No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Duncan Abraham Goldberg--PETITIONER

VS.

STATE OF MISSOURI ET AL.--RESPONDENTS

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Eighth Circuit

PETITION FOR REHEARING

Duncan Abraham Goldberg
Pro Se Litigant

JURISDICTION

The Supreme Court of the United States gave judgment of denial on June 24th, 2024, to the Petitioner's Petition for Writ of Certiorari. This Court has jurisdiction from Rule 44 of *Rules of the Supreme Court of the United States* to receive and judge this Petition for Rehearing of the Petitioner's original Petition for Writ of Certiorari to the same Supreme Court of the United States.

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be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law, nor shall private property be taken in public use, without just compensation." p.4,11

10.) The Ninth Amendment of the U.S. Constitution:

'The enumeration in the Constitution, of certain civil rights, shall not be construed to deny or disparage others retained by the people." p.11

11.) The Fourteenth Amendment of the U.S. Constitution:

"Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or proerty, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." p.4

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13.) *Code of Conduct for Justices of the Supreme Court of the United States,* p. 8,11,13,14

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16.) *Rules of the Supreme Court of the United States,* p. 7,8,11,13,14

17.) *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), p.6

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PETITION FOR REHEARING

Pursuant to this Court's Rule 44.2, due to

> "...intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented"

the Petitioner respectfully requests rehearing of this Court's June 24th, 2024 Order denying his petition for writ of certiorari, with decisions in *Looper Bright Enterprises v. Raimondo,* 22-451, 603 U.S. ____ (2024), *Relentless v. Department of Commerce*, 22-1219, 603____ (2024), *Trump v. United States, 23-939, 603 U.S.* ____, (2024), and *City of Grants Pass, Oregon v. Johnson*, 23-175, 603 ____, (2024) and the splits across the entirety of the State judicial systems as relates to disability accessibility with accommodations under Federal laws and the US Constitution, and the Lower Courts' staggering irregularity and discriminatory effects from it upon people with Brain Injury and other cognitive impairments, as evidenced by the Petitioner in his petition to this Court, and of the Federal Courts, and on other grounds, hitherto un-enunciated.

REASONS FOR GRANTING REHEARING

I.)

This Court's rulings on the above cases on June 28th, 2024, reversed precedent, created precedent, and transformed the American legal landscape already prejudicial to the Brain-Injured Community, found across America, to which his Father and family belonged and suffered, and made even more prejudicial, given those new decisions.

Overturning *Chevron v. National Resources Defense Council*, 468, U.S. 837 (1984), this Court empowered the American Judiciary to assign determination of congressional ambiguity to itself, diminishing executive agency expertise, now relegated to the weaker standard of *Skidmore v. Swift & Co.*, 323 U.S. 134 (1944), and left litigants living with Brain Injury and other cognitive disabilities, the cognitively-impaired, to meet clear gaps of public service and civil rights deprivations against themselves across State Judicial Systems, alone. These populations face endemic disability discrimination from within and about these judicial systems, so empowered to show expertise in matters of cognitive disability and Brain Injury, when, as now, these American Judiciaries do not have such expertise to prejudicial and damaging effect against cognitively-impaired litigants.

The Petitioner charges the Missouri Respondents with disability discrimination against his Father and family, as his Father, Mr. Goldberg attempted, while of his own legal capacity, yet living with Brain-Injury, to navigate Missouri's Judicial System. In providing no accommodation specific to the challenges of cognitive impairments including Brain Injury across the Missouri Judicial System and holding Mr. Goldberg to a default standard of the legal agency of non-Brain-Injured or other individuals unburdened by cognitive-impairments, so maintained by Missouri, and finding him wanting of that standard, the Respondents discriminated against his Father and family by association, denying access to the State courts with overwhelming barriers barring accessibility. In this, Missouri is only an outlier among the States, in being challenged

for such civil rights deprivations by the Petitioner. An examination of the judicial systems of the nation as relates to accessing effective accommodation obligated under Federal Laws and the Constitution, specific to their cognitive impairments reveals chaos and the deplorable state of affairs of civil rights deprivations against the cognitively-impaired from it, in all American Judiciaries.

To achieve an accommodation request under the Americans with Disabilities Act (ADA) and other Federal Laws protecting Americans with disabilities in American Courts from the 51 official websites of the States and the D.C., is to engage a taxing maze of discordant contact and action, and uniquely discriminatory to the cognitively-impaired of legal capacity, attempting it alone. Ten States make no ADA reference nor related accommodation in their judicial websites. The judicial websites of fourteen States, consider disability accommodation requests from litigants, but require those litigants to produce them and find the judicial contacts to receive them alone. Only six States and D.C.'s judicial websites provide disability accommodation forms and an internal mechanism to direct submission. All of the 50 States and D.C.'s Judiciaries however, put all onus of disability-accommodation-request-work squarely on disabled litigants, against provisions and intent of the ADA. This is particularly damaging to cognitively-impaired litigants. For them, every step of the search, completion and submission of a disability accommodation request to those judicial systems is a trial and a barrier all the more grueling due to their disabilities. Delays and miss-steps arising from cognitive impairments lead to timing-traps of the cognitively-impaired from the Judiciaries

by missed filing-deadlines, appointments, statutes of limitations, and from them disqualification and ultimately, denial of service and participation. This judicial discord is a manifest injustice across the breadth of the American Judiciaries as relates to denying the cognitively-impaired, their fair civic participation in these Public Entities. These are not insignificant populations. According to the Center for Disease Control and Prevention, 12.8% of the US population in 2023 had cognitive impairments, which the U.S. Census Bureau for that year records as 42,781,933 Americans, including, 5.3 million with Brain Injuries. It also reveals a stark split among the American Courts, and is damaging to them and the people they serve.

II.)

The above manifest injustice's basis is widespread procedural due process violations against the cognitively-impaired in the American Judiciaries when in need of them as litigants, and which awaits them upon activation of their legal efforts. In practice, that injustice is evidenced, by the Petitioner's original petition. That manifest injustice subjected the Petitioner's family to procedural due process violations in Missouri and to the Petitioner in the Federal Judicial System.

The Fourteenth Amendment of the Constitution, and fortified by Federal Laws including the ADA, stands to protect, the civil rights of the Petitioner and family, from being violated by the Missouri Respondents. The Fifth Amendment stands to protect, the Petitioner as he attempted to navigate the Federal Courts. Title II of the ADA,

and other Federal Laws also protect Americans with disabilities, and obligate Public Entities to protect the same and ensure their fullest and fairest civic participation. The ADA defines "a qualified person with disability" (which Mr. Goldberg was), and "reasonable modification" (which Missouri did not provide), and under Section 35.150 prohibits "retaliation or coercion," by Private and Public Entities against

> "any individual in the exercise or enjoyment of or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise of, any right granted or protected by the Act or this part."

Yet with no accommodation available, specific to the cognitively-impaired the Missouri Respondents relegated Mr. Goldberg to an inherently coercive judicial process. This coerced Mr. Goldberg's legal effort to detrimental truncation as he followed what limited course remained, so hobbled by a coercive stipulation that all but stopped it.

The Petitioner experienced coercion by association, and taking his family's case, to the Federal Courts, pro se also was protected by the ADA's Section 35.150 prohibition against coercion from the Missouri Respondents for

> "having aided or encouraged any other individual in the exercise of, any right granted or protected by the Act or this part."

The Petitioner's Federal effort is the product of utterly no specific accommodation available to his Father and his disabilities in Missouri, and thus the

coercion of the Missouri Respondents has penned the Petitioner into the Federal system, in his only chance to reverse the justice denied. The Petitioner encountered new coercion however, from the actions of the District Court Judge, and the procedural due process violations she engaged in.

Despite *Bell Atlantic Corps. v. Twombly*, 550 U.S. 544 (2007) and citing *Aschcroft v. Iqbal*, 556 U.S. 662 (2009) District Judge Pitlyk rejected the Petitioner's charges, as if they had no "plausibility," but above is additional evidence to the contrary. Given the charges presented, effecting enormous cognitively-impaired populations, that the Petitioner attempted to show the Federal Court, Judge Pitlyk should have given stricter scrutiny, and certainly more than the *de minimis* review she gave the Petitioner. *United States v. Carolene Products Co.* 304 U.S. 144 (1938), and its *Footnote Four*, demonstrates the need of stricter judicial review, when laws threaten provisions of the Constitution and discriminate against "discrete and insular" minorities as the Petitioner so charges, occur in his case. Judge Pitlyk further deviated from the *Federal Rules of Civil Procedure's* Rule 1, that they

> "be construed administered and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding"

by denying the Petitioner's motion for Federal Counsel assistance "as moot." It was neither "just" to cite the Petitioner's correctable pro se missteps as rationale to dismiss his case, deny any appeal, deny counsel assistance so requested, and hardly

"inexpensive" to that pro se litigant granted "in forma pauperis" status, to continue his case alone. Yet Judge Pitlyk did, and the Petitioner, so forced, has. Judge Pitlyk also denied amendment allowed by Rule 15(a),

> "The Court should freely give leave when justice so requires...."

also violating this Court's decision in *Foman v. Davis*, 371 U.S. 178 (1962), for Federal Courts to allow a party to amend pleadings. The Petitioner's request for Federal Legal Counsel was his own, if in-artful effort to self-amend his case, and which if granted, would correct technicalities Judge Pitlyk found disqualifying. Judge Pitlyk's denial of Federal Counsel proved determinative, prejudicing the fair hearing of the Petitioner's case and coercing him to continue vulnerably, pro se to the Eighth Circuit Court of Appeals, and constrained there, forced him to this Court and coerced anew, to write his petitions to secure a fair hearing. From Missouri to the Federal Courts, and the coercion he experienced, the merits of his case and his charges have not been heard fairly, so blocked by Missouri and Federal judicial procedural due process violations.

III.)

The manifest injustice he suffered in Missouri, and identified in American Judiciaries writ large, has met the Petitioner across the Federal Benches, and at the Supreme Court. This is not surprising, as the Federal Judiciary is not bound by the ADA to protect the civil rights of people living with disabilities. Neither the *Federal Rules of Civil Procedure*, the *Federal Rules of Appellate Procedure* nor the *Rules*

of the Supreme Court of the United States, which govern these Federal Courts' procedures use the word "accommodation," even once. Honed by care-giving, the Petitioner, recognizes service gaps to help someone cognitively-impaired enjoy civic participation, and he has found nothing while pro se demonstrating accommodation that his Father could have availed upon had he attempted to engage the Federal Courts pro se while of legal capacity, himself. No such accommodations are to be found in Federal Court procedures, practice, nor in their buildings, specific to cognitive impairments. The *Code of Conduct for United States Judges* and the new *Code of Conduct for Justices of the Supreme Court of the United States* stand to keep discrimination from their courts, but notably neither the former nor latter prohibit the Federal Judiciary from disability discrimination. *The former's* Canon 2(C.) notes:

> "Nondiscriminatory Membership. A judge should not hold membership in any organization that practices invidious discrimination on the basis of race, sex. religion or national origin."

While the latter's Canon 2(C) maintains

> "NONDISCRIMINATORY MEMBERSHIP. A Justice should not hold membership in any organization that practices invidious discrimination on the basis of race, sex, religion, or national origin."

Evidently the combined Federal Judiciary does not prohibit disability discrimination in membership, and the aforementioned manifest injustice at the State and Lower Judiciaries has found its way to, and predominates across the Federal System.

The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (2009) expanded the 1968_U.S. Federal hate-crime law's protections. Accordingly, Title 18 U.S.C. Section 249 holds,

> "(2) Offenses involving actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability--
>
> (A) In general-- Whoever, whether or not acting under color of law, in any circumstance described in subparagraph
>
> (B) or paragraph(3) willfully causes bodily injury to any person...
>
> (i) Shall be imprisoned not more than 10 years, fined in accordance with this title or both;..."

To which, a 2019 National Institute of Health (NIH) study reveals

> "1 in 5 individuals may experience mental health symptoms up to approximately six months after mild traumatic brain injury (mTBI), suggesting the importance of follow-up care for these patients."

Accordingly,

> "...more research is needed to understand the biological mechanisms that lead from (mTBI) to mental health problems and other adverse outcomes, such as neurological and cognitive difficulties."

Therefore, the Brain-Injured are uniquely vulnerable to "bodily injury" from "mental anguish" as it strikes at the source of their own bodily injury, and their own disabilities in their brain functions, due to their cognitive impairments therein. The mental anguish the cognitively-impaired suffer, from disability discrimination based on their cognitive impairments, strikes directly at their bodily impairments. Thus,

the mental anguish they so suffer is not "emotional" or "psychological" harm, but bodily unique to them, and conforms to Title 18 Section 1365(h) definitions:"

> "(h)(3) the term "serious bodily injury" means bodily injury which involves--
> (D) protracted loss or impairment of the function of a bodily member,
> organ, or mental faculty, and...
>
> (4) the term "bodily injury" means--
> (D) impairment of the function of a bodily member, organ, or mental
> faculty; or...
> (E) any other injury to the body, no matter how temporary."

This Court, has neither the medical nor care-giving expertise to say otherwise, justly, without rehearing this petition. According to the above Federal statutes, and with Title 18 U.S.C. Section 242, *Deprivation of rights under color of law*, stating,

> "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisonment not more than one year or both;..."

providing no accommodations while maintaining barriers that strike their cognitive disabilities, thereby frustrating and barring their access to American Courts, American Judiciaries are violating

U.S. laws against the cognitively-impaired. The Department of Justice, Civil Rights Division maintains Title 18 U.S.C. Section 242,

> "...makes it a crime for someone acting under color of law, to willfully deprive a person of a right or privilege protected by the Constitution, or laws of the United States. It is not necessary that the offense be motivated by racial bias or by any other animus.
>
> Defendants act under color of law when they wield power vested by a government entity. Those prosecuted under the statute typically include police, officers, sheriff's deputies, and prison guards. However other government actors, such as judges, district attorneys, other public officials and public school employees can also act under color of law and can be prosecuted under this statute.
>
> Section 242 does not criminalize any particular type of abusive conduct. Instead it incorporates by reference rights defined by the Constitution, federal statutes, and interpretive case law..."

At present, the American Judiciaries maintain disability discrimination against the cognitively-impaired in the Lower Courts by practice and procedure, and in the Federal Courts, by procedure, theory, practice and deliberate choice, as evidenced above. Only the Constitution with the Fifth and Ninth Amendments protects cognitively-impaired litigants from civil rights deprivations based on disability and judicial abuse from and in the Federal Courts. The Judicial Council Reform and Judicial Conduct and Disability Act of 1980, fails to cover the whole Judiciary for discipline of alleged misconduct and therefore all misconduct. Yet, the Constitution states,

> "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office."

The Founders, did not write haphazardly, and the above suggests actionable alternative to judicial service, due to "bad behavior." The American Judiciaries from the Lower Courts to this Court are not exhibiting the "good behavior" that the Constitution demands, as relates to cognitively-impaired litigants and their families. Further, *Claiborne v. United States*, 727 F.2nd 842, 849 (9th Circuit 1984), *United States v. Hasting*, 681 F. 2d 706, 709-11 (11th Circuit 1982), and *United States v. Isaacs,* 493 F.2d 1124, 1141-44 (7th Circuit 1974), show that the Judiciary cannot be shielded from criminal acts, when they engage in them, including inflicting bodily injury with mental anguish from disability discrimination against cognitively-impaired litigants and also remind of other legal avenues to discipline misconduct.

CONCLUSION

This Court has demonstrated in *Trump v. United States*, 23-939, 603 ____ (2024), and City of *Grants Pass, Oregon v. Johnson* 23-175, 603____ (2024), that it can set precedent effecting the most powerful and powerless individuals in the country, as Brain Injury and cognitive impairments can to millions of Americans. This court has sent clarity and questions back to the lower courts in it's recent decisions. The Judiciary has also proven to empower the Judiciary, but it must be just, and to the cognitively-impaired, it is not. When this Court has ruled against protections for litigants suffering civil rights deprivations from activities that its Justices engaged in concurrently, it has produced disgraceful decisions, that were calamitous for the nation and itself as demonstrated in *Dred Scott v. Sanford, 60 U.S. (19 How.) 293 (1857),* with its slave-holding majority of Justices in the majority decision, as Justices lived in racially segregated lives while ruling on *Plessy v. Ferguson 163, U.S. 537 (1896)* or to rampant racial animus at hand to Japanese-Americans when deciding *Korematsu v. United States 323 U.S. 214 (1944)*. These decisions rank among the most ignominious from this Court, and the present Robert's Court should consider them as it rules on this case, while subjecting the same discriminatory behavior the Petitioner charges the Respondents with, upon the cognitively-impaired, at its own Bench, with the rest of the Federal Judiciary.

The Judiciary purports to allow Americans to represent themselves at court at all levels, pro se, but this doubtlessly includes over 42 million cognitively-impaired, among them. This

Court and the American Judiciary cannot legally and ethically deny them, impeding their civic participation in the American Judicial System, due to lack of accommodations specific to cognitive impairments. Currently, the American Judiciary is demanding the cognitively-impaired to carry their own equivalent elevators, ramps, Braille libraries, and interpreting services on their backs at every point of activity with American judicial systems. This is neither just, nor "good behavior," from the courts. This Court, however, can self-correct, and course-correct the whole, by granting the rehearing of this petition and the necessary relief for the cognitively-impaired. This petition embodies the Petitioner's last ditch effort to achieve the cognitive-impairment accommodations that the Respondents never provided his Father to his hurt. This painful effort is not what it should take to achieve that which Federal Laws demand of the Judiciary to provide. Given the lack of such accommodation in the American Judiciaries, it was the best and all he could do. This Court can do better immediately, and spare the courts, litigation against them for their unconstitutional transgressions. The Petitioner respectfully submits that this Court grant rehearing of this petition for everyone's sake,

Duncan Abraham Goldberg
July 18th, 2024

CERTIFICATE OF COUNSEL

As a pro se litigant, and as the Petitioner, I hereby certify that this petition for rehearing is presented in good faith and not for delay and is restricted to the grounds specified in Rule 44.2, and is due to "intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented.

Duncan Abraham Goldberg,
Pro Se Litigant

APPENDICES

I.) Petitioner's 50 States and D.C.'s Judicial Websites' Disability Accommodation Request Process Search Results:

A.) Judicial Systems that make no reference of the ADA nor related accommodation:

-- Alabama, Arkansas, Georgia, Mississippi, Ohio, South Carolina, South Dakota, Texas, Wyoming and West Virginia. West Virginia mentions accessibility on its website but not the ADA.

B.) No actual forms for ADA (and related) accommodation requests are to be found or provided on these judicial websites:

-- Alabama, Alaska, Arkansas, Georgia, Indiana, Kansas, Kentucky, Louisiana, South Carolina, South Dakota, Texas, Utah, West Virginia and Wyoming.

C.) The judicial websites consider disability accommodation requests (without forms) to be made by litigants , but require those litigants to produce entirely, them themselves, and find the judicial contacts to receive them sans accommodation:

-- Alaska, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nevada, New Jersey, New York, Ohio, Utah, and West Virginia.

D.) Wyoming's judicial website instructs litigants to go elsewhere to find missing forms, not on its domain.

E.) Nevada has a form to file a concern about their judicial website, but none available for their *judicial system*.

F.) Arkansas provides a service on its judicial website to process allegations of disabilities of a sitting judge but not for disability accommodations for litigants.

G.) Washington's judicial website provides such forms, but makes the process convoluted as to obfuscate.

H.) Pennsylvania provides accommodation forms, but does so by county, making the process that more complicated.

I.) The judicial website provide immediate interface assistance to a search for a disability accommodation request form, which they do provide:

-- Arizona and New Mexico.

J.) The judicial websites provide the disability accommodation forms and an internal mechanism to directly submit them;

-- Colorado, Hawaii, Minnesota, Nebraska, North Carolina, Vermont and the District of Columbia.

K.) Judicial Systems that put all onus of disability-accommodation-request-work squarely on disabled litigants themselves, against the provisions and intent of the ADA:

-- Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, California, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia.

MENTAL HEALTH DISORDERS COMMON FOLLOWING MILD HEAD INJURY

NIH-funded study identifies risk factors for neuropsychiatric conditions after concussion.

A new study reveals that approximately 1 in 5 individuals may experience mental health symptoms up to six months after mild traumatic brain injury (mTBI), suggesting the importance of follow-up care for these patients. Scientists also identified factors that may increase the risk of developing post-traumatic stress disorder (PTSD) and/or major depressive disorder following mild mTBI or concussion through analysis of the Transforming Research and Clinical Knowledge in Traumatic Brain Injury (TRACK-TBI(link is external)) study cohort. The study was supported by the National Institute of Neurological Disorders and Stroke (NINDS), part of the National Institutes of Health. The findings were published in JAMA Psychiatry.

"Mental health disorders after concussion have been studied primarily in military populations, and not much is known about these outcomes in civilians," said Patrick Bellgowan, Ph.D., NINDS program director. "These results may help guide follow-up care and suggest that doctors may need to pay particular attention to the mental state of patients many months after injury."

In the study, Murray B. Stein, M.D., M.P.H., professor at the University of California San Diego, and his colleagues investigated mental health outcomes in 1,155 people who had experienced a mild TBI and were treated in the emergency department. At three, six, and 12 months after injury, study participants completed various questionnaires related to PTSD and major depressive disorder. For a comparison group, the researchers also surveyed individuals who had experienced orthopedic traumatic injuries, such as broken legs, but did not have head injury.

The results showed that at three and six months following injury, people who had experienced mTBI were more likely than orthopedic trauma patients to report symptoms of PTSD and/or major depressive disorder. For example, three months after injury, 20 percent of mTBI patients reported mental health symptoms compared to 8.7 percent of orthopedic trauma patients. At six months after injury, mental health symptoms were reported by 21.2 percent of people who had experienced head injury and 12.1 percent of orthopedic trauma patients.

Dr. Stein and his team also used the data to determine risk factors for PTSD and major depressive disorder after mTBI. The findings revealed that lower levels of education, self-identifying as African-American, and having a history of mental illness increased risk. In addition, if the head injury was caused by an assault or other violent attack, that increased the risk of developing PTSD, but not major depressive disorder. However, risk of mental health symptoms was not associated with other injury-related occurrences such as duration of loss of consciousness or posttraumatic amnesia.

"Contrary to common assumptions, mild head injuries can cause long-term effects. These findings suggest that follow-up care after head injury, even for mild cases, is crucial, especially for patients showing risk factors for PTSD or depression," said Dr. Stein.

This study is part of the NIH-funded TRACK-TBI(link is external) initiative, which is a large, long-term study of patients treated in the emergency department for mTBI. The goal of the study is to improve understanding of the effects of concussions by establishing a comprehensive database of clinical measures including brain images, blood samples, and outcome data for 3,000 individuals, which may help identify biomarkers of TBI, risk factors for various outcomes, and improve our ability to identify and

prevent adverse outcomes of head injury. To date, more than 2,700 individuals have enrolled in TRACK-TBI.

A recent study coming out of TRACK-TBI suggested that many TBI patients were not receiving recommended follow-up care.

"TRACK-TBI is overturning many of our long-held beliefs around mTBI, particularly in what happens with patients after they leave the emergency department. We are seeing more evidence about the need to monitor these individuals for many months after their injury to help them achieve the best recovery possible," said Geoff Manley, M.D., professor at the University of California San Francisco, senior author of the current study and principal investigator of TRACK-TBI.

Future research studies will help identify mental health conditions, other than PTSD and major depressive disorder, that may arise following mTBI. In addition, more research is needed to understand the biological mechanisms that lead from mTBI to mental health problems and other adverse outcomes, such as neurological and cognitive difficulties.

This work was supported by the NINDS (NS086090) and the Department of Defense (W81XWH-14-2-0176).

The NINDS (http://www.ninds.nih.gov) is the nation's leading funder of research on the brain and nervous system. The mission of NINDS is to seek fundamental knowledge about the brain and nervous system and to use that knowledge to reduce the burden of neurological disease.

About the National Institutes of Health (NIH): NIH, the nation's medical research agency, includes 27 Institutes and Centers and is a component of the U.S. Department of Health and Human Services. NIH is the primary federal agency conducting and supporting basic, clinical, and

translational medical research, and is investigating the causes, treatments, and cures for both common and rare diseases. For more information about NIH and its programs, visit www.nih.gov.

NIH...Turning Discovery Into Health®

Reference:

Stein MB et al. Posttraumatic stress disorder and major depression after civilian mild traumatic brain injury: A TRACK-TBI study. JAMA Psychiatry. January 30, 2019.

For more information:

https://www.ninds.nih.gov/Disorders/All-Disorders/Traumatic-Brain-Injury-Information-Page

https://www.ninds.nih.gov/Disorders/Patient-Caregiver-Education/Hope-Through-Research/Traumatic-Brain-Injury-Hope-Through

July 18th, 2024

To Whom it May Concern,

I, Duncan Abraham Goldberg, hereby declare that I have served notice of my Petition for Rehearing to the Supreme Court of the United States, to the four Respondents of my original Petition for Writ of Certiorari via the Attorney-General of Missouri, the City Counselor of the City of St. Louis, Missouri, the Clerks office of the 22nd Judicial Circuit Court, of the City of St. Louis, Missouri, and again to that Clerk's Office and from it to Judge Robert Dierker, now retired.

Sincerely,

Duncan Abraham Goldberg,
Petitioner and pro se
litigant,

July 18th, 2024

To Whom it May Concern,

I, Duncan Abraham Goldberg, hereby declare that my petition for Rehearing to the Supreme Court of the United States contains a total of 2,599 words with 607 words in verbatim quotes from cited sources included in the content, but not in the word count, as under-stood, per instruction and the "Rules of the Supreme Court of the United States."

Sincerely,

Duncan Abraham Goldberg
petitioner and pro se litigant,