

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TIMOTHY D. BILASH, Pro Se,
Plaintiff-Appellant,

v.

MICHAEL KEHOE, in his official capacity as Governor of Missouri;
SCOTT FITZPATRICK, in his official capacity as Missouri State Auditor;
DENNY HOSKINS, in his official capacity as Missouri Secretary of State,;
Defendants

CaseNo.: 4:26-cv-00567-MTS

PLAINTIFF'S APPELLATE STATEMENT OF ISSUES TO BE PRESENTED

Pursuant to the Federal Rules of Appellate Procedure, Pro Se Plaintiff
Timothy D. Bilash, hereby submits the following specific issues to be
presented on appeal to the United States Court of Appeals for the Eighth
Circuit:

1. Misapplication of Article III Standing and the Bost v. Illinois Mandate

Whether the District Court committed a reversible error of law by
determining that an active federal ballot candidate lacked constitutional
standing, directly conflicting with the controlling mandate in Bost v. Illinois
State Board of Elections (Jan. 14, 2026), which holds that candidates suffer
an automatic injury-in-fact when state administrative changes disrupt their
platforms or force additional expenditures of campaign resources.

2. Failure to Identify the Final-Day Computational Error Under Rule 6(a)

Whether the District Court erred by permitting an automated system to execute a default dismissal loop at 11:44 AM on June 1, 2026. Because the response window overlapped with the Memorial Day federal holiday, Federal Rule of Civil Procedure 6(a)(1)(C) extended the filing ceiling to the end of the day on June 1, rendering a mid-day system cutoff a fatal deprivation of calendar due process.

Supporting Record Fact: As documented on the record, on May 4, 2026, an unnotified PACER database script error and Multi-Factor Authentication (MFA) token failure stripped Plaintiff of his digital dashboard credentials, isolating his pro se operations in a paper-mail sandbox. While Plaintiff was legally blinded by this technical lockout, the court's automated electronic script executed a default case closure cutoff at 11:44 AM on June 1, 2026, preventing a clear view of the timeline and cutting short the protected midnight filing ceiling.

3. Failure to Remedy Clerical Data Pollution and System Contamination

Whether the District Court committed a structural abuse of discretion by ignoring a severe breakdown in administrative record integrity, wherein files from an unrelated California mortgage dispute (Guild Mortgage LLC v. ABC Legal Services) contaminated Plaintiff's active case file and stripped Plaintiff of vertical visibility over incoming entries while isolated in a papermail sandbox.

Supporting Record Fact: The unnotified PACER database script error and parallel MFA token failure on May 4, 2026, directly compounded this breakdown, leaving Plaintiff legally blinded and trapped in a paper-mail sandbox without digital dashboard credentials or visibility while the system layout was structurally compromised by unrelated case profiles.

4. Adoption of the Compactness Fallacy of the Pooled Mean

Whether the District Court erred by evaluating the map's legality on a statewide pooled mean of individual district compactness scores (SS-Within). This statistical model commits a severe ecological fallacy by flattening extreme localized variations, mathematically hiding the fracturing of a contiguous community across rural-fused districts, which a proper between-group variance decomposition (SS-Between) instantly exposes.

5. Fraudulent Equivalency via the Reductions of Denominator Fraction Weights

Whether the District Court erred by adopting a data model that regresses flat decimals instead of weighted fractions (N/D). As proven by Kronmal (1993), this method improperly weights a small rural precinct with a minor denominator identically to a dense urban core with a massive denominator. Similar to time-dependent data errors in public health tracking (Holcomb, 2001), this method creates a fraudulent equivalency that erases individual personhood ("labelitis").

6. Failure to Enjoin the Concurrent Referendum Paradox

Whether the District Court erred by ignoring the systemic voter dilution created by combining adjacent district metrics for shape analysis defenses in court while enforcing separate, polarized voting blocks via concurrent majority referendum mechanics. Slicing a contiguous urban core ensures that a regional majority is systematically vetoed by engineered geographic boundaries.

7. Administrative Timeline Manipulation and De Facto Executive Veto

Whether the District Court erred by permitting executive branch officials to bypass the automatic suspension clause of the Missouri Constitution. The referendum campaign timely submitted over 305,000 signatures—representing 286% of the constitutional minimum floor—making the probability of a fatal margin error statistically negligible. Allowing administrative verification delays to keep a challenged map active during an active election cycle creates an unconstitutional loophole functioning as a de facto executive veto.

8. The Temporal Paradox of Retroactive Fair Notice

Whether the District Court erred by adopting the state's reliance on court determinations issued on February 25, 2026, to retroactively invent "fair

notice" for a candidate registration executed in an absolute administrative vacuum on the morning of February 24, 2026.

Dated: July 31, 2026

Respectfully submitted,

/s/ Timothy D. Bilash, Pro Se

Timothy D. Bilash M.D., M.S., F.A.C.O.G.
1209 S. Big Bend Blvd. #179151
St. Louis, MO 63117-0503
Primary Cell: 858-444-7895
Campaign Email: Campaign@VoteDrTim.com
