 A Correct.
10 Q And this letter notified you that -- for
11 the third time that you had been suspended from
12 board meetings; correct?
13 A Correct.

Depo. of Nathaniel Dyer at 150:1–13, *Dyer I*, No. 1:18-cv-3284-TCB (N.D. Ga. Oct. 2, 2019), ECF No. 33. At no point did he suggest it was inauthentic or that another version existed. *See generally id.*

Two months later, when opposing summary judgment, Dyer produced a different version of the letter dated February 8, 2018, and accused APS of having falsified the February 6 letter that Dyer authenticated just weeks earlier. *See Pl.'s Opp'n to Def.'s Mot. for Summ. J. at 4-5, Dyer I*, No. 1:18-cv-3284-TCB (N.D. Ga. Oct. 24, 2019), ECF No. 35–2. Dyer asked the court to exercise its inherent power

and sanction APS for “submitting tampered evidence.” *Id.* at 4.

Judge Timothy Batten, Sr., granted summary judgment for APS. *Dyer I*, 426 F. Supp. 3d at 1365. In his final order, Judge Batten considered and rejected Dyer’s allegation of evidence fabrication, emphasizing that Dyer had authenticated the February 6 letter under oath. *Id.* at 1365 n.6 (“Though Dyer contends in his response to APS’s motion for summary judgment that APS ‘submitt[ed] tampered evidence’ and committ[ed] ‘perjury’ by offering the February 6 letter into evidence, he authenticated and acknowledged receipt of the February 6 letter during his deposition.”) (citation modified).

The Eleventh Circuit affirmed. *Dyer v. Atlanta Indep. Sch. Sys.*, 852 F. App’x 397, 403 (11th Cir. 2021). The Eleventh Circuit found that Dyer abandoned his evidence-falsification argument by failing to adequately explain or support it with legal authority. *Id.* at 400 n.1.

Having already lost on this issue, Dyer now tries to revive the same accusation here. That effort fails for three reasons. First, Dyer presents no evidence of bad faith to warrant sanctions. Second, *Dyer I* is insufficiently connected to this suit to warrant use of this Court’s inherent power to sanction. Third, the decision in *Dyer I* collaterally estops Dyer from reraising this issue.

B. Dyer has no evidence of bad-faith conduct.

Federal courts are endowed with a wide array of inherent powers to protect their integrity and prevent abuses of the judicial process. *See Chambers v. NASCO, Inc.*, 501 U.S. 32, 44-46 (1991). But “[b]ecause of their very potency,” *id.* at 44, and “[b]ecause [they] are shielded from direct democratic controls,” a court’s inherent powers “must be exercised with restraint and discretion.” *Roadway Exp., Inc. v. Piper*, 447 U.S. 752, 764 (1980).

One restraint on that power is that a federal court may issue sanctions only upon a finding of bad faith. *See id.* at 767 (“the trial court did not make a specific finding as to whether counsel’s conduct in this case constituted or was tantamount to bad faith, a finding that would have to precede any sanction under the court’s inherent powers”). As the Eleventh Circuit put it, “[t]he key to unlocking a court’s inherent power is a finding of bad faith.” *Purchasing Power, LLC v. Bluestem Brands, Inc.*, 851 F.3d 1218, 1223 (11th Cir. 2017). Subjective bad faith is required; even recklessness is not enough. *See id.* at 1224–25 (“We can only sanction attorneys for meritorious claims by discerning their subjective intent.”).

Dyer offers nothing to show bad-faith conduct. He presents no evidence that APS’s counsel knowingly submitted a false document, no testimony that anyone fabricated the February 6 letter, and no objective proof of fraudulent intent. To the contrary, when APS presented Dyer with the February 6 letter at his deposition in *Dyer I*, he testified under oath that he recognized the letter and had received it. Dyer

Depo. at 150:1–13, *Dyer I*, ECF No. 33. That sworn authentication defeats his present accusation that APS’s counsel fabricated the document. At most, Dyer points to two versions of the same letter and asks the Court to infer deceit from the mere discrepancy. But speculation is not evidence, and an unexplained discrepancy between documents is not proof of bad faith by itself. And it is far from the sort of severe misconduct from which a court could infer bad faith absent direct proof. *See Purchasing Power*, 851 F.3d at 1224–25.

That failure alone requires denial of Dyer’s motion. The purpose of inherent-power sanctions is to address bad-faith abuses of the judicial process, not to revive meritless allegations from long-closed litigation. That principle is especially important here, given that Dyer’s own testimony authenticated the very document he now says was fabricated. Because Dyer offers no evidence of bad faith, his request for sanctions should be denied.

C. There is no nexus between *Dyer I* and this case to warrant use of this Court’s inherent power to sanction.

In addition to bad faith, inherent-authority sanctions require a connection between the alleged misconduct and the proceedings before the court. This principle originates from the inherent power’s narrow purpose: supporting the ability of courts “to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” *Chambers*, 501 U.S. at 43 (quoting *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962)). For example, in affirming the sanctions imposed by the district

court, the Supreme Court in *Chambers* found that the district court had not sanctioned the offending party for the underlying dispute on the merits, but only for the “sanctionable acts which occurred in connection with the proceedings in the trial Court.” *Id.* at 54–55 n. 17 (quotation marks and citation omitted).

Goodyear Tire & Rubber Co. v. Haeger, 581 U.S. 101 (2017), reinforces this nexus requirement through its causation framework. There, the Supreme Court held that inherent-authority sanctions must be compensatory rather than punitive, and that a fee award is properly calibrated only if it covers fees the innocent party “would not have paid but for” the misconduct. *Id.* at 108–09. Implicit in that but-for standard is the requirement that the misconduct actually generated costs in the proceedings before the sanctioning court.

Dyer cannot satisfy that nexus requirement. His sanctions motion is premised entirely on conduct that allegedly occurred during discovery in *Dyer I*. That proceeding has long since concluded. The prior court entered summary judgment for APS in December 2019, and the Eleventh Circuit affirmed in 2021. 852 F. App’x at 403. Not one of the acts Dyer characterizes as sanctionable occurred in connection with *this Court’s* proceedings. And although APS has filed a notice of removal and a motion to dismiss in this case, as it did in *Dyer I*, those are just routine procedural actions that have nothing to do with the February 6 letter or anything that happened in *Dyer I*. This Court has had no occasion to consider that letter, has made no ruling

based on it, and has held no proceedings that the alleged misconduct affected or could affect. Put simply, the required connection to this Court's proceedings is nonexistent.

Goodyear's but-for test confirms the point. This suit challenges APS's Facilities Plan 2040 under the Fourteenth Amendment, Title VI, and the IDEA. None of those claims have anything to do with the February 6 letter. Dyer would have filed this lawsuit, and APS would have removed it and moved to dismiss it, regardless of anything that happened during *Dyer I*. And Dyer has incurred no cost in this litigation that he would not have incurred but for the supposedly ersatz letter.

With no compensable harm in this case, any sanction based on conduct in *Dyer I* would be punitive, not remedial. *Goodyear* is explicit that inherent-authority sanctions cannot serve a punitive function and must be bounded by the harm actually caused to the innocent party in the proceedings before the court. *See* 581 U.S. at 108. Dyer's motion disregards that principle and asks this Court to punish APS for unproven conduct in a different case before a different judge that is irrelevant to the claims before this Court. Under Supreme Court precedent, that is not a permissible use of the inherent authority.

D. Dyer's motion is an improper attempt to relitigate an issue already raised and rejected in *Dyer I*.

Last, Judge Batten's final decision in *Dyer I* collaterally estops Dyer from raising the evidence-fabrication claim for a second time. "Collateral estoppel, or

issue preclusion, bars relitigation of an issue previously decided in judicial or administrative proceedings if the party against whom the prior decision is asserted had a ‘full and fair opportunity’ to litigate that issue in an earlier case.” *St. Laurent v. Ambrose (In re St. Laurent)*, 991 F.2d 672, 675 (11th Cir. 1993).

The doctrine has four elements: “(1) the issue at stake must be identical to the one involved in the prior litigation; (2) the issue must have been actually litigated in the prior suit; (3) the determination of the issue in the prior litigation must have been a critical and necessary part of the judgment in that action; and (4) the party against whom the earlier decision is asserted must have had a full and fair opportunity to litigate the issue in the earlier proceeding.” *I.A. Durbin, Inc. v. Jefferson Nat. Bank*, 793 F.2d 1541, 1549 (11th Cir. 1986). This case meets all four.

First, the issue is the same. In *Dyer I*, Dyer argued that APS submitted “tampered evidence” and committed “perjury” by relying on the February 6 letter. *See* Pl.’s Opp’n to Def.’s Mot. for Summ. J. at 4-5, *Dyer I*, ECF No. 35–2. In this case, he repackages that same accusation as “fraud on the court,”⁴ again asserting

⁴ Ironically, Dyer’s fraud-on-the-court standard rests on a misattributed quotation. He cites *Travelers Indem. Co. v. Gore*, 761 F.2d 1549, 1551 (11th Cir. 1985), for the proposition that fraud on the court occurs when a party “sets in motion some unconscionable scheme calculated to interfere with the judicial system’s ability to impartially adjudicate a matter.” [Doc. 7 at 11.] But that language does not appear in *Travelers*. And as far as APS can tell, the Eleventh Circuit has never uttered that sentence. The language Dyer quotes appears to derive from the First Circuit’s opinion in *Aoude v. Mobil Oil Corp.*, 892 F.2d 1115, 1118 (1st Cir. 1989).

that APS fabricated the February 6 letter and used it against him—not here, but in *Dyer I*. [Doc. 7 at 11.] Nothing material has changed. He offers no new evidence, no new witness, and no new factual basis for this claim. His Motion for Sanctions rests on the same charge from *Dyer I*, just in a new case.

Second, the issue was actually litigated. Dyer raised the accusation in his summary-judgment opposition in *Dyer I*, and APS responded directly in its reply, denying any falsification and pointing to Dyer’s own deposition testimony identifying the February 6 letter. *See* Pl.’s Opp’n to Def.’s Mot. for Summ. J. at 4–5, *Dyer I*, ECF No. 35-2; Def.’s Reply in Support Mot. for Summ. J. at 5–7, *Dyer I*, (N.D. Ga. Nov. 11, 2019) ECF No. 39. Judge Batten then addressed the issue in the final order, expressly noting Dyer’s claim that APS had submitted “tampered evidence” and committed “perjury,” but rejecting that contention because Dyer had “authenticated and acknowledged receipt of the February 6 letter during his deposition.” *Dyer I*, 426 F. Supp. 3d at 1365 n.6. In sum, the parties briefed the issue, and the court resolved it in APS’s favor.

Third, that resolution was a critical and necessary part of the judgment. The letter’s content was directly relevant to the First Amendment analysis. To evaluate whether APS’s restrictions on Dyer’s speech were constitutional, the court had to determine the scope of those restrictions, including whether they were “content-neutral conditions for the time, place, and manner of access” and “narrowly tailored

to serve a significant government interest.” *Dyer I*, 426 F. Supp. 3d at 1359. The court also needed to examine whether the suspension left Dyer adequate alternative channels of communication. *Id.* The discrepancy between the two letters was relevant to that analysis because the February 8 letter was more broadly restrictive than the February 6 version. So the court’s choice of which letter to credit was a necessary step in the larger First Amendment analysis that ultimately yielded summary judgment.

Fourth, Dyer had a full and fair opportunity to litigate the issue. He briefed the issue in his summary-judgment opposition. He then tried to raise the issue again on appeal, but the Eleventh Circuit concluded he abandoned the claim by inadequately supporting it. *See Dyer*, 852 F. App’x at 400 n.1. Dyer thus had multiple procedural avenues to develop and press his fabrication claim and still failed to persuade either the district court or the Eleventh Circuit.

At bottom, Dyer cannot use a sanctions motion in this action to relitigate a factual issue that was raised, contested, and resolved against him eight years ago in *Dyer I*. Collateral estoppel bars that maneuver. *See Matter of Lutz*, 169 B.R. 473, 478 (Bankr. S.D. Ga. 1994) (finding that the factual findings underlying a sanctions determination in a prior case have preclusive effect in later litigation).

For all of those reasons, Dyer’s motion for sanctions lacks merit. He has not

shown bad faith, he cannot link the alleged misconduct in *Dyer I* with this case, and he cannot relitigate an issue decided against him in the prior action. What remains is an attempt to revive a long-resolved grievance in a new lawsuit. The Court should deny Dyer's motion and award APS its reasonable fees incurred in responding to it.

CONCLUSION

For the reasons discussed above, APS asks the Court to either deny Dyer's motion for remand or determine whether Dyer has standing before deciding whether remand is required. APS also asks the Court to deny Dyer's motion for sanctions.

Respectfully submitted this 10th day of April, 2026.

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing was prepared using Times New Roman font, 14-point type, which is one of the font and print selections approved by the Court in L.R. 5.1(C).

This 10th day of April, 2026.

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CERTIFICATE OF SERVICE

I certify that I have this day served a true and correct copy of the within and foregoing **DEFENDANT'S RESPONSE IN OPPOSITION TO PLAINTIFF'S NOTICE OF REMAND AND MOTION FOR SANCTIONS** on all parties via Certified Mail:

Nathaniel Borrell Dyer, *Pro Se*
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This 10th day of April, 2026.

/s/ Brandon O. Moulard
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