

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

Case No. 24-1381

Case No. 25-1188

Joseph A. Cammarata,

Defendant–Appellant,

v.

Securities and Exchange Commission,

Plaintiff–Appellee.

APPELLANT’S MOTION FOR CLARIFICATION AND REQUEST FOR STATEMENT OF REASONS REGARDING ECF NOS. 83 (24-1381), 68 (24-1381), AND 12 (25-1188)

INTRODUCTION

Appellant Joseph A. Cammarata respectfully moves this Court for clarification and a statement of reasons regarding its repeated denials and refusals to rule on critical motions across multiple related appeals. This pattern has deprived Appellant of meaningful review, concealed judicial bias, and undermined confidence in the integrity of these proceedings.

BACKGROUND

1. On April 18, 2025, in Case No. 24-1381, Appellant filed an Emergency Motion to dissolve the asset freeze (ECF No. 68). That motion was denied without any explanation or citation to law.

2. On August 27, 2025, in Case No. 24-1381, the Court entered ECF No. 83, denying Appellant's requests for disqualification of the Third Circuit and certification to the Supreme Court. The denial contained no explanation or legal authority.

3. On March 24, 2025, in Case No. 25-1188, Appellant filed ECF No. 12, a motion to transfer the appeal to the Second Circuit due to pervasive conflicts. That motion has never been ruled upon.

ARGUMENT

I. DUE PROCESS REQUIRES REASONED EXPLANATION

The Supreme Court has long required that adverse rulings be accompanied by a statement of reasons. See *Goldberg v. Kelly*, 397 U.S. 254, 271 (1970). Without an articulated basis, appellate review is impossible. See *SEC v. Chenery Corp.*, 332 U.S. 194, 196 (1947). Denials without explanation deny Appellant the ability to frame arguments for rehearing or certiorari.

II. CONCEALING BIAS IS STRUCTURAL ERROR

The Third Circuit has recognized that concealing judicial bias from review is structural error. *United States v. Antar*, 53 F.3d 568, 573 (3d Cir. 1995). By issuing unexplained orders, this Court prevents review of disqualification issues and perpetuates the appearance of bias. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009).

III. THE PATTERN OF UNEXPLAINED DENIALS IS SYSTEMIC

This is not an isolated occurrence. ECF No. 68, ECF No. 83, and ECF No. 12 collectively demonstrate a systemic pattern of denying or ignoring motions without explanation. This contravenes fundamental principles of transparency and accountability in judicial decision-making, especially in cases involving constitutional rights and conflicts of interest.

RELIEF REQUESTED

For the foregoing reasons, Appellant respectfully requests that this Court: 1. Provide reasoned explanations supported by law for its denials in ECF No. 83 (24-1381) and ECF No. 68 (24-1381);

2. Rule on ECF No. 12 (25-1188), or explain why no ruling has been entered; 3. In the alternative, certify these questions to the United States Supreme Court pursuant to 28 U.S.C. § 1254(2);

4. Grant such other relief as this Court deems just and proper.

CERTIFICATE OF COMPLIANCE

This motion complies with Fed. R. App. P. 27(d)(2) because it contains fewer than 5,200 words.

It has been prepared in a proportionally spaced typeface using 14-point Times New Roman.

CERTIFICATE OF SERVICE

I hereby certify that on September 8th, 2025, I caused this motion to be filed with the Clerk of the Court via the CM/ECF system, which will serve all registered counsel of record.

Respectfully submitted,

/s/ Joseph A. Cammarata

Joseph A. Cammarata

Appellant, Pro Se

Dated: September 8, 2025

