



Imre Kifor &lt;ikifor@gmail.com&gt;

**26-1346 Kifor v. Commonwealth of Massachusetts, et al "Letter (general)"**

CA01NoticeDocketActivity@ca1.uscourts.gov &lt;CA01NoticeDocketActivity@ca1.uscourts.gov&gt;

Fri, Apr 24, 2026 at  
5:37 PM

To: ikifor@gmail.com

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United States Court of Appeals for the First Circuit

## Notice of Docket Activity

The following transaction was entered on 04/24/2026 at 5:37:40 PM Eastern Daylight Time and filed on 04/24/2026

Case Name: Kifor v. Commonwealth of Massachusetts, et al

Case Number: 26-1346

Document(s): <https://ecf.ca1.uscourts.gov/docs1/00108437156?uid=159b8ab14f9cdf81>

## Docket Text:

LETTER regarding the 4/21/2026 letter/request received from the Mass. Attorney General's Office filed by Party Imre Kifor. Served on 04/24/2026. [26-1346] (IK)

Notice will be electronically mailed to:

Imre Kifor

Notice will not be electronically mailed to:

Andrea J. Campbell  
MA Attorney General's Office  
1 Ashburton Pl  
20th Fl  
Boston, MA 02108-0000

The following document(s) are associated with this transaction:

666 Document Description: 4/24/2026 Letter/response to the Court

Original Filename: 05-To-Court.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104935054 [Date=04/24/2026] [FileNumber=6804546-0] [412f8bc80a65f99d62492d5df350de2ac3949411beeade26ce6fc6ba39a46d4dd95ea3bf64f947a2d7ccd18ca61343eb59d3f3f8bab352fd2c780bf152434c4d]]

666 Document Description: 3/7/2024 Prior letter to the Court

Original Filename: Exhibit-A.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104935054 [Date=04/24/2026] [FileNumber=6804546-1] [063ad38424cd8819d05281bff0cc4a7509d9fc70da0ef1a32bd4d6c0ca0612795bf767e735aa27016c7b029f4f1e19a02ef0f680aa1de997c0187c440c2286b4]]

666 Document Description: 8/6/2025 Filed status affidavit

Original Filename: Exhibit-B.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104935054 [Date=04/24/2026] [FileNumber=6804546-2] [15c59327f794b19684aebd3abc07a56473d40aab078cf6dc335d8e0ba8862b81ce02577a8c1048034e326a635eb3c64012740486b60679b2d1608b8e1850e26b]]

666 Document Description: Confirmations and 4/21/2026 letter from the AGO

Original Filename: Exhibit-C.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104935054 [Date=04/24/2026] [FileNumber=6804546-3] [8aedadda17ba924e2d42b613e84126

4/29/26, 8:03 AM

Gmail - 26-1346 Kifor v. Commonwealth of Massachusetts, et al "Letter (general)"

fb9c89281b3e4c39a41e96cfbae4602e0120b3cce97d95139e9d2212634a9a67538a03aa55466470551202e8b4536a8158]]

Imre Kifor

[demolished house mailbox]

(mailbox only, house torn down)

Newton, MA 02464

[ikifor@gmail.com](mailto:ikifor@gmail.com)

(857) 340-8699

(by the federal Lifeline program)

I have no valid driver's license

I now sleep in a homeless shelter

<https://www.youtube.com/@ImreKifor>

April 24, 2026

Anastasia Dubrovsky

Clerk of Court

U.S. Court of Appeals for the First Circuit

John Joseph Moakley U.S. Courthouse

1 Courthouse Way, Suite 2500

Boston, MA 02210

**SUBMITTED FOR:** Re: Kifor v. Commonwealth of Mass. et. al. - 26-1346

Dear Ms. Dubrovsky,

I just received the letter addressed to the Court by Atty. J. David Hampton, Managing Attorney of the Trial Division of the Office of the Massachusetts Attorney General, dated April 21, 2026 (see attached). On behalf of defendants-appellees, the Commonwealth of Massachusetts, Governor Healey, Attorney General Campbell, Commissioner Snyder, John D. Casey, and Brian J. Dunn (collectively, the "Commonwealth Defendants"), Atty. Hampton asks this Court to treat them as "not defendants in this appeal" on the stated ground that they were "not served with the Complaint in the district court" under Fed. R. Civ. P. 4, citing *Brait Builders Corp. v. Mass. Div. of Capital Asset Mgmt.*, 644 F.3d 5, 9–10 (1st Cir. 2011), and to forgo any brief on the merits.

In opposition, I respectfully call the Court's attention to the fact that this is now the fourth consecutive appeal in which the Office of the Attorney General has deployed the identical "not served, not defendants" tactic against me on essentially identical underlying facts:

1. *Kifor v. Commonwealth et al.*, No. 23-1008 (1st Cir.) — AAG Katherine B. Dirks, Motion for Summary Disposition under Local Rule 27.0(c) and Motion to Stay Briefing, both filed February 10, 2023, both predicated on the Commonwealth's sovereign immunity and on the District Court's *sua sponte* dismissal under 28 U.S.C. § 1915(e)(2) before any summonses were allowed to issue.
2. *Kifor v. Commonwealth et al.*, No. 23-1013 (1st Cir.) — the same AAG Dirks, the same two motions on the same date, same rationale.
3. *Kifor v. Commonwealth et al.*, No. 24-1075 (1st Cir.) — the same AAG Dirks's March 4, 2024, letter advanced the same "not served, not defendants" position, which I opposed in my letter to Clerk

Maria R. Hamilton dated March 7, 2024 (attached as **Exhibit A**), and addressed substantively in my Status Affidavit and Memorandum of Law on Agenda-Driven Statutory Discriminations and Sustained RICO Obstructions, Retaliations, and Mail Fraud filed March 11, 2024.

4. *Kifor v. Commonwealth et al.*, No. 26-1346 (this appeal) — Atty. Hampton's April 21, 2026, letter, just received.

The structural objection that I raised to Clerk Hamilton on March 7, 2024 applies with equal force here: the reason no summons was ever served on any Commonwealth Defendant in the underlying District Court case, No. 1:25-cv-11831-AK, is that the District Court dismissed the Complaint *sua sponte* under 28 U.S.C. § 1915(e)(2) before allowing any summonses to issue — exactly as the District Court did in Nos. 22-cv-11141, 22-cv-11948, 21-cv-11968, 21-cv-10699, and 20-cv-11601. The non-service on which Atty. Hampton now relies is therefore the direct product of the District Court's own pre-summons dismissal, not of any default by me. *Brait Builders*, 644 F.3d at 9–10, involved no § 1915(e)(2) pre-summons dismissal and does not reach this posture.

Anticipating precisely this recurring tactic, I preemptively filed in the District Court on August 6, 2025, as Dkt. No. 7, my **Pro Se Plaintiff's Status Affidavit On The Commonwealth's Repeating "Not Served, Not Defendants" Deception And On The § 1915(e)(2) Pre-Summons Dismissal Pattern** (with exhibits Dkt. 7-1 and Dkt. 7-2), attached here as **Exhibit B**. The Status Affidavit walks through precisely this history and preserves, on the District Court record, the factual and legal record that the Office of the Attorney General now attempts to elide on appeal.

The selective posture is further exposed by the Office's own conduct in the closely related proceedings: the same Office, through AAG Dirks, represented the Commonwealth before the U.S. Supreme Court in No. 23-6398 (certiorari from No. 23-1008), filing a formal Waiver dated January 9, 2024 — notwithstanding that, by the AGO's current theory, she had “no right” to appear because the Commonwealth had never been served in No. 23-1008. The same Office, moreover, appeared in the District Court below in this very case, No. 1:25-cv-11831-AK, in connection with the March 31, 2026, Enjoinment Order [Dkt. 31]. The Office appears when its client's interests benefit from appearance, and disappears when merits adjudication approaches.

As a pro se and *in forma pauperis* party with four (two minor) children, forced into homelessness and documented indigency by the very state apparatus under review, I have no luxury to play these games. I have scrupulously followed the rules and orders of every court, and I am prepared to address the merits. I respectfully request that the Court:

(a) bring this recurring “not served, not defendants” pattern — and the attached March 7, 2024 letter and August 6, 2025 Status Affidavit — to the attention of the panel considering this appeal; and

(b) stay the already-established briefing schedule in the sense of not acting on Atty. Hampton's April 21, 2026 request until the panel has had an opportunity to consider the full record described above, particularly because the Office of the Attorney General could have raised this objection when the appeal was docketed on April 4, 2026, and not conveniently after the appellant's brief and 10-volume Record Appendix were re-filed on April 16, 2026 and three paper copies were received on April 22, 2026.

Thank you for your time and consideration.

Respectfully,

/s/ Imre Kifor, Pro Se

Enclosures:

- Exhibit A — Letter to Clerk Maria R. Hamilton, dated March 7, 2024, in No. 24-1075 (with the then-AAG Dirks March 4, 2024, letter attached)
- Exhibit B — Pro Se Plaintiff's Status Affidavit, filed August 6, 2025, as Dkt. No. 7 (with Dkt. 7-1 and Dkt. 7-2 exhibits) in No. 1:25-cv-11831-AK (D. Mass.)
- Exhibit C — Simultaneous confirmations of appellant's completed briefing and the letter from Atty. J. David Hampton to Clerk Dubrovsky, dated April 21, 2026 (referenced)

# **EXHIBIT A**

Imre Kifor

[demolished house mailbox]

Newton, MA 02464

[ikifor@gmail.com](mailto:ikifor@gmail.com)

I have no phone

I have no valid driver's license

I have to move to a homeless shelter

<https://femfas.net>

March 7, 2024

Maria R. Hamilton

Clerk of Court

U. S. Court of Appeals for the First Circuit

John Joseph Moakley U.S. Courthouse

1 Courthouse Way, Suite 2500

Boston, MA 02210

**SUBMITTED FOR:** Kifor v. Commonwealth Of Mass. et. al., - 24-1075

Dear Ms. Hamilton,

I just received the letter addressed to the Court by Atty. Katherine B. Dirks, Assistant Attorney General, dated March 4, 2024 (see attached).

In opposition, I would like to note that in the also attached dual precedent in this Court (23-1008 and 23-1013), the same Assistant Attorney General, with essentially identical facts of the matters, had no issues openly derailing my appeals with the "plaintiff is not an employee" and "the Commonwealth has sovereign immunity" (when it comes to forcefully separating children from their parents) deceptions.

My appeals in both cases were eventually denied without ever attempting to solve the underlying controversy driven by allowed statutory discrimination and substantiated RICO racketeering. Moreover, the same Assistant Attorney General had no issue representing the Commonwealth in front of the U.S. Supreme Court, No. 23-6398, regarding my petition for a writ of certiorari of the 23-1008 decision.

Once again, no summonses were served on the Commonwealth in either 23-1008 or 23-1013 appeals, and as per the Assistant Attorney General's current letter, **she had no right to derail my appeals.**

As a *pro se* and *in forma pauperis* party, I have no luxury nor time to play games. I have paid meticulous attention to all the rules and orders of all the courts, I have invested enormous mental effort and time into defending myself and my children from the most ruthless predators, and I am prepared to file my upcoming Status Affidavit And Memorandum Of Law On Agenda-Driven Statutory Discriminations And Sustained RICO Obstructions, Retaliations, And Mail Fraud on Monday, March 11, 2024.

Based on the finally received orders from the Family Court, I am ready to appeal the agenda-driven statutory discriminations and sustained (state) RICO obstructions, retaliations, and mail fraud in the Massachusetts Appeals Court and file new complaints with the Massachusetts Commission Against Discrimination (MCAD) and also the U.S. Equal Employment Opportunity Commission (EEOC).

I respectfully request that the Court stay the already established course, as the Assistant Attorney General could have easily raised this issue just after docketing the matter and not conveniently after the Family Court (and the Commonwealth) finally admitted in writing that they had been wrong all along regarding my **deliberately induced forced indigency** and the substantiated Rule 60 fraud on the court.

Thank you.

Respectfully,  
/s/ Imre Kifor, Pro Se

Enclosure



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

(617) 727-2200  
www.mass.gov/ago

March 4, 2024

**By First-Class Mail**

Maria R. Hamilton  
Clerk of Court  
U.S. Court of Appeals for the First Circuit  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: *Imre Kifor v. Commonwealth of Massachusetts et al.*,  
No. 24-1075

Dear Ms. Hamilton:

I write with respect to the Court's March 4, 2024 order setting a briefing schedule in the above-referenced action, as it pertains to the following defendants: the Commonwealth of Massachusetts, Governor Maura Healey (in her official capacity), Attorney General Andrea Campbell (in her official capacity), Geoffrey Snyder (in his official capacity as Commissioner of the Department of Revenue), and the Middlesex Probate and Family Court (collectively, "Commonwealth Defendants").

On January 26, 2024, the Court set a briefing schedule in which the plaintiff-appellant Imre Kifor's brief will be due March 6, 2024, and the defendant-appellees' brief will be due thirty days following service of the appellant's brief.

The Office of the Attorney General wishes to alert the Court that the Commonwealth Defendants are not defendants in this appeal. The record on appeal shows that none of the Commonwealth Defendants were served with the summons and complaint in the district court. See No. 24-1075, Record Appendix, Vol. 1, 000021-26 (Civil Docket for No. 1:23-cv-12692-PBS). Indeed, the summons for the complaint did not issue because the district court dismissed the complaint sua sponte under 28 U.S.C. § 1915(e)(2)(B)(ii). Appellant's Add. 000065-73 (Memorandum and Order, Dec. 21, 2023). Lack of service of the summons and complaint on the Commonwealth Defendants pursuant to Fed. R. Civ. P. 4 signifies that they are not defendants in the appeal. See *Brait Builders Corp. v. Mass. Div. of Capital Asset Mgmt.*, 644 F.3d 5, 9-10 (1st Cir. 2011) (holding that named defendants who were not served with the operative complaint were not defendants in the appeal).

Because the Commonwealth Defendants were not served with the complaint and are not defendants in this appeal, counsel from the Office of the Attorney General have not entered an appearance on their behalf in the court below or in this appeal. The Office of the Attorney General likewise does not intend to file a brief on behalf of the Commonwealth Defendants.

I respectfully request that you bring the status of the Commonwealth Defendants to the attention of the panel considering the appeal. Thank you for your attention and consideration.

Sincerely,

/s/ Katherine B. Dirks

Katherine B. Dirks

Assistant Attorney General

Managing Attorney, Trial Division

(617) 963-2277

katherine.dirks@mass.gov

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

IMRE KIFOR,

Plaintiff-Appellant,

v.

THE COMMONWEALTH OF  
MASSACHUSETTS, MIDDLESEX  
PROBATE AND FAMILY COURT,  
MASSACHUSETTS DEPARTMENT  
OF REVENUE CHILD SUPPORT  
ENFORCEMENT DIVISION, YALE  
SCHOOL OF MEDICINE, THE  
COUNSELING CENTER OF NEW  
ENGLAND, and ATRIUS HEALTH,  
INC.,

Defendants-Appellees.

CIVIL ACTION  
No. 23-1008

**THE COMMONWEALTH DEFENDANTS-APPELLEES’  
MOTION FOR SUMMARY DISPOSITION UNDER LOCAL RULE 27.0(c)**

Pursuant to First Circuit Local Rule 27.0(c), defendants-appellees the Commonwealth of Massachusetts, Massachusetts Department of Revenue, and Middlesex Probate and Family Court (“Family Court”) (collectively, “Commonwealth Defendants”) respectfully move for summary disposition of the above-captioned appeal. The appeal arises from a District Court order, entered sua sponte pursuant to 28 U.S.C. § 1915(e)(2) and before any summonses were allowed to issue, dismissing a pro se complaint. The Commonwealth Defendants

have sovereign immunity from plaintiff Imre Kifor’s claim, which seeks civil relief under the Racketeer and Corrupt Organizations Act (“RICO”), 18 U.S.C. §§ 1961–1968. Accordingly, this Court lacks jurisdiction over the claim, and Kifor’s appeal should be dismissed or the District Court order summarily affirmed.

### **BACKGROUND AND PROCEDURAL HISTORY**

On July 14, 2022, plaintiff-appellant Imre Kifor filed a putative class action complaint and motion for leave to proceed *in forma pauperis* in the District Court. ECF 1, Class Action Complaint (“Complaint” or “Compl.”); ECF 2. He named as defendants the Commonwealth Defendants, the Yale School of Medicine, the Counseling Center of New England, and Atrius Health, Inc. Compl. ¶¶ 7-10. The Complaint asserts causes of action for alleged violations of RICO, 18 U.S.C. §§ 1961–1968. Compl. ¶¶ 153-201. The Complaint claims that the defendants are engaged in racketeering activities to allow the Commonwealth to maximize its federal reimbursements from the Child Support Enforcement program, by which states may receive reimbursement from the federal government for funds used to enforce child support orders. Compl. ¶ 24. Kifor alleges that the Family Court is the “hub” of this enterprise, presumably by issuing child support orders, and that the other defendants are “spokes” that facilitate expenditures on the enforcement of child support orders. Compl. ¶ 22. Kifor further alleges that the defendants committed mail and wire fraud by collecting federal reimbursements for the

enforcement of the child support orders against him, and by failing to notify him of rulings in the Family Court which resulted in his inability to appeal those rulings.

Compl. ¶¶ 32-34.<sup>1</sup>

The District Court (Saris, J.) allowed Kifor's motion for leave to proceed *in forma pauperis* but found that the original Complaint must be dismissed. ECF No. 11 (Mem. and Order (Nov. 22, 2022)) ("Order") at 1, 5-9. The District Court ruled that Kifor's RICO claims against the Commonwealth Defendants was barred by the Eleventh Amendment, as the Commonwealth's sovereign immunity to RICO claims has not been waived or abrogated. Order at 5. With respect to the other defendants, the District Court found that Kifor's claims were jurisdictionally barred by the *Rooker-Feldman* and *Younger* abstention doctrines. Order at 6-9.

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<sup>1</sup> The Complaint is one of several complaints that Kifor has filed in the District Court arising from his challenge to Family Court orders involving him and his family members. *See Kifor v. Commonwealth et al.*, Nos. 21-cv-11968-IT, 21-cv-10699-IT (D. Mass.); *Kifor v. Middlesex Probate & Family Ct.*, No. 20-cv-11601-PBS (D. Mass.). Each of these complaints was dismissed sua sponte by the District Court. Most recently, in a complaint filed four months after this one, Kifor claimed that the Family Court and other Commonwealth entities violated Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* and 42 U.S.C. §§ 1981 and 1985. *See Kifor v. Commonwealth et al.*, No. 1:22-cv-11948-PBS (D. Mass. filed Nov. 14, 2022). Kifor's appeal of the dismissal of that complaint was docketed in this Court on the same date as the instant appeal. *See Kifor v. Commonwealth et al.*, No. 23-1013.

Kifor appealed the dismissal order to this Court, ECF No. 13, which docketed the case on January 9, 2023. The Court ordered a briefing schedule, under which Kifor is to file his opening brief by February 28, 2023.

### **ARGUMENT**

Under First Circuit Local Rule 27.0(c), this Court may summarily dismiss an appeal or affirm a district court order if “the court lacks jurisdiction” to hear the appeal. That is true here. The District Court properly dismissed the RICO claims against the Commonwealth Defendants, because under the Eleventh Amendment, the Commonwealth and its agencies have sovereign immunity from such a claim in federal court.

The Eleventh Amendment bars suits in federal courts against a State unless the State has consented to suit or Congress has abrogated the State’s immunity. *See Bd. of Trustees of Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001); *Regents of the Univ. of Cal. v. Doe*, 519 U.S. 425, 429 (1997); *Kentucky v. Graham*, 473 U.S. 159, 167 n.14 (1985). This guarantee applies equally to any agency or department of the State. *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984).

As the District Court correctly ruled, the RICO statute does not abrogate state sovereign immunity. *See* Order at 5; 18 U.S.C. §§ 1961–1968; *Lichtenberg v. Sec’y of the Navy*, 627 F. App’x 916, 917 (11th Cir. 2015) (finding no basis for

abrogation of sovereign immunity from RICO claims and dismissing claim for lack of subject matter jurisdiction); *Chaz Constr., LLC v. Codell*, 137 Fed. Appx. 735, 743 (6th Cir. 2005) (Congress did not indicate intent to abrogate state sovereign immunity in enacting RICO statute). Nor does Kifor's complaint identify any provision of RICO that, in his view, could possibly be read to abrogate the Commonwealth's Eleventh Amendment immunity. Nor has the Commonwealth waived its sovereign immunity as to claims brought under the RICO statute, either by statute or by its conduct in this litigation. *See* Order at 5. Sovereign immunity therefore bars the claims against the Commonwealth Defendants and deprived the District Court of subject matter jurisdiction over the claim. *Valentin v. Hosp. Bella Vista*, 254 F.3d 358, 362-63 (1st Cir. 2001). Dismissal of the Complaint was proper under Fed. R. Civ. P. 12(b)(1).

### **CONCLUSION**

For the reasons set forth above, this Court lacks jurisdiction over the appeal. Accordingly, this Court should dismiss the pending appeal or summarily affirm the judgment of the District Court pursuant to First Circuit Local Rule 27.0(c).

Respectfully submitted,

Defendants-Appellees THE  
COMMONWEALTH OF  
MASSACHUSETTS, THE  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, and THE MIDDLESEX  
PROBATE AND FAMILY COURT,

By their Attorneys

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ Katherine B. Dirks

Katherine B. Dirks

BBO No. 673674

First Circuit No. 1140660

Assistant Attorney General

Government Bureau/Trial Division

One Ashburton Place, Room 1813

Boston, MA 02108

(617) 963-2277

katherine.dirks@mass.gov

Date: February 10, 2023

### **CERTIFICATE OF SERVICE**

I, Katherine B. Dirks, hereby confirm that on February 10, 2023, I served a copy of the foregoing document on all parties and counsel of record through this Court's electronic filing system.

/s/ Katherine B. Dirks

Katherine B. Dirks

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

IMRE KIFOR,

Plaintiff-Appellant,

v.

THE COMMONWEALTH OF  
MASSACHUSETTS, MIDDLESEX  
PROBATE AND FAMILY COURT,  
MASSACHUSETTS DEPARTMENT  
OF REVENUE CHILD SUPPORT  
ENFORCEMENT DIVISION, YALE  
SCHOOL OF MEDICINE, THE  
COUNSELING CENTER OF NEW  
ENGLAND, and ATRIUS HEALTH,  
INC.,

Defendants-Appellees.

CIVIL ACTION  
No. 23-1008

**THE COMMONWEALTH DEFENDANTS-APPELLEES' MOTION TO  
STAY THE BRIEFING SCHEDULE PENDING A RULING ON THEIR  
MOTION FOR SUMMARY DISPOSITION**

The defendants-Appellees the Commonwealth of Massachusetts, the Massachusetts Department of Revenue, and the Middlesex Probate and Family Court (“Commonwealth Defendants”) respectfully request that this Court stay the briefing schedule—including their obligation to respond to Plaintiff-Appellant’s opening brief—pending a ruling on their motion for summary disposition pursuant to First Circuit Local Rule 27.0(c), filed February 10, 2023.

As grounds for this motion, the Commonwealth Defendants state that this appeal arises from an order of the District Court dismissing Plaintiff-Appellant's pro se complaint sua sponte pursuant to 28 U.S.C. § 1915(e)(2) and before the District Court allowed any summons to issue, *see* Fed. R. Civ. P. 4(b). The appeal was entered in this Court on January 9, 2023, and Plaintiff-Appellant has been ordered to file his opening brief by February 28, 2023. Because this appeal presents no substantial question for this Court to resolve, the Commonwealth Defendants have filed a motion seeking summary affirmance of the District Court's decision. A ruling in the Commonwealth Defendants' favor on the summary disposition motion would eliminate the need for the Commonwealth Defendants to file a brief on the merits.

WHEREFORE, the defendants-appellees the Commonwealth of Massachusetts, the Massachusetts Department of Revenue, and the Middlesex Probate and Family Court respectfully request that this Court stay the briefing schedule pending resolution of their motion for summary disposition.

Respectfully submitted,

Defendants-Appellees THE  
COMMONWEALTH OF  
MASSACHUSETTS, THE  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, and THE MIDDLESEX  
PROBATE AND FAMILY COURT,

By their Attorneys,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ Katherine B. Dirks

Katherine B. Dirks

BBO No. 673674

First Circuit No. 1140660

Assistant Attorney General

Government Bureau/Trial Division

One Ashburton Place, Room 1813

Boston, MA 02108

(617) 963-2277

katherine.dirks@mass.gov

Date: February 10, 2023

### **CERTIFICATE OF SERVICE**

I, Katherine B. Dirks, hereby confirm that on February 10, 2023, I served a copy of the foregoing document on all parties and counsel of record through this Court's electronic filing system.

/s/ Katherine B. Dirks

Katherine B. Dirks

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

IMRE KIFOR,

Plaintiff-Appellant,

v.

THE COMMONWEALTH OF  
MASSACHUSETTS, ANDREA JOY  
CAMPBELL, Attorney General,  
GEOFFREY SNYDER, Commissioner  
of the Massachusetts Department of  
Revenue, MASSACHUSETTS  
DEPARTMENT OF REVENUE  
CHILD SUPPORT ENFORCEMENT  
DIVISION, MIDDLESEX PROBATE  
AND FAMILY COURT, [REDACTED]  
[REDACTED]

Defendants-Appellees.

CIVIL ACTION  
No. 23-1013

**THE COMMONWEALTH DEFENDANTS-APPELLEES’  
MOTION FOR SUMMARY DISPOSITION UNDER LOCAL RULE 27.0(c)**

Pursuant to First Circuit Local Rule 27.0(c), defendants-appellees the Commonwealth of Massachusetts; Andrea Joy Campbell, in her official capacity as Attorney General; the Massachusetts Department of Revenue (“DOR”); Geoffrey Snyder, in his official capacity as Commissioner of DOR; and the Middlesex Probate and Family Court (“Family Court”) (collectively, “Commonwealth Defendants”) respectfully move for summary disposition of the above-captioned

appeal. This appeal arises from a District Court order, entered sua sponte pursuant to 28 U.S.C. § 1915(e)(2) and before any summonses were allowed to issue, dismissing a pro se complaint. Plaintiff-appellant Imre Kifor seeks relief for purported violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* (“Title VII”) and 42 U.S.C. §§ 1981 and 1985. This appeal presents no substantial question to this Court, and should be dismissed or the District Court order summarily affirmed.

### **BACKGROUND AND PROCEDURAL HISTORY**

On November 14, 2022, Imre Kifor filed a complaint and motion for leave to proceed *in forma pauperis* in the District Court. ECF 1, Complaint for Injunctive/Declaratory Relief and Damages (“Complaint” or “Compl.”); ECF 2. He named as defendants the Commonwealth Defendants, as well as his former wife [REDACTED] and former fiancée [REDACTED] Compl. ¶¶ 10-14. The Complaint asserts causes of action for purported violations of Title VII and 42 U.S.C. §§ 1981 and 1985. Compl. ¶¶ 125-44.

Kifor is the father of four minor children: two children whose mother is [REDACTED] and two children whose mother is [REDACTED] Compl. ¶ 40. The Complaint is one of several complaints that Kifor has filed in the District Court arising from his challenge to Family Court orders involving these family members. Each of these complaints was dismissed sua sponte by the District Court. *See*

Order at 3 (citing Kifor’s other cases). Most recently, in a complaint filed four months before this one, Kifor claimed that the Commonwealth and other defendants are engaged in a racketeering enterprise to maximize the Commonwealth’s income under the Child Support Enforcement (“CSE”) program, under which states may receive reimbursement from the federal government for funds used to enforce child support orders. *See Kifor v. Commonwealth et al.*, No. 1:22-cv-11141 (D. Mass. filed July 17, 2022).<sup>1</sup>

In this Complaint, Kifor alleges that the Family Court has forced him into indigency through its child support orders and other actions, and that the defendants are engaged in “systematic and sustained conspiracies” to punish and retaliate against him. Compl. ¶¶ 41-45. Kifor claims that he has an employment relationship with the Family Court because he “perform[s] a service” for it as a non-custodial parent, namely, providing the Commonwealth with an opportunity to receive CSE reimbursements for its enforcement of the child support orders against him. Compl. ¶¶ 76-80. The Complaint claims that the Family Court discriminated against Kifor in this purported employment relationship on the grounds that he is a “man who cannot ever get pregnant.” Compl. ¶ 103.

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<sup>1</sup> The complaint in No. 1:22-cv-11141-PBS was dismissed by the District Court, and Kifor’s appeal of that dismissal was docketed in this Court on the same date as the instant appeal. *See Kifor v. Commonwealth et al.*, No. 23-1008.

The District Court (Saris, J.) allowed Kifor’s motion for leave to proceed *in forma pauperis* but dismissed the Complaint for failure to state a claim upon which relief may be granted. ECF No. 6 (Mem. and Order (Dec. 7, 2022)) (“Order”) at 1, 4. The District Court found that Kifor’s Complaint failed to state a claim under Title VII because his definition of an employer is “patently frivolous.” *Id.* at 4. Indeed, the District Court noted that it had already rejected a related argument that Kifor is a “coerced employee” of the Commonwealth. *Id.* at 5 (citing *Kifor v. Commonwealth*, No. 1:21-cv-11968, Order (ECF No. 8)). The District Court also found that it could not reasonably infer from the Complaint that defendants had violated 42 U.S.C. §§ 1981 or 1985.

Kifor appealed the dismissal order to this Court, ECF No. 8, which docketed the case on January 9, 2023. The Court ordered a briefing schedule by which Kifor is to file his opening brief by March 7, 2023.

### **ARGUMENT**

Under First Circuit Local Rule 27.0(c), this Court may summarily dismiss an appeal or affirm a district court order if “it shall clearly appear that no substantial question is presented.” The District Court properly dismissed the Complaint because it failed to state a claim upon which relief may be granted for violations of Title VII or 42 U.S.C. §§ 1981 and 1985. The 42 U.S.C. §§ 1981 and 1985 claims

are further barred by sovereign immunity and the *Rooker-Feldman* and *Younger* abstention doctrines.<sup>2</sup>

**I. The Complaint Fails to State a Claim for a Violation of Title VII.**

Kifor’s Title VII claim is defective because he is not an employee of any of the Commonwealth Defendants. The statute defines unlawful practices of employers towards their employees, including discrimination in hiring or termination, discrimination in the form of a hostile work environment, and retaliation for opposing practices made lawful under Title VII. 42 U.S.C. §§ 2000e-2, 2000e-3. Title VII prohibits employment discrimination based on “race, color, religion, sex, or national origin.” 42 U.S.C. § 2000e-2(a).

Kifor alleges that he is an “employee” of the Commonwealth because of the recovery that the Commonwealth has purportedly obtained in CSE reimbursements, through its enforcement of child support orders against Kifor. Compl. ¶¶ 76-80. As the District Court correctly found, that does not render the Commonwealth an employer of Kifor. Order at 4-5. Courts interpret the terms

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<sup>2</sup> The District Court did not address whether sovereign immunity barred Kifor’s claims, but lack of subject matter jurisdiction may be raised at any time, including for the first time on appeal. *See Kontrick v. Ryan*, 540 U.S. 443, 455 (2004); *Wells Real Est., Inc. v. Greater Lowell Bd. of Realtors*, 850 F.2d 803, 813 (1st Cir. 1988). Moreover, when reviewing the dismissal of a complaint, this Court may affirm the judgment below on any ground apparent from the record, regardless of whether it was presented to, or considered by, the lower court. *See In re Montreal, Maine & Atlantic R’way, Ltd.*, 888 F.3d 1, 8 n.4 (1st Cir. 2018).

“employer” and “employee” in Title VII with reference to common law agency principles. *Lopez v. Massachusetts*, 588 F.3d 69, 83-84 (1st Cir. 2009) (defining “employee” for purposes of Title VII and citing cases). No common law agency principle supports the claim that an individual becomes an employee of the Family Court because he has appeared before that court as a litigant or is subject to that court’s jurisdiction. The Complaint therefore failed to state a claim under Title VII for discrimination, hostile environment, and retaliation.

**II. The Causes of Action Pursuant to 42 U.S.C. §§ 1981 and 1985 Are Barred by Sovereign Immunity, Barred by the *Rooker-Feldman* and *Younger* Abstention Doctrines, and Fail to State a Claim.**

Kifor’s 42 U.S.C. §§ 1981 and 1985 claims were properly dismissed for multiple reasons: they are barred by sovereign immunity; they are barred by the *Rooker-Feldman* and *Younger* abstention doctrines in light of Kifor’s ongoing state court proceedings in the Family Court; and the Complaint fails to state a claim pursuant to 42 U.S.C. §§ 1981 or 1985.

**A. The Claims Against the Commonwealth, DOR, and the Family Court, and the Monetary Damages Claims Against the State Officers, Are Barred by Sovereign Immunity.**

The 42 U.S.C. §§ 1981 and 1985 claims against the Commonwealth, the DOR, and the Family Court are barred by sovereign immunity. The Eleventh Amendment bars suits in federal courts against a State unless the State has consented to suit or Congress has abrogated the State’s immunity. *See Bd. of*

*Trustees of Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001); *Regents of the Univ. of Cal. v. Doe*, 519 U.S. 425, 429 (1997); *Kentucky v. Graham*, 473 U.S. 159, 167 n.14 (1985). This guarantee applies equally to any agency or department of the State. *Pennhurst State School & Hosp. v. Halderman*, 465 U.S. 89, 100 (1984). The Commonwealth has not consented to suit under 42 U.S.C. §§ 1981 and 1985, and Congress did not abrogate State immunity in enacting the legislation. *See Sealy v. State Univ. of New York at Stony Brook*, 834 F. App'x 611, 613 (2d Cir. 2020) (citing cases); *Gochin v. Haaz*, 724 F. App'x 155, 158 (3d Cir. 2018) (§§ 1981 and 1985 claims against state courts are barred by Eleventh Amendment).

To the extent the Complaint asserts a claim for monetary damages against Attorney General Campbell and Commissioner Snyder, in their official capacities, the claim is likewise barred by sovereign immunity. A plaintiff does not evade the Eleventh Amendment by asserting a claim for damages against state officials in their official capacities. *See Kentucky*, 473 U.S. at 165-66.

Sovereign immunity deprives a court of subject matter jurisdiction over a claim. *Valentin v. Hosp. Bella Vista*, 254 F.3d 358, 362-63 (1st Cir. 2001). Accordingly, this Court lacks jurisdiction over the 42 U.S.C. §§ 1981 and 1985 claims against the Commonwealth, the DOR, and the Family Court, and the monetary damages claims against Attorney General Campbell and Commissioner Snyder in their official capacities.

**B. The Challenge to the Family Court Proceedings Is Barred by the *Rooker-Feldman* and *Younger* Abstention Doctrines.**

Federal review of Kifor’s claims is also barred by the *Rooker-Feldman* doctrine and *Younger* abstention doctrine. Under the *Rooker-Feldman* doctrine, “lower federal courts possess no power whatever to sit in direct review of state court decisions.” *Atlantic Coast Line R. Co. v. Brotherhood of Loc. Eng’rs*, 398 U.S. 281, 296 (1970); *see generally District of Columbia Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *Coggeshall v. Mass. Bd. of Reg. of Psychologists*, 604 F.3d 658 (1st Cir. 2010). “It is not necessary that the federal action formally seek to invalidate the state judgment; it is enough if the federal action would in substance defeat or negate a state judgment.” *Mandel v. Town of New Orleans*, 326 F.3d 267, 271 271 (1st Cir. 2003) (quoting *Hill v. Conway*, 193 F.3d 33, 39 (1st Cir. 1999)). If the claim in the district court is “inextricably intertwined” with a decision made in state court proceedings, then the *Rooker-Feldman* doctrine prohibits adjudication of the claim. *Hill v. Town of Conway*, 193 F.3d 33, 39 (1st Cir. 1999). Here, allowing Kifor’s claims to proceed would call into question the validity of the Family Court’s orders of child support against him. *Rooker-Feldman* bars the federal court from granting Kifor’s request for federal adjudication of those state court orders.

*Younger* abstention likewise applies. Under that doctrine, “interests of comity and federalism counsel federal courts to abstain from jurisdiction whenever

federal claims have been or could be presented in ongoing state judicial proceedings that concern important state interests.” *Hawaii Hous. Auth. v. Midkiff*, 467 U.S. 229, 237-38 (1984); *see also Younger v. Harris*, 401 U.S. 37 (1971). The factors for *Younger* abstention are present here. First, Kifor’s claims challenge ongoing proceedings in the Middlesex Probate and Family Court, and likewise appear to challenge his ongoing child support obligations. *See Kifor v. Kifor*, [REDACTED] (Middlesex Probate & Family Ct., last filing docketed Jan. 30, 2023); [REDACTED] *v. Kifor*, [REDACTED] (Middlesex Probate & Family Ct., last filing docketed Jan. 25, 2023); Compl. ¶¶ 19-34. Thus, reviewing his claims here would “needlessly inject” the federal court into a pending state judicial proceeding. *See Coggeshall*, 604 F.3d at 664 (internal quotation marks and citations omitted). Second, child support obligations “concern important state interests,” *Hawaii Hous. Auth.*, 467 U.S. at 237-38, which are traditionally a matter of state law. The Commonwealth’s courts, including its appellate courts, provide the appropriate jurisdiction for Kifor’s challenge to the proceedings in the Family Court.

**C. The Complaint Fails to State a Claim for Injunctive Relief Against Attorney General Campbell or Commissioner Snyder in Their Official Capacities.**

The Complaint also fails to state a claim for injunctive relief under either §§ 1981 or 1985 against Attorney General Campbell or Commissioner Snyder in their official capacities. Although a plaintiff may seek to enjoin a state official

from an ongoing violation of a federal law under *Ex parte Young*, 209 U.S. 123 (1908), which provides a narrow exception to sovereign immunity under the Eleventh Amendment, *see Town of Barnstable v. O'Connor*, 786 F.3d 130, 138-39 (1st Cir. 2015), the plaintiff must state a viable claim, *Verizon Maryland, Inc. v. Pub. Serv. Comm'n of Maryland*, 535 U.S. 635, 645 (2002).

The Complaint pleads no such claim. Section 1981 prohibits race discrimination in making and enforcing private contracts, but the Complaint makes no allegations to support such a claim. Section 1985 pertains to various conspiracies to violate an individual's civil rights, but Kifor has pleaded no facts plausibly showing that his Family Court proceedings violated federal law. Furthermore, Kifor has not alleged any non-conclusory facts to support any type of conspiracy claim. *See Alston v. Spiegel*, 988 F.3d 564, 578 (1st Cir. 2021) (“Vague and conclusory allegations about persons working together . . . will not suffice to defeat a motion to dismiss.”). The §§ 1981 and 1985 were, accordingly, properly dismissed for failure to state a claim.

### **CONCLUSION**

For the reasons set forth above, this appeal presents no substantial question to this Court. Accordingly, this Court should dismiss the pending appeal or summarily affirm the judgment of the District Court pursuant to First Circuit Local Rule 27.0(c).

Respectfully submitted,

Defendants-Appellees THE  
COMMONWEALTH OF  
MASSACHUSETTS, ANDREA JOY  
CAMPBELL, Attorney General,  
GEOFFREY SNYDER, Commissioner of  
the Massachusetts Department of Revenue,  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, and the MIDDLESEX  
PROBATE AND FAMILY COURT,

By their Attorneys

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ Katherine B. Dirks

Katherine B. Dirks

BBO No. 673674

First Circuit No. 1140660

Assistant Attorney General

Government Bureau/Trial Division

One Ashburton Place, Room 1813

Boston, MA 02108

(617) 963-2277

katherine.dirks@mass.gov

Date: February 10, 2023

### **CERTIFICATE OF SERVICE**

I, Katherine B. Dirks, hereby confirm that on February 10, 2023, I served a copy of the foregoing document on all parties and counsel of record through this Court's electronic filing system.

/s/ Katherine B. Dirks

Katherine B. Dirks

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

IMRE KIFOR,

Plaintiff-Appellant,

v.

THE COMMONWEALTH OF  
MASSACHUSETTS, ANDREA JOY  
CAMPBELL, Attorney General,  
GEOFFREY SNYDER, Commissioner  
of the Massachusetts Department of  
Revenue, MASSACHUSETTS  
DEPARTMENT OF REVENUE  
CHILD SUPPORT ENFORCEMENT  
DIVISION, MIDDLESEX PROBATE  
AND FAMILY COURT, [REDACTED]

Defendants-Appellees.

CIVIL ACTION  
No. 23-1013

**THE COMMONWEALTH DEFENDANTS-APPELLEES' MOTION TO  
STAY THE BRIEFING SCHEDULE PENDING A RULING ON THEIR  
MOTION FOR SUMMARY DISPOSITION**

The defendants-appellees the Commonwealth of Massachusetts; Andrea Joy Campbell, in her official capacity as Attorney General; the Massachusetts Department of Revenue (“DOR”); Geoffrey Snyder, in his official capacity as Commissioner of DOR; and the Middlesex Probate and Family Court (collectively, “Commonwealth Defendants”) respectfully request that this Court stay the briefing

schedule pending a ruling on their motion for summary disposition pursuant to First Circuit Local Rule 27.0(c), filed February 10, 2023.

As grounds for this motion, the Commonwealth Defendants state that this appeal arises from an order of the District Court dismissing Plaintiff-Appellant Imre Kifor's pro se complaint sua sponte pursuant to 28 U.S.C. § 1915(e)(2) and before the District Court allowed any summons to issue, *see* Fed. R. Civ. P. 4(b). The appeal was entered in this Court on January 9, 2023. The Court has ordered Kifor to file his opening brief by March 7, 2023. Because this appeal presents no substantial question for this Court to resolve, the Commonwealth Defendants have filed a motion seeking summary affirmance of the District Court's decision. A ruling in the Commonwealth Defendants' favor on the summary disposition motion would eliminate the need for the Commonwealth Defendants to file a brief on the merits.

WHEREFORE, the defendants-appellees the Commonwealth of Massachusetts; Andrea Joy Campbell, in her official capacity as Attorney General; the Massachusetts Department of Revenue; Geoffrey Snyder, in his official capacity as Commissioner of the Massachusetts Department of Revenue; and the Middlesex Probate and Family Court respectfully request that this Court stay the briefing schedule pending resolution of their motion for summary disposition.

Respectfully submitted,

Defendants-Appellees THE  
COMMONWEALTH OF  
MASSACHUSETTS, ANDREA JOY  
CAMPBELL, Attorney General,  
GEOFFREY SNYDER, Commissioner of  
the Massachusetts Department of Revenue,  
MASSACHUSETTS DEPARTMENT OF  
REVENUE, and the MIDDLESEX  
PROBATE AND FAMILY COURT,

By their Attorneys,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ Katherine B. Dirks  
Katherine B. Dirks  
BBO No. 673674  
First Circuit No. 1140660  
Assistant Attorney General  
Government Bureau/Trial Division  
One Ashburton Place, Room 1813  
Boston, MA 02108  
(617) 963-2277  
katherine.dirks@mass.gov

Date: February 10, 2023

**CERTIFICATE OF SERVICE**

I, Katherine B. Dirks, hereby confirm that on February 10, 2023, I served a copy of the foregoing document on all parties and counsel of record through this Court's electronic filing system.

/s/ Katherine B. Dirks  
Katherine B. Dirks

# United States Court of Appeals For the First Circuit

No. 23-1013

---

IMRE KIFOR,

Plaintiff - Appellant,

v.

THE COMMONWEALTH OF MASSACHUSETTS; ANDREA J. CAMPBELL, Attorney General; GEOFFREY SNYDER, Commissioner; MASSACHUSETTS DEPARTMENT OF REVENUE CHILD SUPPORT ENFORCEMENT DIVISION; MIDDLESEX PROBATE AND FAMILY COURT; [REDACTED]

Defendants - Appellees.

---

Before

Kayatta, Howard and Gelpí,  
Circuit Judges.

---

## JUDGMENT

Entered: March 20, 2023

Plaintiff-Appellant Imre Kifor appeals from the district court's screening dismissal of his complaint under 28 U.S.C. § 1915(e)(2)(B). Defendants-Appellees Commonwealth of Massachusetts (the "Commonwealth"), Attorney General Andrea J. Campbell, Commissioner Geoffrey Snyder, Middlesex Probate and Family Court (the "Family Court"), and Massachusetts Department of Revenue, Child Support Enforcement Division (the "DOR" and, together with the aforementioned defendants-appellees, the "Commonwealth Defendants") have moved for summary disposition.

Upon de novo review and after careful consideration of the parties' submissions and the relevant portions of the record, we hold that the Eleventh Amendment bars Kifor's 42 U.S.C. §§ 1981 and 1985 claims against the Commonwealth, the DOR, and the Family Court, as well as against Attorney General Campbell and Commissioner Snyder insofar as Kifor seeks monetary damages. See Town of Barnstable v. O'Connor, 786 F.3d 130, 138 (1st Cir. 2015) (describing Eleventh Amendment immunity applicable to states and state agencies); Davidson v. Howe, 749 F.3d 21, 27 (1st Cir. 2014) (explaining that the Eleventh Amendment bars suits for damages against state officials sued in their official capacities); see also Newman v. Lehman Bros. Holdings

Inc., 901 F.3d 19, 25 (1st Cir. 2018) (explaining that we may affirm an order of dismissal on any ground apparent in the record); Johnson v. Rodriguez, 943 F.2d 104, 107 (1st Cir. 1991) (suggesting under prior version of screening statute that all screening dismissals are to be reviewed de novo).

Assuming that Kifor's claims are not barred by the Rooker-Feldman doctrine or Younger abstention, see Sinapi v. R.I. Bd. of Bar Exam'rs, 910 F.3d 544, 550 (1st Cir. 2018) (bypassing a potential Rooker-Feldman issue); Marshall v. Bristol Superior Ct., 753 F.3d 10, 17 (1st Cir. 2014) (same for Younger), we also hold that the complaint fails to state a claim upon which relief may be granted against the Commonwealth Defendants. Contrary to Kifor's argument, he is not an "employee" of the Family Court for purposes of his claim under Title VII of the Civil Rights Act of 1964 ("Title VII"). See Casey v. Dep't of Health & Hum. Servs., 807 F.3d 395, 404-05 (1st Cir. 2015) (describing standard for establishing employment relationship under Title VII). Nor has he plausibly alleged that the Commonwealth Defendants violated 42 U.S.C. §§ 1981 or 1985.

Having reviewed Kifor's opening brief and the record below, we conclude as well that no substantial question is presented in this appeal as to Defendants-Appellees [REDACTED] and [REDACTED]. See 1st Cir. R. 27.0(c). Kifor's complaint fails to state a claim against [REDACTED] and [REDACTED] because he is not an "employee" of the Family Court for purposes of Title VII and because he has not plausibly alleged a violation of 42 U.S.C. §§ 1981 or 1985. Accordingly, the Commonwealth Defendants' motion for summary disposition is granted, and the judgment of the district court is affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Maria R. Hamilton, Clerk

cc:

Imre Kifor

Katherine B. Dirks

[REDACTED]  
[REDACTED]

# United States Court of Appeals For the First Circuit

---

No. 23-1008

IMRE KIFOR, individually and on behalf of all others similarly situated,

Plaintiff - Appellant,

v.

THE COMMONWEALTH OF MASSACHUSETTS; MIDDLESEX PROBATE AND FAMILY COURT; MASSACHUSETTS DEPARTMENT OF REVENUE CHILD SUPPORT ENFORCEMENT DIVISION; YALE SCHOOL OF MEDICINE (YALE UNIVERSITY); THE COUNSELING CENTER OF NEW ENGLAND; ATRIUS HEALTH, INC.,

Defendants - Appellees.

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Before

Kayatta, Gelpí and Montecalvo,  
Circuit Judges.

---

## JUDGMENT

Entered: August 4, 2023

Appellant Imre Kifor seeks review of the screening dismissal of his complaint filed in the District Court for the District of Massachusetts. See 28 U.S.C. § 1915(e)(2).

Kifor has filed his opening brief. A group of Defendant-Appellees have filed a motion for summary disposition. Kifor has responded, and we have considered all responsive filings and construed them liberally. The motion for summary disposition is hereby **GRANTED**. Independently, we conclude that there is no availing, compelling argument for reversible error in the dismissal of the complaint against the remaining Defendant-Appellees. See Local Rule 27.0(c) (court may summarily affirm under appropriate circumstances).

The judgment is hereby **AFFIRMED**. Any remaining motions or requests, to the extent not mooted by the foregoing, are **DENIED**.

Case: 23-1008 Document: 30 Page: 2 Date Filed: 08/04/2023 Entry ID: 6583322

By the Court:

Maria R. Hamilton, Clerk

cc:

Imre Kifor

Katherine B. Dirks

Andrea J. Campbell

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

December 29, 2023

Clerk  
United States Court of Appeals for the First Circuit  
United States Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: Imre Kifor  
v. Massachusetts, et al.  
No. 23-6398  
(Your No. 23-1008)

Dear Clerk:

The petition for a writ of certiorari in the above entitled case was filed on December 26, 2023 and placed on the docket December 29, 2023 as No. 23-6398.

Sincerely,

**Scott S. Harris**, Clerk

by

Lisa Nesbitt  
Case Analyst

# W A I V E R

## SUPREME COURT OF THE UNITED STATES

No.

(Petitioner)

V.

(Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of certiorari unless one is requested by the Court.

**Please check the appropriate box:**

- I am filing this waiver on behalf of all respondents.
- I only represent some respondents. I am filing this waiver on behalf of the following respondent(s):

**Please check the appropriate box:**

- I am a member of the Bar of the Supreme Court of the United States. (Filing Instructions: File a signed Waiver in the Supreme Court Electronic Filing System. The system will prompt you to enter your appearance first.)
- I am not presently a member of the Bar of this Court. Should a response be requested, the response will be filed by a Bar member. (Filing Instructions: Mail the original signed form to: Supreme Court, Attn: Clerk's Office, 1 First Street, NE, Washington, D.C. 20543).

Signature:

Digitally signed by Katherine B Dirks  
Date: 2024.01.09 12:55:37 -05'00'

Date:

(Type or print) Name

- Mr.
- Ms.
- Mrs.
- Miss

Firm

Address

City & State

Zip

Phone

Email

A copy of this form must be sent to petitioner's counsel or to petitioner if *pro se*. Please indicate below the name(s) of the recipient(s) of a copy of this form. No additional certificate of service or cover letter is required.

cc:

Imre Kifor

[demolished house mailbox]

Newton, MA 02464

[ikifor@gmail.com](mailto:ikifor@gmail.com)

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March 5, 2024

Maria R. Hamilton, Clerk

U. S. Court of Appeals For the First Circuit

John Joseph Moakley

U.S. Courthouse

1 Courthouse Way, Suite 2500

Boston, MA 02210

**SUBMITTED FOR:** Re: Kifor v. The Commonwealth Of Mass. et. al. - 24-1075

Dear Madam Clerk,

Enclosed for filing on my behalf, please find the duly signed **nine** identical paper copies of my electronically filed APPELLANT'S BRIEF.

Thank you.

Respectfully,

/s/ Imre Kifor, Pro Se

Enclosure

3/5/24, 9:56 AM

Gmail - 24-1075 Kifor v. Commonwealth of Massachusetts, et al "Appellant/Petitioner Brief"



Imre Kifor <ikifor@gmail.com>

**24-1075 Kifor v. Commonwealth of Massachusetts, et al "Appellant/Petitioner Brief"**

CA01NoticeDocketActivity@ca1.uscourts.gov <CA01NoticeDocketActivity@ca1.uscourts.gov>

Mon, Mar 4, 2024 at 4:16 PM

To: ikifor@gmail.com

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United States Court of Appeals for the First Circuit

Notice of Docket Activity

The following transaction was entered on 03/04/2024 at 4:13:16 PM Eastern Standard Time and filed on 03/04/2024

Case Name: Kifor v. Commonwealth of Massachusetts, et al

Case Number: 24-1075

Document(s): <https://ecf.ca1.uscourts.gov/docs1/00108115796?uid=562cec263fe95398>

Docket Text:

APPELLANT'S BRIEF filed by Appellant Imre Kifor. Served on 03/03/2024. <font color='blue'>Nine paper copies identical to that of the electronically filed brief must be submitted so that they are received by the court on or before 03/11/2024</font>. Brief due 04/02/2024 for APPELLEES Atrius Health, Inc., Andrea J. Campbell, Commonwealth of Massachusetts, [REDACTED] Maura Tracy Healey, Lifestance Health, MA Department of Revenue, Child Support Enforcement Division, Middlesex Probate and Family Court and Geoffrey E. Snyder. [24-1075] (YCC)

Notice will be electronically mailed to:

Wesley S. Chused  
Katherine B. Dirks  
Imre Kifor  
John P. Puleo

The following document(s) are associated with this transaction:

666 Document Description: Appellant's Brief

Original Filename: 24-1075 Appellant's Brief.pdf

Electronic Document Stamp:

[STAMP acecfStamp\_ID=1104935054 [Date=03/04/2024] [FileNumber=6626673-0] [3ac51fa996af1e772ffc88b9f0588165c4aae515eaa0e4811ba79b205aa2b3b23530461513ccf86e96c1346b8e03c2751e63b7552847f808dd2f6da23f05363a]]

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[STAMP acecfStamp\_ID=1104935054 [Date=03/04/2024] [FileNumber=6626673-1] [690575635ba5352b1a14e245da027603f00972787cedccde573866bd188e3323b8014e60661f18fb769617a85196defb90c889d759bbf03e2f872255f8eee1dd]]

Recipients:

Wesley S. Chused  
Katherine B. Dirks  
Imre Kifor  
John P. Puleo



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9505 5127 0041 4065 5280 05			
Insurance			\$0.00
Up to \$100.00 included			
<b>Total</b>			<b>\$12.45</b>


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# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
BOSTON DIVISION

FILED  
IN CLERK'S OFFICE  
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U.S. DISTRICT COURT  
DISTRICT OF MASS.

IMRE KIFOR,  
Plaintiff,  
v.  
THE COMMONWEALTH OF MASSACHUSETTS,  
GOVERNOR MAURA HEALEY (official capacity),  
ATTORNEY GENERAL ANDREA JOY CAMPBELL  
(official capacity), COMMISSIONER GEOFFREY E.  
SNYDER (official capacity, Mass. Department of Revenue,  
Child Support Services Division), and CHIEF JUSTICE  
JOHN D. CASEY (official capacity) Mass. Probate And  
Family Court Department,  
Defendants.

Case No: 1:25-cv-11831-AK

**IMRE KIFOR'S STATUS AFFIDAVIT ON NO WAIVERS OF SERVICE OF SUMMONS  
RECEIVED, NO PERMISSION TO E-FILE OR ACCESS TO CM/ECF GRANTED, AND  
ON RENEWED COMPLAINT FOR CIVIL RIGHTS VIOLATIONS SENT TO THE DOJ**

The Plaintiff, Imre Kifor ("Father"), respectfully states as follows:

- 1) Father docketed his *pro se* and *in forma pauperis* "Complaint For Declaratory And Injunctive Relief And Damages" in this Court on 6/25/2025. Father then mailed his "Notice Of Lawsuit And Request For Waiver Of Service Of Summons" & "Waiver Of The Service Of Summons" to the five Defendants on 6/26/2025, including physically printed & signed copies of Father's complaint and its supporting affidavit, and self-addressed stamped envelopes (see Exhibit 1).
- 2) Father has not received any responses from any of the five Defendants. Moreover, Father has no permission to e-file or access this Court's CM/ECF system to view the docket and filings.

- 3) Nevertheless, Father notes that he diligently and properly filed his "Application To Proceed In District Court Without Prepaying Fees Or Costs," simultaneously with his complaint, and he is ready to complete any additional/required steps to have his CM/ECF privileges granted.
- 4) On 6/30/2025, Father also renewed his previous complaints to the DOJ by mailing his open letter and signed affidavit, titled "The Deeply Child-Predatory And Profiteering 'LGBTQ+' Massachusetts ORDERS Impoverished Single Mothers To Nakedly Commit Fraud And Perjury In Our Family Courts Only To Conceal Systemic Title VI/VII Violations With A Federal Reimbursements-Extorting Racketeering Pattern," to the Civil Rights Division.
- 5) Father's letter & affidavit to the DOJ, and his received responses are attached as Exhibit 2.

Signed under the pains and penalties of perjury.

August 3, 2025,



Respectfully submitted,  
/s/ Imre Kifor  
Imre Kifor, Pro Se  
[demolished house mailbox]  
(mailbox only, house torn down)  
Newton, MA 02464  
[ikifor@gmail.com](mailto:ikifor@gmail.com)  
(857) 340-8699  
(by the federal Lifeline program)  
I have no valid driver's license  
I now sleep in a homeless shelter  
<https://www.youtube.com/@ImreKifor>

# **EXHIBIT - 1**

6/29/25 7:59 AM

Gmail - Fwd: Activity in Case 1:25-cv-11831-AK Kifor v. The Commonwealth of Massachusetts et al Notice of Case Assignment



Imre Kifor <ikifor@gmail.com>

---

**Fwd: Activity in Case 1:25-cv-11831-AK Kifor v. The Commonwealth of Massachusetts et al Notice of Case Assignment**

---

Imre Kifor <ikifor@gmail.com>

Thu, Jun 26, 2025 at 10:42 AM

To: "Dirks, Katherine (AGO)" <katherine.dirks@mass.gov>

Cc: "Xavier, Michael" <mxavier@princelobel.com>, Cyndi Oulton <cynoultan@gmail.com>

Bcc: quintessre@gmail.com, ofkifor@gmail.com

Dear Atty. Dirks,

Please see the attached notices/waivers I mailed to the Commonwealth Defendants today (including a copy of the complaint/affidavit and a self-addressed stamped envelope).

Thank you,  
Imre Kifor, Pro Se

Begin forwarded message:

**From:** ECFnotice@mad.uscourts.gov

**Subject:** Activity in Case 1:25-cv-11831-AK Kifor v. The Commonwealth of Massachusetts et al Notice of Case Assignment

**Date:** June 25, 2025 at 3:10:42 PM EDT

**To:** CourtCopy@mad.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**United States District Court**

**District of Massachusetts**

**Notice of Electronic Filing**

The following transaction was entered on 6/25/2025 at 3:10 PM EDT and filed on 6/25/2025

**Case Name:** Kifor v. The Commonwealth of Massachusetts et al

**Case Number:** 1:25-cv-11831-AK

**Filer:**

**Document Number:** 4(No document attached)

**Docket Text:**

**ELECTRONIC NOTICE of Case Assignment.** District Judge Angel Kelley assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge M. Page Kelley. (CEH)

Case 1:25-cv-11831-AK Document 7-1 Filed 08/06/25 Page 3 of 10

6/29/25, 7:59 AM


Gmail - Fwd: Activity in Case 1:25-cv-11831-AK Kifor v. The Commonwealth of Massachusetts et al Notice of Case Assignment

**1:25-cv-11831-AK Notice has been electronically mailed to:**

Imre Kifor ikifor@gmail.com

**1:25-cv-11831-AK Notice will not be electronically mailed to:**

---

 **25-06-26.pdf**  
775K



AUBURNDALE  
2122 COMMONWEALTH AVE  
AUBURNDALE, MA 02466-9998  
www.usps.com

06/26/2025 10:24 AM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope Boston, MA 02108 Weight: 0 lb 4.30 oz Estimated Delivery Date Sat 06/28/2025	1		\$2.59
First-Class Mail® Large Envelope Boston, MA 02108 Weight: 0 lb 4.30 oz Estimated Delivery Date Sat 06/28/2025	1		\$2.59
First-Class Mail® Large Envelope Boston, MA 02133 Weight: 0 lb 4.30 oz Estimated Delivery Date Sat 06/28/2025	1		\$2.59
First-Class Mail® Large Envelope Boston, MA 02114 Weight: 0 lb 4.30 oz Estimated Delivery Date Sat 06/28/2025	1		\$2.59
First-Class Mail® Large Envelope Boston, MA 02108 Weight: 0 lb 4.30 oz Estimated Delivery Date Sat 06/28/2025	1		\$2.59
<b>Grand Total:</b>			<b>\$12.95</b>
<b>Credit Card Remit</b> Card Name: VISA Account #: XXXXXXXXXXXX0451 Approval #: 07253G Transaction #: 515 AID: A000000031010 Contactless AL: VISA CREDIT			<b>\$12.95</b>

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SAO 398 (Rev 12/93)

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

TO: (A) THE COMMONWEALTH OF MASSACHUSETTS (official capacity)

as (B) \_\_\_\_\_ of (C) \_\_\_\_\_


A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) Boston Division in the District of Massachusetts and has been assigned docket number (E) 1:25-cv-11831-AK.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 26th day of June, 2025.

  
IMRE KIFOR, PRO SE  
\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff

A---Name of individual defendant (or name of officer or agent of corporate defendant)  
B---Title, or other relationship of individual to corporate defendant  
C---Name of corporate defendant, if any  
D---District  
E---Docket number of action  
F---Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

SAO.398 (Rev. 12/93)

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

TO: (A) GOVERNOR MAURA HEALEY (official capacity)

as (B) \_\_\_\_\_ of (C) \_\_\_\_\_

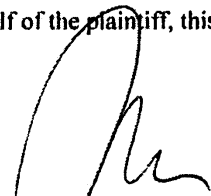
A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) Boston Division in the District of Massachusetts and has been assigned docket number (E) 1:25-cv-11831-AK.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 26th day of June, 2025.

  
\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff  
*177RE KIFOR PROSE*

A--Name of individual defendant (or name of officer or agent of corporate defendant)  
B-- Title, or other relationship of individual to corporate defendant  
C--Name of corporate defendant, if any  
D--District  
E--Docket number of action  
F---Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

SAO 398 (Rev. 12/93)

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

TO: (A) ATTORNEY GENERAL ANDREA JOY CAMPBELL (official capacity)

as (B) \_\_\_\_\_ of (C) \_\_\_\_\_

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) Boston Division in the District of Massachusetts and has been assigned docket number (E) 1:25-cv-11831-AK.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 26th day of June, 2025.

IMRE KIFOR PAB SE

\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff

A--Name of individual defendant (or name of officer or agent of corporate defendant)  
B--Title, or other relationship of individual to corporate defendant  
C--Name of corporate defendant, if any  
D--District  
E--Docket number of action  
F--Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

SAO 398 (Rev. 12/93)

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

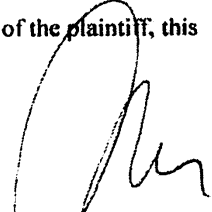
TO: (A) COMMISSIONER GEOFFREY E. SNYDER (official capacity), Massachusetts  
as (B) Department of Revenue, Child of (C) Support Services Division

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) Boston Division in the District of Massachusetts and has been assigned docket number (E) 1:25-cv-11831-AK.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 26th day of June, 2025.  
  
Imre Kitar Prose  
Signature of Plaintiff's Attorney or Unrepresented Plaintiff

A-- Name of individual defendant (or name of officer or agent of corporate defendant)  
B-- Title, or other relationship of individual to corporate defendant  
C-- Name of corporate defendant, if any  
D-- District  
E-- Docket number of action  
F-- Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

AO 398 (Rev. 12/93)

**NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

TO: (A) CHIEF JUSTICE JOHN D. CASEY (official capacity), Massachusetts

as (B) Probate And Family Court of (C) Department

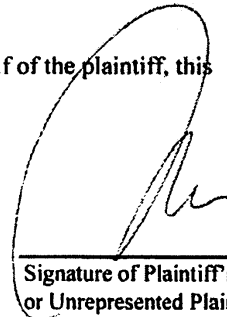
A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) Boston Division in the District of Massachusetts and has been assigned docket number (E) 1:25-cv-11831-AK.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) 30 days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this 26th day of June, 2025.

  
\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff

*PLEASE RETURN FOR PROSE*

A---Name of individual defendant (or name of officer or agent of corporate defendant)  
B---Title, or other relationship of individual to corporate defendant  
C---Name of corporate defendant, if any  
D---District  
E---Docket number of action  
F---Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver

AO 399 (01/09) Waiver of the Service of Summons

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Imre Kifor
Plaintiff
v.
THE COMMONWEALTH OF MASSACHUSETTS, et al.
Defendant
Civil Action No. 1:25-cv-11831-AK

WAIVER OF THE SERVICE OF SUMMONS

To: Imre Kifor, Pro Se
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from June 26, 2025, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date:

Signature of the attorney or unrepresented party

Printed name of party waiving service of summons

Printed name

Address

E-mail address

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

Print Save As... Reset

# **EXHIBIT - 2**

Imre Kifor

[demolished house mailbox]

(mailbox only, house torn down)

Newton, MA 02464

[ikifor@gmail.com](mailto:ikifor@gmail.com)

(857) 340-8699

(by the federal Lifeline program)

I have no valid driver's license

I now sleep in a homeless shelter

<https://www.youtube.com/@ImreKifor>

June 30, 2025

Attorney General Pamela Bondi  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Assistant AG Harmeet K. Dhillon  
Civil Rights Division,  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

U.S. Attorney Leah B. Foley  
U.S. Department of Justice,  
District of Massachusetts  
1 Courthouse Way, #9200  
Boston, MA 02210

**The Deeply Child-Predatory And Profiteering "LGBTQ+" Massachusetts ORDERS Impoverished Single Mothers To Nakedly Commit Fraud And Perjury In Our Family Courts Only To Conceal Systemic Title VI/VII Violations With A Federal Reimbursements-Extorting Racketeering Pattern**

Dear U.S. Attorney General Pamela Bondi,  
Dear U.S. Assistant AG Harmeet K. Dhillon,  
Dear U.S. Attorney Leah B. Foley,

In my open letter to you on 2/16/2025, I wrote, "I am a legal immigrant and naturalized citizen from a former communist tyranny. I was raised by the then dictatorial state with the same deceptively 'virtuous' Marxist principles, i.e., allowing the blatant 'stealing from the people to enrich the elites,' that the Trump Administration is finally uncovering in my beloved America. As a conclusion to my now [14+] years of struggle/targeted retaliations by the deeply child-predatory and profiteering 'LGBTQ+' Massachusetts, I am writing to you in desperation. My utterly intractable matters in [Family Court] came to a head on 1/30/2025 with the last hearings I could attend..." However, I only received further denials from the DOJ.

Nevertheless, I continued my lonely layman (and now homeless while surviving on minimal federal aid) existential struggle. Consequently, I was allowed to docket my 4th pro se/in forma pauperis petition for a writ of certiorari against the Commonwealth of Massachusetts et al., with the U.S. Supreme Court, see No. 24-7282. Significantly, the Supreme Court has also invalidated the "background circumstances" rule for Title VII claims, resolving a split in the federal circuits and holding that courts must evaluate claims brought by majority-group plaintiffs under the same evidentiary framework as minority-group plaintiffs.

The routine imposition of the additional burden by the background circumstances rule, Justice Ketanji Brown-Jackson wrote, "cannot be squared with the text of Title VII or our longstanding precedents."

“The ‘law’s focus on individuals rather than groups is anything but academic.’ By establishing the same protections for every ‘individual’ — without regard to that individual’s membership in a minority or majority group — Congress left no room for courts to impose special requirements on majority-group plaintiffs alone ... Our case law makes clear that the standard for proving disparate treatment under Title VII does not vary based on whether or not the plaintiff is a member of a majority group. Accord, *Bostock*, 590 U.S., at 659 (‘This statute works to protect individuals of both sexes from discrimination, and does so equally’), the ‘background circumstances’ rule flouts that basic principle.” Ames v. Ohio Department of Youth Services, 605 U.S. \_\_ (2025).

Reiterating my long-standing arguments, i.e., “The Commonwealth of Massachusetts aims to ‘double protect’ some citizens at the expense of revoking all protections from others, including Constitutional rights. Does ‘double protecting’ some waive Constitutional protections for all?” — see my consistently filed petitions with the Mass. Supreme Judicial Court, including a meticulously assembled record as SJ-2024-M026/2025-M006, and my just renewed “Complaint For Declaratory And Injunctive Relief And Damages” docketed with the U.S. District Court on 6/25/2025 as 1:25-cv-11831-AK —, I continue to be targeted with “silencing & enslaving,” i.e., the now unlawful **reverse discriminations and retaliations**.

As reiterated in my attached SJC “Status Affidavit On Appeals Endlessly Sabotaged Only To Conceal Reverse Discrimination-Based Predatory And Profiteering ‘Double Protection’ Agenda,” the retaliating State is applying “every tool in the [cheater’s] toolbox” to silence my unprotected whistleblower voice:

“Had reverse discrimination been recognized by Massachusetts law, the precedent from Lopez v. Commonwealth, [463 Mass. 698, 703 (Mass. 2012)], would have applied — as Father intentionally constructed his essentially identical [discrimination] claims against the State by following the pattern established by the [double protected] Black and Hispanic police officers. While Father intends to amend his complaints for modifications — re: his now HALF MILLION DOLLARS of fraudulently and usuriously accumulated in-arrears child supports and expenses — in the Family Court (see his blocked/ignored submissions on 4/13/2025), he cannot do so until the Family Court’s deliberately and materially falsified dockets are reviewed and rectified, as any further submission at this time by Father is manifestly futile, i.e., it would continue to be blocked/denied/ignored/discarded/erased — deliberately violating his due process and equal protection constitutional rights, **but saving the State from federal penalties for provenly extorted and fraudulently ‘maximized’ federal funds.**”

Under Gov. Maura Healey’s administration, the State is appallingly mismanaged and in need of endless federal funds, reflecting the worldwide wisdom that “Marxist ideals collapse when the money runs out.”

Consequently, the first openly lesbian governor in the nation built her administration around the need to “maximize” federal receipts at all costs, i.e., by shamelessly leveraging our dear Massachusetts children.

With a personal, professional, and a blatantly profiteering vendetta against “everything masculine,” i.e., using taxpayer money to **brainwash, steal, and forcefully castrate even underage American boys**, in the name of the conveniently custom-fabricated — meaning utterly illogical and incompetently “hacked together,” see my consistently filed complaints/petitions re: Russell’s Paradox — “LGBTQ+” principles, Governor Healey effectively and explicitly based her entire career on the now federally unlawful reverse discrimination against the vast majority white and straight men in Massachusetts. As Attorney General,

Healey also actively contributed to the deliberate and profiteering subversion of our U.S. Constitution, i.e., **by loudly “double protecting” some** — the always ambiguous, inconsistent, “fluidly” changing artificial groupings — only to then freely (and lucratively, in Marxist-style) discriminate and retaliate against all the despised “white toxic masculinity,” **with an organized (RICO) racketeering pattern.**

While not as originally intended, U.S. Supreme Court Justice Ketanji Brown-Jackson’s dissent, i.e.,

“... from the perspective of constitutional theory and actual practice, disaster looms. What I mean by this is that our rights-based legal system can only function properly if the Executive ... is always bound by law. Today’s decision is a seismic shock to that foundational norm. Allowing the Executive to violate the law at its prerogative with respect to anyone who has not yet sued carves out a huge exception — a gash in the basic tenets of our founding charter that could turn out to be a mortal wound. What is more, to me, requiring courts themselves to provide the dagger (by giving their imprimatur to the Executive Branch’s intermittent lawlessness) makes a mockery of the Judiciary’s solemn duty to safeguard the rule of law.” Trump v. CASA, Inc., 606 U.S. \_\_\_ (2025).

fits Governor Healey’s “LGBTQ+” administration like a glove. Specifically, Massachusetts is expressly protected by “absolute judicial and prosecutorial immunities,” as reiterated in Superior Court, while it:

- a) “deliberately violates the Title VI provisions by continuing to commit sustained and systemic discriminations and subsequent (i.e., upon his consistent complaints) retaliations against Father — based on race, color, and national origin — by specifically conspiring against and violating Father’s due process/equal protection constitutional rights with repeated cycles of organized acts — reflecting a 10+ years-long racketeering pattern — including: mail/wire fraud (e.g., secret “gatekeeper” orders, fraud-based decisions), obstruction of justice (e.g., forcedly faulty filings, falsified court dockets, discarded evidence and pleadings, erased uncontested facts), and repeated direct retaliations (e.g., ambiguous/inconsistent rulings, cancelled hearings, and continuously sabotaged appeals),”<sup>1</sup>
- b) “deliberately violates the Title VII anti-retaliation provisions by continuing to commit sustained/systemic retaliations against Father — upon his consistently filed complaints for discriminations based on race, color, sex, and national origin — by specifically conspiring against and violating Father’s due process and equal protection constitutional rights with repeated cycles of organized acts — reflecting a 10+ years-long racketeering pattern — including: **deliberately caused adverse employment actions (e.g., invalidating years in Father’s professional resume without allowing a chance to correct the attorney-assisted multi-million dollar fraud, [while] ordering an endless stream of frivolous complaints for contempt)**, mail/wire fraud (e.g., secret “gatekeeper” orders, fraud-based decisions), obstruction of justice (e.g., forcedly faulty filings, falsified court dockets, discarded evidence and pleadings, erased uncontested facts), and repeated direct retaliations (e.g., ambiguous/inconsistent rulings, cancelled hearings, and continuously sabotaged appeals).”

Significantly, the U.S. District Court, and the U.S. Court of Appeals for The First Circuit, repeatedly “provided the mortal dagger” against me, i.e., the background circumstances rule has been so entrenched that they ignored my “Motion For Injunction Against The Vindictive Commonwealth And Declaration That President Biden’s ‘Equity For All’ Blatant Deception Is Unconstitutional” e-filed on 11/12/2024:

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<sup>1</sup> See my “Complaint For Declaratory And Injunctive Relief And Damages” docketed as 1:25-cv-11831-AK.

“... As already established since 10/14/2024, the Family Court continues to refuse to docket even Father’s e-filed and timely oppositions (supported by his affidavit and extensive relevant evidence) to a maliciously biased and otherwise hateful anti-immigrant motion. As the thus committed predicate acts of [Civil] RICO racketeering activities support Father’s assertion that ‘no remedy for discrimination is ever possible if the evidence is deliberately discarded or erased by the perpetrators themselves,’ they also simultaneously violate [both Title VI/VII]. WHEREFORE, Father respectfully requests this Court to a) enjoin the child-predatory ‘feminist’ and profiteering ‘LGBTQ+’ agenda-driven State from discriminating against the significant number of immigrant men by either inciting the ‘ignorant illegals’ into violating federal law or effectively discarding the legal immigrant men as mere ‘Biden’s garbage’ by outright erasing their evidence/nullifying their complaints and b) declare that [former] President Biden’s 2/16/2023 Executive Order is unconstitutional, as it deceptively intends to foster the above discrimination by the states against the predominantly male immigrants.”

Revealing the State’s deeply predatory and profiteering motives, I now have direct proof that, as a legal immigrant/citizen, I am receiving \$292/month aid and a bed in a shelter with ~50 people, whereas **the State is extorting 10+ times that amount from taxpayers per illegal immigrant**, see “Migrant influx pushing Massachusetts shelter costs past \$1B in FY25: Massachusetts taxpayers are forking out around \$1,000/person/week under the program... Gov. Healey’s administration has already spent \$830 million so far in FY25, accommodating more than 4,000 families who have been receiving taxpayer-funded shelter, food, education, legal aid, and case management. The costs work out at about \$3,496/week per family, or around \$1,000/person/week for the program, known as the Emergency Assistance system.”

Once again, as per the established pattern, the State targets families with children with blatant “stealing from the people to enrich the elites” schemes, while condescendingly inciting the “ignorant illegals” into openly violating federal law and thus **forever compromising their ability to ever protect themselves and their children** from an “LGBTQ+” agenda-driven State intent on brainwashing, stealing, and also mutilating children, see my endlessly discarded substantiated complaints filed in the U.S. District Court for the District of Mass., citing *sua sponte* “prisoner” justifications without me ever committing a crime.

Consequently, I desperately request protection from a retaliating Massachusetts, as my 90-day stay in the shelter has expired, while the State has effectively ORDERED the impoverished mothers to lie in court.

Respectfully,  
/s/ Imre Kifor<sup>2</sup>, Pro Se

Referenced links:

1. <https://www.foxnews.com/politics/massachusetts-must-pay-feds-2-1b-after-mistakenly-using-pandemic-funds-cover-unemployment-benefits>,
2. <https://www.foxnews.com/us/massachusetts-migrants-taking-shelter-beds-from-taxpayers-allowed-no-vetting-former-director>,
3. <https://www.foxnews.com/politics/migrant-influx-pushing-mass-shelter-costs-past-1b-fy25-report>,
4. <https://plato.stanford.edu/entries/russell-paradox/>.

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<sup>2</sup> Signed under the pains and penalties of perjury as an affidavit in support of my renewed federal “Complaint For Declaratory And Injunctive Relief And Damages” for violations of Title VI/VII of the Civil Rights Act of 1964.

**From:** DOJ Civil Rights - Do Not Reply [civilrightsdonotreply@mail.civilrights.usdoj.gov](mailto:civilrightsdonotreply@mail.civilrights.usdoj.gov)  
**Subject:** Response: Your Civil Rights Division Report - 630856-MZS from the Criminal Section  
**Date:** July 1, 2025 at 9:51 AM  
**To:** [ikifor@gmail.com](mailto:ikifor@gmail.com)



U.S. Department of Justice  
**Civil Rights Division**

| [civilrights.justice.gov](http://civilrights.justice.gov)

Dear Imre Kifor,

You contacted the Department of Justice on June 29, 2025. Your report number is 630856-MZS. The Civil Rights Division relies on information from community members to identify potential civil rights violations. The Federal Bureau of Investigation and other law enforcement agencies conduct investigations for the Division. Therefore, you may want to contact your local FBI office or visit [www.FBI.gov](http://www.FBI.gov).

The Criminal Section is one of several Sections in the Civil Rights Division of the U.S. Department of Justice. We are responsible for enforcing federal criminal civil rights statutes. The Criminal Section prosecutes criminal cases involving:

- Civil rights violations by persons acting under color of law, such as federal, state, or other police officers or corrections officers;
- Hate crimes;
- Force or threats intended to interfere with religious activities because of their religious nature;
- Force or threats intended to interfere with providing or obtaining reproductive health services and
- Human trafficking in the form of coerced labor or commercial sex.

We cannot help you recover damages or seek any other personal relief. We also cannot assist you in ongoing criminal cases, including wrongful convictions, appeals, or sentencing. For more detailed information about the Criminal Section or the work we do, please visit our web page: [www.justice.gov/crt/about/crm/](http://www.justice.gov/crt/about/crm/).

We will review your letter to decide whether it is necessary to contact you for additional information. We do not have the resources to follow-up on or reply to every letter. If your concern is not within this Section's area of work, you may wish to consult the Civil Rights Division web page to determine whether another Section of the Division may be able to address your concerns: [www.justice.gov/crt](http://www.justice.gov/crt). Again, if you are writing to report a crime, please contact the federal and/or state law enforcement agencies in your local area, such as the Federal Bureau of Investigation or your local police department or sheriff's office.

Sincerely,

/s/

The Criminal Section

## Contact

[civilrights.justice.gov](http://civilrights.justice.gov)



U.S. Department of  
Justice  
Civil Rights Division  
950 Pennsylvania  
Avenue, NW  
Washington, D.C.  
20530-0001



(202) 514-3847  
1-855-856-1247 (toll-  
free)  
Telephone Device for the  
Deaf  
(TTY) (202) 514-0716

The image is a screenshot of a web browser displaying the tips.fbi.gov website. The browser's address bar shows the URL 'tips.fbi.gov'. At the top of the page, there is a navigation bar with the FBI logo and the text 'FBI FEDERAL BUREAU OF INVESTIGATION'. Below this, the main heading reads 'Electronic Tip Form'. The central part of the page features a large, light-colored checkmark icon and the text 'Submission Successful'. At the bottom of the page, there is a dark footer area containing two columns of links. The left column includes 'Most Wanted', 'Ten Most Wanted', 'Fugitives', 'Terrorism', 'Kidnappings / Missing Persons', and 'Seeking Information'. The right column includes 'News', 'Stories', 'Videos', 'Press Release', 'Speeches', and 'Testimony'. In the bottom right corner of the footer, there is a small icon and the text 'Privacy - Terms'.

tips.fbi.gov

An official website of the United States government. [Here's how you know](#)

**FBI** FEDERAL BUREAU OF INVESTIGATION

## Electronic Tip Form

Submission Successful

**Most Wanted**

- Ten Most Wanted
- Fugitives
- Terrorism
- Kidnappings / Missing Persons
- Seeking Information

**News**

- Stories
- Videos
- Press Release
- Speeches
- Testimony

Privacy - Terms



## U.S. Department of Justice Civil Rights Division

Imre Kifor

[demolished house mailbox]

Newton, MA 02464

Washington, DC 20530

July 15, 2025

Dear Imre Kifor,

You contacted the Department of Justice on July 11, 2025. After careful review of what you submitted, we have decided not to take any further action on your complaint.

### What we did:

Team members from the Civil Rights Division reviewed the information you submitted. Based on this information, our team determined that the situation you described does not appear to be within the jurisdiction of the federal civil rights laws we enforce. For that reason and in the exercise of our enforcement discretion, the Division will take no further action regarding your correspondence. Even when the Division has jurisdiction over a particular matter, it is within the Division's discretion to determine whether to pursue a particular matter for various reasons including the availability of evidence, among other considerations.

Your report number is 637421-XJK.

### What you can do:

Your issue may be covered by other federal, state, or local laws that we do not have the authority to enforce. We are not determining that your report lacks merit.

Your state bar association or local legal aid office may be able to help with your issue even though the Department of Justice cannot.

**To find a local office:**

Legal Services Corporation (or Legal Aid Offices)

<https://www.lsc.gov/find-legal-aid> (<https://www.lsc.gov/find-legal-aid>)

Thank you for taking the time to contact the Department of Justice about your concerns. We regret that we are not able to provide more help on this matter.

Sincerely,

U.S. Department of Justice  
Civil Rights Division



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
**Office for Civil Rights**

Headquarters • Humphrey Building  
200 Independence Ave., S.W. • Washington, D.C. 20201  
Voice: (800) 368-1019 • TDD: (800) 537-7697  
Fax: (202) 619-3818 • [www.hhs.gov/ocr](http://www.hhs.gov/ocr)

July 30, 2025

Imre Kikor  
[demolished house mailbox]  
Newton, MA 02464

Re: OCR Transaction Number: CU-25-630587  
Kikor, Imre vs. State of Massachusetts

Dear Imre Kikor:

Thank you for your letter received by the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR).

OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

Enclosed please find a *Complainant Consent Form* for you to sign and return to this office so that OCR can continue our investigation of your complaint. We have included two other documents for you to review entitled, *Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* and *Protecting Personal Information in Complaint Investigations*, that provide additional information on how OCR may use, obtain and disclose your information while investigating your complaint.

**Please sign and return the *Complainant Consent Form* to the address below within fourteen (14) days of the date of this letter. If we do not receive a response by the requested date, OCR will be unable to investigate your case, your file will be closed, and this letter will serve as our final correspondence to you.**

If your complaint is closed, you may file another complaint with this office when you are able to submit more complete information.

U.S. Department of Health and Human Services  
Office for Civil Rights  
Centralized Case Management Operations  
200 Independence Ave., SW, Room 509F  
Washington, D.C. 20201  
Fax: (202) 619-3818  
Email: [osocrclu@hhs.gov](mailto:osocrclu@hhs.gov)

U.S. Department of Health and Human Services  
 Office for Civil Rights  
 Headquarters • Humphrey Building  
 200 Independence Ave., S.W. • Washington, D.C. 20201

Thank you for your cooperation. If you have any questions about this matter, please contact Centralized Case Management Operations at (800) 368-1019 or (202) 619-3257 (TDD).

Sincerely,



Maqueda M. Fuller  
 Supervisor, Centralized Case Management Operations  
 (CCMO)

Enclosures: *Complainant Consent Form, Notice to Complainants, and Other Individuals Asked to Supply Information to the Office for Civil Rights and Protecting Personal Information in Complaint Investigations*

English	If you speak a non-English language, call 1-800-368-1019 (TTY: 1-800-537-7697), and you will be connected to an interpreter who will assist you with this document at no cost.
Español Spanish	- Si usted habla español marque 1-800-368-1019 (o a la línea de teléfono por texto TTY 1-800-537-7697) y su llamada será conectada con un intérprete que le asistirá con este documento sin costo alguno.
中文 - Chinese	如果你讲中文, 请拨打1-800-368-1019 (打字电话: 1-800-537-7697), 你将被连接到一位讲同语种的翻译员为你提供免费服务。
Tiếng Việt Vietnamese	- Nếu bạn nói tiếng Việt, xin gọi 1-800-368-1019 (TTY: 1-800-537-7697), và bạn sẽ được kết nối với một thông dịch viên, người này sẽ hỗ trợ bạn với tài liệu này miễn phí.
한국어 Korean	- 한국어를 하시면 1-800-368-1019 (청각 장애용: 1-800-537-7697) 로 연락주세요. 통역관과 연결해서 당신의 서류를 무료로 도와 드리겠습니다.
Tagalog (Filipino)	Kung ikaw ay nagsasalita nang Tagalog, tumawag sa 1-800-368-1019 (TTY: 1-800-537-7697) para makonek sa tagapagsalin na tutulong sa iyo sa dokumentong ito na walang bayad.
Русский Russian	- Если вы говорите по- русски, наберите 1-800-368-1019. Для клиентов с ограниченными слуховыми и речевыми возможностями: 1-800-537-7697), и вас соединят с русскоговорящим переводчиком, который вам поможет с этим документом безвозмездно.

# **EXHIBIT C**

# United States Court of Appeals For the First Circuit

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No. 26-1346

IMRE KIFOR,

Plaintiff - Appellant,

v.

COMMONWEALTH OF MASSACHUSETTS; MAURA TRACY HEALEY, Governor, in the official capacity; ANDREA J. CAMPBELL, Attorney General, in the official capacity; GEOFFREY E. SNYDER, Commissioner Department of Revenue, in the official capacity; JOHN D. CASEY, Chief Judge, in the official capacity; BRIAN J. DUNN, Chief Justice; CHRISTY OLEZESKI, PHD; KENNETH BURDICK, Counseling Center of New England; DR. STEVEN STRONGWATER, Atrius Health; [REDACTED]

Defendants - Appellees.

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## APPELLEES' BRIEFING NOTICE

Issued: April 16, 2026

Appellees' brief must be filed by **May 18, 2026**.

The deadline for filing appellant's reply brief will run from service of appellees' brief in accordance with Fed. R. App. P. 31 and 1st Cir. R. 31.0. Parties are advised that extensions of time are not normally allowed without timely motion for good cause shown.

Presently, it appears that this case may be ready for argument or submission at the coming **July/August, 2026** session.

The First Circuit Rulebook, which contains the Federal Rules of Appellate Procedure, First Circuit Local Rules and First Circuit Internal Operating Procedures, is available on the court's website at [www.ca1.uscourts.gov](http://www.ca1.uscourts.gov). Please note that the court's website also contains tips on filing briefs, including a checklist of what your brief must contain.

**Failure to file a timely brief in compliance with the federal and local rules could result in the appellee not being heard at oral argument. See 1st Cir. R. 45.0.**

Anastasia Dubrovsky, Clerk

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

John Joseph Moakley

United States Courthouse

1 Courthouse Way, Suite 2500

Boston, MA 02210

Case Manager: Gloria - (617) 748-4214

cc:

Andrea J. Campbell

Imre Kifor

4/22/26, 10:34 AM

Gmail - 26-1346 Kifor v. Commonwealth of Massachusetts, et al "Paper Copies Received"



Imre Kifor <ikifor@gmail.com>

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## 26-1346 Kifor v. Commonwealth of Massachusetts, et al "Paper Copies Received"

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CA01NoticeDocketActivity@ca1.uscourts.gov <CA01NoticeDocketActivity@ca1.uscourts.gov>

Wed, Apr 22, 2026 at  
10:11 AM

To: ikifor@gmail.com

\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

United States Court of Appeals for the First Circuit

Notice of Docket Activity

The following transaction was entered on 04/22/2026 at 10:11:33 AM Eastern Daylight Time and filed on 04/17/2026  
Case Name: Kifor v. Commonwealth of Massachusetts, et al  
Case Number: 26-1346

Docket Text:

THREE (3) paper copies of appellant's brief [6802395-2] submitted by Appellant Imre Kifor. [26-1346] (SRS)

Notice will be electronically mailed to:

Imre Kifor



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE  
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

(617) 727-2200  
[www.mass.gov/ago](http://www.mass.gov/ago)

**BY MAIL**

April 21, 2026

Anastasia Dubrovsky  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Suite 2500  
Boston, MA 02210

Re: *Imre Kifor v. Commonwealth of Massachusetts, et al.*  
1<sup>st</sup> Cir. No. 26-1346

Dear Ms. Dubrovsky,

I am writing with respect to the Court's April 10, 2026, order setting a briefing schedule in the above-referenced matter, as it pertains to defendants Commonwealth of Massachusetts, Maura Tracy Healey, Andrea J. Campbell, Geoffrey E. Snyder, John D. Casey, and Brian J. Dunn (hereinafter, "Commonwealth Defendants").

The Office of the Massachusetts Attorney General wishes to alert the Court that the Commonwealth Defendants are not defendants in this appeal. The record on appeal shows that the Commonwealth Defendants have not been served with the Complaint in the district court *See* ECF. No. 1 (Civil Docket for *Imre Kifor v. Commonwealth of Massachusetts, et al.*, No. 1:25-cv-11831). Lack of service of the summons and complaint on the defendants-appellees pursuant to Fed. R. Civ. P. 4 signifies that they are not defendants in the appeal. *See Brait Builders Corp. v. Mass. Div. of Capital Asset Mgmt.*, 644 F.3d 5, 9-10 (1st Cir. 2011) (holding that named defendants who were not served with the operative complaint were not defendants in the appeal).

Because the Commonwealth Defendants were not served with the complaint and are not defendants in this appeal, counsel from the Office of the Attorney General has not entered an appearance on their behalf in the court below or in this appeal. The Office of the Attorney General does not intend to file a brief on behalf of the Commonwealth Defendants.

I respectfully request that you bring the status of the Commonwealth Defendants to the attention of the panel considering the appeal. Thank you for your time and consideration.

Sincerely,

/s/ J. David Hampton  
J. David Hampton, BBO #667232  
Managing Attorney, Trial Division  
(617) 963- 2572  
[david.hampton@mass.gov](mailto:david.hampton@mass.gov)