

22-5142

No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.
FILED
MAY 14 2022
OFFICE OF THE CLERK

David Adey

— PETITIONER

(Your Name)

vs.

Secretary of the VA

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the Federal Circuit

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

PETITION FOR WRIT OF CERTIORARI

David Adeyi

(Your Name)

4433 Murdock Avenue

(Address)

Bronx NY 10466

(City, State, Zip Code)

929-248-2829

(Phone Number)

Veteran does not have an apartment yet.
Please send all mails to
Mailing Address : David Adeyi
P.O. Box 660771, Bronx NY 10466

QUESTION(S) PRESENTED

Should veteran be allowed to move his case forward, after he filed late a the U.S. Court of Appeals for the Federal Circuit, due to the Covid-19 Pandemic disruption.

Also, should veteran be granted his disability compensation, based on evidence submitted that both legs were injured during service, and other injury includes dental trauma, PTSD, Panic Attack, and compensation for more than 0 percent for bilateral hearing disability.

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:

RELATED CASES

Case No. 2015-7033 - U.S. Supreme Court.

Case No. 2021-1400 - U.S. Court of Appeals for the Federal Circuit

Case No. 19-0884 - U.S. Court of Appeals for Veterans Claims

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER _____

Please see arguments

STATUTES AND RULES

Please see argument

Denial of veteran's due process right under the 5th and 14th amendments, disability laws, and veterans disability compensation laws.

OTHER

Treating the Covid-19 Pandemic shutdown as a suspension on writ of habeas corpus for many states like the New York State in 2020 and 2021 where post offices and businesses were shut down, and citizens, including veterans could not answer their cases in court in a timely manner.

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 February 16, 2022

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 _____.

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 _____.
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 _____.

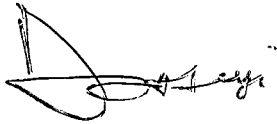
An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

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

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The U.S. Constitution, under the 5th amendment and the 14th amendment holds that no one would be denied life, liberty, or property without due process. The Covid-19 pandemic should not be an excuse against these constitutional provision for veterans who do not have resources to file timely appeal due to emergency that is not of their own making, or procedures that are cumbersome. The VA should not be allowed to sweep these cases under the carpet because of the Covid-19 pandemic.

David Adeyi
05/13/2022



STATEMENT OF THE CASE

To aid the understanding of the Court, veteran would iterate important issues. This is also because veteran does not have enough legal expertise to state the case in a way that would not confuse the Court.

*Veteran joined the Army (National Guard) in 2001, and deployed to Norway for NATO military training mission in 2003. Veteran fell (slide off the mountain for several minutes) and broke the left leg, and injured the right. Veteran also hit his head and was unconscious for several minutes before being rescued. Veteran was assisted up and carried to the end of the training area where a medical team was stationed. The medical team put POP (Plaster of Paris) on veteran's leg to help straighten the left leg that was bent as the result of the injury. Veteran was also sedated, and medication applied to the right leg as well.

* Upon arrival at home in the U.S., veteran experienced panic attack, feeling of frost bites, and nightmares about the accident. Veteran also nurtured the legs until he could use them well again. Veteran however always feels pain from time to time over the course of the years. Veteran waited for the legs to heal completely, but found out they never fully heal.

* Veteran was deployed to Operation Iraqi Freedom, where he had dental injury. Veteran also had hearing injury and tinnitus, and received compensation for tinnitus. Veteran had heightened cases of panic attack when in combat (station in camp Arifjan Kuwait). * Veteran filed for disability compensation, for leg injuries, but the VA denied that it was connected to service without providing any other basis. This is despite the fact that veteran did not have any other injury after the military injuries.

*VA denied that veteran ever had any left leg injury. VA denied this on several occasions, using it as justification for denying the claim on left leg compensation.

*VA documents later showed that both legs received treatments and evaluation more than a year after the injuries.

* Veteran appealed VA's decision, but the Veteran's court wrote that the appeal was untimely, despite veteran's explanation that he did not receive decision letter due to Covid-19 city lockdown, and only responded when he was allowed back to New York City. Veteran provided many exhibits as proof that he was forced to leave New York City, and also pleaded his case with the Court of Appeals for the Federal Circuit. Veteran was homeless, lost his apartment during the Covid-19 pandemic, and had to leave New York state.

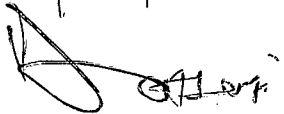
*The Court of Appeals for the Federal Circuit insisted that the Supreme Court has determined that the merit of the case could not be decided upon, since veteran did not file a timely appeal.

*Veteran has waited for many years to get compensation for left leg injury, right leg injury, panic attack, dental trauma, and PTSD. * The Court should please be aware that veteran has a 2015 related case with the Supreme Court.

David Haley
05/13/2019
David Haley

REASONS FOR GRANTING THE PETITION

This case is very important to veteran personally, but the case is also important to many veterans nationwide in the wake of the Covid-19 pandemic. Veteran compensation cases take years to resolve, and many may be denied compensation at the last minute because of national emergency situation that is not of their own doing. Veterans could be denied compensation on this excuse, despite provision of evidence that they are entitled to benefits. For example, VA just provided evidence that veteran (David Adeyi) received evaluation for both legs in 2004. This evidence came after VA denied that such evaluation ever occurred for both legs. Veteran appeals to the Supreme Court of the United States for compensation for left knee in service injury and right knee service injury. Veteran prays that the Supreme Court would take up this take up this case, consider the case timely filled, and grant service connection compensation to Veteran. Veteran also filed for compensation for service connected PTSD, panic attack, and dental trauma. Veteran prays that Court grants him compensation. The VA has not been providing information on PTSD, panic attack and dental trauma.

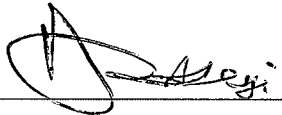
David Adeyi
05/13/2022


CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

David Adeyi

A handwritten signature in black ink, appearing to read 'David Adeyi', written over a horizontal line.

Date: May 13, 2022