

19-6443

No. _____

ORIGINAL

Supreme Court, U.S.
FILED

OCT 25 2019

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Amro Elansari — PETITIONER
(Your Name)

vs.

University of Pennsylvania RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Third Circuit Court of Appeals

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Amro Elansari

(Your Name)

325 Pennglit Ct.

(Address)

Exton PA 19341

(City, State, Zip Code)

4842809028

(Phone Number)

QUESTION(S) PRESENTED

1. Whether The University of Pennsylvania, Federally Funded, is Subject to Federal jurisdiction for using that funding in human research experiments without informed consent in violation of 45 CFR § 690.116 - General Requirements for informed consent, a federal statute/question?

(Suggested Answer: Yes, 1. Because the Federal funding implicates the U.S. Government as a Defendant and 2. Federal Funding used to deprive people of their rights funded by the federal government obviously implicates federal constitutional rights).

2. Was Summary Dismissal appropriate? (no: facts / pleadings were not informed in light most favorable to Plaintiff).

REVERSE + REMAND

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix B to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was 7/17/19.

[] No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix C.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[] For cases from **state courts**:

The date on which the highest state court decided my case was 7/17/19. A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

45 C.F.R. § 46.116

U.S. Constitution Amendment XIV

STATEMENT OF THE CASE

University of Pennsylvania running high voltage
human subject testing in public without warning
or informed consent. Plaintiff sued.

Lower Courts dismissed saying no federal jurisdiction.
But obviously, in light most favorable to Plaintiff
federal jurisdiction applies.

1. Violation of Federal Statute + State Law +
Federal/State Case/Tort Law

2. Federal Funding - Explaining - Brings
in the U.S. Government as a Party because
obviously the U.S. Government cannot fund
research that infringes on the rights of
Americans under Federal and State law as
a matter of Due Process

Complaint not read / applied in light most favorable
to Plaintiff / non-moving party.

REVERSE + REMAND.

REASONS FOR GRANTING THE PETITION

1. Valid Appeal - violation of rights -
Federal law / questions + funding
2. Federal Informed Consent Rights +
Human Research testing / funding implications.
3. 18 + Victims Confirmed.
4. Unacceptable in the United States.
5. Federal Funding Involved.
6. Erroneous Findings.

5.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Date: 10/25/2019

L.