

NO. 22-624

IN THE SUPREME COURT OF THE UNITED STATES

ZAFAR IQBAL

v.

Bureau of Professional and Occupational Affairs,

State Board of Medicine

On Petition for a Writ of Certiorari

To the Supreme Court of Pennsylvania

Docket no. 131WAL2022

PETITION FOR REHEARING

ZAFAR IQBAL

205 Essex Court

Gibsonia, PA 15044

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I, Zafar Iqbal respectfully petition under rule 44.2 for rehearing, after the Court's February 21st, 2023, denial and later objection raised in letter dated March 8, 2023. I most respectfully submit that I file this rehearing petition in good faith and without the Intention of causing any delay.

GROUND UNDER 42 U.S.C. § 1983 NOT PREVIOUSLY PRESENTED IN ORIGINAL PETITION FILED UNDER no. 22-624.

Section 1983 Litigation refers to lawsuits brought under Section 1983 (civil action for deprivation of rights) of Title 42 of the United States Code (42 U.S.C. § 1983). It supplies an individual with the right to sue state government employees and others acting under 'color of law' for civil rights violations. Section 1983 does not supply civil rights; it is means to enforce civil rights which already exist.

Brown v. Board of Education of Topeka, 347 U.S. 483 (1954). U.S. Supreme Court ruled that U.S. laws proving racial segregation in public schools are unconstitutional, even the segregated schools are equal in quality.

Ruling by Commonwealth Court of Pennsylvania under docket no. 1190CD2020 (Appendix A) granted the unconstitutional rights to BPOA, to disregard statutory law-breaking evidence and testimonies of material witnesses. This action by BPOA stands to be unconstitutional and subject to an injunctive relief in a Federal Court under 42 U. S.C. § 1983.

The elements of action under 42 U.S. C. §1983 violations claim are:

1. The action occurred under "color of law," in this instance Commonwealth Court of Pennsylvania granted the unconstitutional rights to BPOA, to disregard the evidence and testimonies of 3 material witnesses.
2. These unconstitutional rights provided 'under color of law' by the Commonwealth Court of Pennsylvania in case no 1190CD2020, resulted in deprivations of Fifth amendment's rights and Fourteenth amendment's rights of the petitioner.
3. This action was not based on any error but intentional actions by all State authorities.

By using discretionary powers and denying the petition under No. 131 WAL 2022 the Supreme Court of Pennsylvania also violated 42 U.S.C. § 1983.

42 U.S.C. § 1983 is the primary and only pathway left for the petitioner for remediable statute for asserting civil rights claims against BPOA unconstitutional decision of revoking my license, which was the primary source of my livelihood. State of Pennsylvania's Lower Court and discretionary Court were petitioned but did not supply any remedy.

Monroe v. Pape, 365 U.S. 167 (1961)

A party does not need to seek a state remedy before seeking a federal remedy under 42 U.S.C. § 1983.

Monel vs Depart of Social Security 436 US 658 (1978).

Local government is a 'person 'subject to lawsuits under section 1983, of title 42 of the United States Code.

Therefore, the petitioner humbly pleads that this writ for certiorari to be accepted for hearing in US Supreme Court, where all the requirements under the 42 U.S.C. § 1983 have been met.

Respectfully, I certify in good faith and without the intention of causing any delay. I send this petition for rehearing to grant a writ of certiorari for PASC docket no. 131WAL2022.



ZAFAR IQBAL

Dated March 13, 2023

Commonwealth of Pennsylvania
County of Allegheny
Sworn to and subscribed before me this
13th day of March, 2023 by
Zafar Iqbal
Harry M. Ruben, Notary Public


