

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 22-1772

LIJO PANGHAT, M.D.,

Plaintiff - Appellant,

v.

**DEPARTMENT OF VETERANS AFFAIRS; UNIVERSITY OF MARYLAND AT
BALTIMORE,**

Defendants - Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Ellen Lipton Hollander, Senior District Judge. (1:19-cv-00994-ELH)

Submitted: January 17, 2023

Decided: January 19, 2023

Before KING and THACKER, Circuit Judges, and TRAXLER, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Lijo Panghat, Appellant Pro Se. Catherine Anne Bledsoe, OFFICE OF THE ATTORNEY
GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

APPENDIX 1

PER CURIAM:

Lijo Panghat seeks to appeal the district court's order denying his Fed. R. Civ. P. 60(b) motion. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

When the United States or its officer or agency is a party in a civil case, the notice of appeal must be filed no more than 60 days after the entry of the district court's final judgment or order, Fed. R. App. P. 4(a)(1)(B), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5) or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." *Bowles v. Russell*, 551 U.S. 205, 214 (2007).

The district court entered its order on July 9, 2021. Panghat filed the notice of appeal on July 18, 2022. Because Panghat failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED

FILED: April 25, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 22-1772
(1:19-cv-00994-ELH)

LIJO PANGHAT, M.D.

Plaintiff - Appellant

v.

DEPARTMENT OF VETERANS AFFAIRS; UNIVERSITY OF MARYLAND
AT BALTIMORE

Defendants - Appellees

ORDER

The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge King, Judge Thacker, and Senior Judge Traxler.

For the Court

/s/ Patricia S. Connor, Clerk

APPENDIX 2

UNPUBLISHED**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 20-1496

LIJO PANGHAT,**Plaintiff - Appellant,****v.****DEPARTMENT OF VETERANS AFFAIRS; UNIVERSITY OF MARYLAND AT
BALTIMORE,****Defendants - Appellees.**

Appeal from the United States District Court for the District of Maryland, at Baltimore.
Ellen L. Hollander, District Judge. (1:19-cv-00994-ELH)

Submitted: February 23, 2021

Decided: February 25, 2021

Before MOTZ, KEENAN, and HARRIS, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Lijo Panghat, Appellant Pro Se. Catherine Anne Bledsoe, Lillian Lane Reynolds,
Educational Affairs Division, OFFICE OF THE ATTORNEY GENERAL OF
MARYLAND, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

APPENDIX 3

PER CURIAM:

Lijo Panghat appeals the district court's orders dismissing his complaint and denying reconsideration. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Panghat v. Dep't of Veterans Affs.*, No. 1:19-cv-00994-ELH (D. Md. Apr. 2, 2019; filed Mar. 27, 2020 & entered March 30, 2020). We deny Panghat's motion for leave to submit newly discovered evidence. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

FILED: May 11, 2021

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 20-1496
(1:19-cv-00994-ELH)

LIJO PANGHAT

Plaintiff - Appellant

v.

DEPARTMENT OF VETERANS AFFAIRS; UNIVERSITY OF MARYLAND
AT BALTIMORE

Defendants - Appellees

M A N D A T E

The judgment of this court, entered February 25, 2021, takes effect today.

This constitutes the formal mandate of this court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

/s/Patricia S. Connor, Clerk

APPENDIX 4

In the Supreme Court of the United States

Lijo Panghat, M.D. Petitioner, V. Dept. of Veterans Affairs & University of Maryland, Baltimore Respondents

No. 23A23

To,
The Honorable Chief Justice John G. Roberts
Chief Justice of the Supreme Court of the United States
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: Requesting your Direct Personal Intervention for an Urgent and Sensitive Matter

FOR THE KIND PERSONAL ATTENTION OF THE CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT, HON. JOHN G. ROBERTS

Dear Hon. Chief Justice Roberts,

1. I, Dr. Lijo Panghat, the Petitioner, am appealing the above-captioned Case in the Supreme Court of the United States. I am representing myself in this Case.
2. I am taking this liberty of writing to you directly because I want to **urgently report** to you and personally inform you about an extremely sensitive matter that has occurred **illegally** in the U.S. Supreme Court. From a formal submission that I had recently made to *your* Court, **two vital exhibits have been physically removed and one exhibit has been switched.**
3. I am writing this personal letter to you for your **immediate attention** because you are the Circuit Justice assigned to the Fourth Circuit. In this letter, I have have additionally raised certain serious concerns regarding critical matters, pertaining to an established *pattern of*

violation of 'due process' at different levels of Federal Courts.

4. Could I sincerely and fervently request you to please read this letter so that you would come to realize the extent of the **severe violations that have taken place in successive courts?** In the interest of justice and fairplay, I would indeed be grateful that you take appropriate action on an emergent basis.

5. As stated above, **crucial documents have illegally gone missing** and evidence **has even been unlawfully switched**. Vital documents in my recent submission are found to be missing from the Supreme Court records [specifically, Exhibit B and Exhibit D]. In addition, Exhibit C has been switched. In fact, I strongly believe that my **entire submission has been illegally changed** for the reasons elaborated in subsequent paragraphs.

6. As I had stated in my Application for Extension of Time in which to File a Petition for *Writ of Certiorari* addressed to you (filed on 7/7/23), it "is indeed fortunate that as per the Circuit assignment, none other than the highest-ranking officer of the U.S. Federal judiciary has been allotted to the Fourth Circuit as its Circuit Justice. Further, as the head of the Judicial Conference of the United States, it is crucial that this dire and distressing matter is brought to his attention."

7. I had also earlier recorded in this Application to you that I feel:

"that as the Chief Administrative Officer for the Federal Courts, the Honorable Chief Justice will be very concerned about the continued and egregious harm, which was caused by the **lawlessness at the lower courts**. This is succinctly explained in Petitioner's letter to Chief Judge Hon. Roger L. Gregory, U. S. Court of Appeals for the Fourth Circuit (among others), which was filed on April 24, 2023. Please refer to Exhibit B herein.

This above exhibit will clearly reveal to the senior-most official the continuous harm that is being inflicted upon Petitioner even to this day because the '*due process*' *promised by the U.S. Constitution is being repeatedly violated*. Petitioner is confident that this will help him get justice eventually in his unrelenting struggle for several years." Emphasis in original.

8. It is significant to note it is **this Exhibit B that has gone illegally missing**. Therefore, it is being resubmitted herein. Please refer to the accompanying Affidavit, Page 1, ¶ 3.

9. The very fact that I have made a specific and incriminating averment of unlawful wrongdoings, in which I have **pointedly referred to Exhibit B**, any reasonable reader would have obviously discovered that the entire Exhibit B itself is actually missing. This missing attachment is closely integral to my Application as it contains pivotal and incontrovertible evidence.

10. Furthermore, the reference to this Exhibit B was made in both the letter to the Clerk of the U.S. Supreme Court, as well as in my Application to the Chief Justice. However, it is noted this letter to the Clerk has not been included in the scan of my submission filed on 7/7/23. If felt necessary, I can send this letter to the Clerk again. In addition, the adversaries have also been duly served all these documents and I also have electronic proof of content because I sent them courtesy copies via email as well. Refer to Affidavit, Page 1, ¶¶ 1 to 3.

11. Not only is Exhibit B illegally missing, but it is also discovered that **even Exhibit D is not filed**. Removal of documents from Court records is also clearly **unlawful**.

12. Even the list of Exhibits [given on Pages 7 and 8 of my above-quoted Application] clearly enumerates the **missing evidence** [Exhibit B and Exhibit D]. This list consequently records and obviously points out to the Hon. Court the conspicuous irregularities that have been committed. Therefore, I have attached these two Exhibits [B and D] all over again. See Pages 7 and 8 in the Court-stamped document. Refer: <https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/23a23.html>

13. I also sent my adversaries a courtesy copy via email, (in addition to the copies served to them in hard copy). From each of these, it can be ascertained that Exhibits B and D are indeed present.

14. In addition, I have even stated certain serious facts about the Federal Courts themselves where I have repeatedly referenced these Exhibits, which would undoubtedly have clearly drawn the attention of the U.S. Supreme Court.

15. In addition to Exhibit B and Exhibit D illegally going missing, Exhibit C has been **unlawfully replaced**. The reasons for this follow:

16. I am absolutely certain I had *labeled each and every exhibit* in **my handwriting**, as can be seen at the first attachment, namely "EXHIBIT A" [Page 9, bottom center]. However, it is important to observe that in the so-called 'Exhibit C' found in this aforementioned scan of the Supreme Court's website, (whose link is given in Para 12 above), the **labeling has been unlawfully removed**. See Affidavit, Page 1, ¶ 1 and ¶ 4 and Page 2, ¶ 7.

17. In addition to this illegal removal of labeling, there has been yet another wrongdoing regarding staple marks. I had stapled all the documents together, due to which the holes made by the removed staples were present in each of the pages in the top left-hand corner. However, it is clear to see that this so-called 'Exhibit C' **does not have any marks of the staples** in the scanned pages, as can be observed on Page 11 of the aforementioned Supreme Court weblink. Other than this single page, it is important to note that the staple marks are present on *each and every other page* of my submission. See Affidavit, Page 2, ¶¶ 5 and 6.

18. Therefore, it is significant to note that this document, [Exhibit C Page 11], is **not what I had submitted** to the Supreme Court for the aforementioned reasons. I can vouch for this because I had repeatedly checked all the documents in the original as well as the copies submitted to Court and also served to my adversaries. However, the exhibit that is now placed purporting to be "EXHIBIT C", is clearly different from what I had originally submitted. This is because the specific label, namely "EXHIBIT C" that I had written at the bottom of this page is not present now. See Affidavit Pages 1 to 2, ¶¶ 4 to 7.

19. From all the above observations and reasons, I am convinced that my original Application has been **switched in its entirety**. This is further corroborated by the fact that the scanned copy that exists even now on your Court website, specifically and correctly records **four (4) exhibits** (on Pages 7 to 8), whereas it can be seen that **only two exhibits actually exist** [in the scanned copies published on the Supreme Court website]. See Affidavit, Page 1, ¶ 1.

20. For all the above reasons I am certain that this is **not** the document I submitted and the actual document has been switched.

21. I believe the reasons why my Exhibit D had been unlawfully removed from the Supreme Court is because of the large number of 'due process' violations that have been committed repeatedly against me in Federal Courts at different levels, which have needlessly caused me irreparable harm. The detailed reasons have been further elaborated in subsequent paragraphs below. In fact, I have been subjected to even **illegal actions in Courts** that have been severely detrimental to the interest of my Case. This is indeed a grave matter that I believe has brought the **integrity and sanctity** of the judicial system into question.

22. I had formally submitted key evidence to the United States District Court, District of Maryland. There is confirmed and verifiable corroboration that there has been '**destruction of this evidence**' in the US District Court by the **Officer/Officers of the Court**. It was only after I wrote to the Chief Judge of that Court, Hon. Judge James Bredar, was the missing evidence eventually placed on Record. However, unfortunately, immense damage had already been done to me because my pivotal Motion was denied without Judge Hollander getting an opportunity to even see this document **containing crucial evidence** I had earlier submitted to Court. It is significant to see that the **Judge herself concedes** that "[she has] I have no record in [her] my file that [she] I received that letter." See ECF 83.

23. These series of wrongdoings are unquestionably a matter of abiding disquiet. Therefore, in the interest of justice, it is imperative to ascertain the extent of the lack of due process. See ¶ 26 below and ECF 81, ECF 81-1, ECF 81-2, and ECF 83 and Exhibit D submitted again (attached herein).

24. In order to apprise the senior judiciary of Circuit Court of these repeated 'due process' violations in Courts, I had written personal letters to the Chief Judge as well as to Judges of the Circuit Court. The contents of these letters were generally the same as Exhibit B. It is this same Exhibit B that is **now gone missing in the U.S. Supreme Court** as well. Given the series of aberrations at successive Courts, I am apprehensive whether these letters were **indeed received by them**. This is particularly so because evidence submitted by me had been **destroyed repeatedly in Courts**. Refer to the aforementioned Exhibit B being again resubmitted herein by me.

25. In view of the above, it is reasonable for a person to have healthy skepticism and a lack of confidence in their mind about the fair and equitable functioning of Courts. Consequently, it would be entirely justified to find it necessary to check if the Judges are actually getting to see the pivotal evidence submitted to them.

26. Hence, this was done by personally filing a letter to the Clerk of the United States Court of Appeals for the Fourth Circuit with the following questions, specifically inquiring:

1. Did all the judges indeed get an opportunity to request for a poll?
2. If so, did they get a chance to read my vital letter [Exhibit B] that gave undeniable proof of grave irregularities even by and in Federal Courts before they 'decided' not to poll?

27. I did not get a response from the Court Clerk to whom my above letter was personally addressed. Given that I had harmful experiences repeatedly at the lower Court, including but not limited to those stated above, I took other measures within my capacity and effort to ascertain

the requisite information I had requested through the above two questions. Yet, I was unable to obtain this vital information. Thus, I am still not certain if the Court Clerk was even really able to read my personal letter to her. (If required, the other aforementioned measures that had been taken by me will be provided.)

28. Instead of receiving a reply from the Clerk of the Court to whom my letter was personally addressed, I got a reply from a **Deputy Clerk** [Exhibit D] who is **refusing to give me the information** that I had directly requested from the Court Clerk regarding my two specific and pertinent questions. From her response, I am unable to confirm to date whether the Court Clerk actually got to read my letter.

29. Instead of directly stating the information sought, this Deputy Clerk wrote what I think are entirely irrelevant matters that I had not asked. To any reasonable person, this would appear both evasive and vague. See Exhibit D being resubmitted herein.

30. Therefore, it is indeed unacceptable that an officer of the Court, far from answering the questions asked, I believe disingenuously obfuscated matters by mentioning issues that are not pertinent.

31. The confirmation I sought from the Court Clerk is being denied to me as explained above, so I do not know even to this day, whether the **Hon. Chief Judge Gregory, as well as the other Judges at the Circuit Court**, did indeed get to see the crucial evidence I had personally written to each one of them [that is the letter at Exhibit B, now again being submitted].

32. Even after my strenuous and persistent efforts in this regard, this vital and reasonable piece of information is being constantly refused to me. Understandably, such an unjustified and deliberate denial of bonafide information leads one to doubt the **transparency in the functioning of the Court system** and this naturally is a matter of concern and disquiet.

33. It is significant to note that the reply from this Deputy Clerk given at Exhibit D **also went illegally missing** from my above-referred Application in the U.S. Supreme Court and is thus being *resubmitted* now. See Exhibit D herein.

34. It is extremely unlikely that even an astute institution possessing such exemplary and meritorious expertise as the Supreme Court of the United States, the highest Court of the land, would not have detected that certain pivotal documents were illegally removed and evidence was unlawfully switched in the Supreme Court.

CONCLUSION:

35. It is unfortunate that my relentless struggle of over seven years in my pursuit of justice, all alone in a foreign land without any legal representation, has proved to be entirely futile, so far.

36. Honorable Chief Justice Roberts, I humbly urge you to understand that this is primarily happening because of a **continuous violation of 'due process' at every level.**

37. This is all the more burdensome because I am deliberately being blocked from my livelihood for a protracted period because I am a vulnerable foreigner. On account of this needless and egregious violation of 'due process' inflicted upon me, even by Courts at successive levels, I am deeply anguished and distraught.

38. This is all the more depressing because I am suffering extreme financial deprivation and my health is deteriorating. It has been my experience in all the subsidiary Courts that as long as important facts and evidence does not reach the correct authorities, there is little hope of receiving even a modicum of justice.

39. It is a matter of abiding concern and deep consternation for me that it is from the highest Court of the country that such an egregious and brazen 'due process' violation has just taken place. There is no doubt in my mind that the common man in this country would be justifiably

aghast and dismayed that crucial evidence could go missing and vital documents could be tampered with in this unbridled and outrageous manner in the United States Supreme Court.

40. Please feel free to contact me in case you need any further information and I will be glad to be of any assistance.

41. I greatly appreciate your time and help.

Thank you.

Sincerely,



Lijo Panghat, M.D., *Pro Se*

3120 Saint Paul St.
Apt. 111 E
Baltimore, MD 21218
Phone (Cell): 667-303-7001
email: dr.panghat@gmail.com

Date: August 11, 2023

Attachments:

Attachment 1: Copy of Exhibit B that was removed unlawfully from my Application filed on July 07, 2023, now being resubmitted [Petitioner's Letter to the Chief Judge of the U.S. Court of Appeals for the Fourth Circuit (filed on 04/24/2023)]

Attachment 2: Copy of Exhibit D that was removed unlawfully from my Application filed on July 07, 2023, now being resubmitted [Deputy Clerk's response to Petitioner's Letter to the Chief Clerk of the Fourth Circuit, seeking crucial information, given that there has been destruction of evidence at the U.S. District Court for the District of Maryland (filed on 05/09/2023)]

Affidavit in support of Report

Copy served to:

- (a) Counsel for Defendant VA, Mr. Matthew A. Haven
- (b) Counsel for Defendant UM, Ms. Catherine A. Bledsoe
- (c) Solicitor General of the United States (for Dept. of Veterans Affairs)

FOR THE ATTENTION OF HON. CHIEF JUDGE GREGORY

By electronic submission

Hon. Chief Judge Roger L. Gregory,
Chief Judge, U. S. Court of Appeals for the Fourth Circuit

Subject: New Evidence and Developments Prove Unprecedented Harm where your Federal Courts are still Denying me 'Due Process' that is 'Rewarding' Illegal Actions, some I believe even Criminal in Nature and Allowing the Continuous Blocking of Livelihood of a Vulnerable Foreigner

Dear Hon. Chief Judge Gregory,

I am Dr. Lijo Panghat, Appellant and I am currently representing myself in Case Nos. **22-1772** and **20-1496** (1:19-cv-00994 ELH).

I am approaching you regarding extremely sensitive and vital issues that heavily impinge upon not only this Circuit Court but also the U.S. District Court District of Maryland, hereinafter "lower Court". I had previously written to you for your help, highlighting the gravity of the numerous irregularities.¹

It is indeed unfortunate that matters have seriously deteriorated even further on account of the new developments that have recently taken place in this Case. Therefore, I am constrained to seek your assistance.

I had filed a Petition for Rehearing *En Banc* and Petition for Rehearing on April 05, 2023. I have already sent you this *En Banc* Petition very recently by using the CM/ECF system, which you may have had a chance to read by now. In it, I had explained my current situation very succinctly giving detailed references to the Record with elaboration therein. However, in this letter, I have briefly detailed below these new important developments. I would also like to emphasize and bring to your kind attention matters of concern regarding the instant Court and lower Court.

In the interest of brevity, I have concisely given only the highlights in this letter to respect your precious time as you are extremely busy. However, the essential matters are already elaborated in the Record, for which detailed references have been given herein as superscript.

I had duly submitted different documents containing material evidence to the lower Court that were stamped and deposited as per the instructions of the Court staff. More than one document submitted by me were **destroyed** and **not placed on the Record**. I believe this was done by an Officer or Officers of the Court.²

I did not have the benefit to file electronically (like CM/ECF) in the lower Court, unlike instant Court, and had to serve and file physically.

When I discovered much later that this evidence was destroyed, I formally complained to the Chief Judge and had to submit them yet again. It was only after I had approached the Chief Judge were these documents containing evidence eventually filed (after more than a year).³

This was unfortunate because the damage was done since by then my Motion for Newly Discovered Evidence ⁴ had **already** been denied and Judge Hollander later **admitted** that she had not even seen this evidence. ⁵

Additionally, an Officer of the Court has even stated under the seal of the Attorney General of Maryland that “**nothing** in Fed. R. Civ. P. 5 **requires a party to serve a pleading before filing** it with the Court” and Judge Hollander did not set this invalid document aside. Emphasis added. ⁶

From the three serious offenses stated above, I believe *fraud on the Court* has clearly been committed by Officers of the Court in the lower Court. ⁷

In addition to the above-stated grave wrongdoings, there have been numerous violations of ‘due process’ by many Officers of the Court. Some of these are listed below:

- An Officer of the Court filed a submission without serving. ⁸
- In addition, another Officer of the Court repeatedly filed documents without serving. ⁹
- Officer of the Court failed to file his submission by the deadline assigned by Judge Hollander, yet the invalid submission was accepted. ¹⁰
- Moreover, another Officer of the Court, Judge Hollander frequently refused to have invalid documents removed from the Record even though they were never served on me and one was even filed beyond the deadline set by her. ¹¹
- Part of the Record was sealed without my involvement. ¹²

Thus it is manifest that ‘due process’, which has been guaranteed in the U.S. Constitution (Amendments V and XIV) has repeatedly been violated in Courts.

There is a plethora of evidence that establishes that not only was there **no ‘due cause’** ¹³ but also **no ‘due process’** ¹⁴ was afforded. Even the newly-discovered evidence further proves this irrefutably. What is worse, in addition to my former employers denying me ‘due process’, it was also denied by the Courts, both the lower Court ¹⁵ as well as the instant Court ¹⁶. Thus, what is promised by the U.S. Constitution was violated. This is unconscionable.

The U.S. Department of State stipulates: “The J-1 Exchange Visitor Program provides opportunities ... to **experience U.S. society and culture and engage with Americans.**” [Emphasis added]. ¹⁷

Considering these unremitting wrongdoings at varied levels, it is indeed ironic to witness the ruination and mockery of the lofty ideals espoused by the two Governments of U.S. and India in relation to the J-1 Visa, on which I came to the U.S.

I have been punished needlessly without ‘Due Cause’ and am continually suffering severe ‘Due Process’ violations by an array of organizations over a protracted period.

Honorable Chief Judge Gregory, is this ongoing lawlessness and prolonged harm how the U.S. Government wants the foreign nationals who were issued J-1 Visas “to experience U.S. society and culture and engage with Americans”? It is indeed nothing short of a farce if this is how the U.S. Government wants it, which would be hard to imagine.

I was issued a J-1 Visa, which is instituted by the U.S. Government that is meant “to **strengthen** relations between the **US and other countries.**” [Emphasis added.] ¹⁸

My J-1 Visa, issued to me by the Government of United States, was *illegally destroyed* by what I believe are **malicious actions of Appellee University of Maryland**, Baltimore, hereinafter “UM”. It is absolutely essential therefore that this deliberate destruction of my J-1 Visa and consequent non-renewal of even a basic national identity document, that is my Indian passport, be set right forthwith. If the Hon. Courts fail to resolve this long-standing issue, then I will be **left with no option** but to formally approach the relevant authorities both in the U.S. Department of State and their counterparts in the Indian Government to intervene to resolve the issue and rectify it. ¹⁹

I think it would then become absolutely necessary for the concerned Departments of both Governments to review all Court documents and proceedings in order to ascertain the cause and as to who is responsible for this serious act of abusing the J-1 mechanism between the two countries.

Then, I will have to again highlight the grave offenses and I think even criminal actions deliberately done by adversaries, which led to my Visa destruction. The manner in which Courts at different levels failed to recognize the repeated and needless wrongdoings and to provide justice despite the protracted time taken, would necessarily have to be amply revealed to the authorities.

In such a situation, I believe the abject failure of the judicial system of the U.S. in resolving my Case would get exposed.

This protracted injustice is being watched by people in different parts of the world who are greatly dismayed because they feel this is not representative of what the U.S. stands for. This is neither in **Public interest** nor in **National interest**.

Is it in the national interest of U.S. when a person from a friendly country and a time-tested ally of the United States is deliberately harmed and the authorities at every level reward the offending parties? It is a widely known fact that India treats American citizens in its country very well. What about ‘reciprocity’?

After the horrendous 9/11 tragedy that your country has undergone, are these illegal falsehoods by UM regarding SEVIS and the U.S. Department of State acceptable? Is this not a grave vulnerability to your **National Security** that such false statements are made to State and Federal organizations regarding even the SEVIS status and the U.S. Government? ²⁰

Additionally, the Honorable Veterans and the officials of both the Governments will be shocked at the retaliation faced by a person who voluntarily submitted crucial evidence to the U.S. Government's “Office of Accountability and Whistleblower Protection”, especially concerning the welfare and health of our esteemed Veterans. It would become amply clear to the concerned authorities that if this is the way people who voluntarily give evidence to the **Whistleblower Department** are treated, then forget foreigners, **even American citizens will be hesitant to come forward** to do so. ²¹

The lower Court denied my ‘Motion to submit newly discovered pertinent and compelling evidence’ ²² that irrevocably reveals material facts fundamental to this Case and also the fact that UM resorted to making blatantly **false statements** and even committed what I believe are **criminal actions** like submitting **fabricated evidence to the District Court.** ²³ The new evidence clearly proves that the

official statement of Title IX of UM submitted to Court is **demonstrably untenable**. In fact, I believe it proves that a document has been *fabricated* to somehow falsely portray that 'due process' was given by UM when in fact it has unlawfully not done so. ²⁴

Newly discovered evidence conclusively proves that on numerous occasions UM has submitted several **false statements** in **State and Federal Courts**. It has I believe even **fabricated evidence**. These documents have now been proven to contain false statements and even the aforementioned evidence, which have been **repeatedly submitted to Courts**. ²⁵

Ironically, it is this faulty Decision, outrightly **denying** this material new evidence, that is being upheld by the instant Court. Unfortunately, it is this new evidence that is not being permitted by your Federal Courts, even though it is crucial and material to the Case. I have even stated in my Motion for newly-discovered evidence that "**fabricated evidence** was formally submitted to a **State and a Federal agency** by Defendant-Appellee UM". Emphasis added. ²⁶

In the sworn statement of the so-called 'victim' submitted to a Federal agency, my name does not figure even once, although she specifically names other physicians. ²⁷ Additionally, my name does not figure in the media in this regard. ²⁸

Considering all the facts of this Case and the new evidence, it is unequivocally proven that there was no Complaint against me in **any of the three (3) institutions**, namely UM, Appellee Veterans Affairs, hereinafter "VA", or BREF (Baltimore Research and Education Foundation). Neither did she ever complain to me. Thus, the fact that my termination was carried out **without 'due cause'**, is comprehensively established. ²⁹

I have specifically stated in instant Court:

"New evidence shows UM's allegations are clearly belied by a document with the letterhead of the U.S. "Bureau of Educational and Cultural Affairs" ... ECF63, Page4, ¶18. Record also reinforces this new evidence where even Johns Hopkins' assertion makes the statements of UM untenable. ECF16.8." ³⁰

This to me proves brazen fabrication of evidence, retaliation for opposing sexual harassment and opposing racial discrimination.

In addition to the fact that there was no 'due cause', as brought out above, there have been further '**due process**' violations done at the lower Court as well as the Circuit Court. For example, the lower Court placed on Record **invalid** submissions by Appellees on numerous occasions. It repeatedly accepted VA's documents to be filed **without them ever being served to me**. Besides it also accepted a document that VA **failed to file on time**. ³¹

Yet, the concerned Circuit Court Judges documented that they "have reviewed the record and find **no reversible error**." Emphasis added. ³²

After this Decision of the Circuit Court, UM too unlawfully filed a legal submission **without serving** me. Thus, it is evident 'Due Process' is being repeatedly denied to me by the Courts, although it is promised to me even as a foreigner by Article XIV of the U.S. Constitution. ³³

Judge Hollander accepted these invalid submissions and indulged in what I believe are *ex parte* communications. Despite such blatant violations of inalienable 'due process' rights promised by the U.S. Constitution, Appellees were 'rewarded' with favorable Judgments.

Further, I understand the instant Court does not authenticate documents. This is because it is the lower Court that is **authorized to authenticate** new evidence.³⁴ Despite this, Circuit Court even denied me the *legal right to file new evidence* in Court.³⁵

The longest-serving Chief Justice John Marshall has stated regarding the 'rule of law' that "the framers of the Constitution contemplated that instrument as a rule for the **government of courts**, as well as of the legislature." Emphasis added. I believe in this Case the rule of law was not afforded in the Circuit Court as well as the District Court.

New evidence further irrefutably proves that **sovereign immunity** and *res judicata* do not apply.³⁶

As regards the point of Sovereign Immunity, it is public knowledge that UM repeatedly receives several million dollars from the Federal government. Therefore, it chose to **voluntarily waive** Sovereign Immunity. Additionally, it is obvious that VA also gets Federal funding.³⁷

Furthermore, it was *VA itself* that moved this Case from State Court to Federal Court, and UM did not oppose it. Therefore, Appellees *agreed to be sued* in Federal Court.³⁸

In addition to this, there is no sovereign immunity for *deliberate acts* of racial discrimination, sexual harassment, and retaliation for opposing these.³⁹

With regard to the other 'reason' of *res judicata*, the main argument that this does not apply is that the parties were not the same because VA was **not even a party** in my earlier Case in the State Courts, which was purely a Case of Defamation, whereas this Case is for wrongful termination, discrimination, and retaliation for opposing sexual harassment and discrimination.⁴⁰

Further, there was no fair and 'final judgment on the **merits** in the prior litigation' because the State Court is **not even aware of this pivotal newly discovered evidence**. I have specifically documented in my Motion to Court that "This is because new evidence proved not just illegal but also criminal actions like adversaries submitting **false evidence to State and Federal organizations**, as well as submitting **fabricated evidence**." Emphasis added.⁴¹ I understand Court Orders were obtained fraudulently by deception. This is a violation of Fed. R. Civ. P. **60(b)(3)**.

In my recent submissions in the instant Court, I have specifically stated, "This new evidence that was not seen by the State Court proves that there was neither '**due cause**' nor '**due process**' and the adversaries resorted to criminal **fabrication** that **fraudulently deceived the Court**." Emphasis added.

⁴² Hence, *res judicata* does not apply as well. In fact, I believe the false and fabricated evidence has crossed State lines.

My Motion to admit this new evidence that specifically records “**fabricated evidence** has been submitted by Defendant-Appellee UM to State and Federal organizations” is being denied by *both* Circuit and District Courts. Emphasis in original. The question is ‘why’ and ‘who benefits’? Isn’t this perpetuating injustice? ⁴³

I believe evidence was **repeatedly destroyed** in the lower Court by the Officer or Officers of the Court, which amounts to ‘*fraud on the Court*’. ⁴⁴

In addition to the aforementioned violations, the Courts themselves **repeatedly denied me ‘due process’** ⁴⁵ and even rewarded the unlawful actions of Appellees where I believe Courts allowed even criminal actions consciously committed by adversaries and issued fundamentally erroneous Orders based on this. Thus, I understand these Orders are clearly **void** and therefore can be appealed at any time. This is a violation of Fed. R. Civ. P. **60(b)(4)**.

After I had brought out illegal actions of UM to the Title IX Coordinator, UM deliberately blocked my confirmed job at Johns Hopkins. New evidence further manifestly shows that egregious harmful actions were maliciously done by Appellees in **bad faith** and therefore the pretense of sovereign immunity does not sustain as well. ⁴⁶

Moreover, new evidence regarding U.S. Department of State (DOS) gives a specific date (J-1 Visa) that clearly corroborates the deliberate blocking by UM of my employment at Johns Hopkins. This I believe further evidences *bad faith* and is definitely in violation of J-1 principle “to strengthen relations” between the U.S. and India. Hence, sovereign immunity does not apply. ⁴⁷

Furthermore, even though UM has made numerous false statements to the Courts and has **very poor credibility**, yet it did not deny my assertion that the new evidence establishes that proof pertaining to the U.S. DOS is “**missing**”. ⁴⁸

Judge Hollander has in the past also denied another of my “Motion to Submit New Evidence” ⁴⁹ that proved what I believe are **criminal** actions committed by UM and further established their **poor credibility**.

Both my former employers UM and VA have repeatedly refused to follow the legally required ‘Due Process’ and the mandatory laid-down procedures. For example, I was summarily terminated illegally on multiple counts without a single day’s notice (no oral or written notice given even though mandatory 60-day **written notice** is legally required as per UM’s own Policies and Procedures), a copy of the so-called Complaint **never** given, no Termination letter **ever** given, UM’s Title IX **not** involved before my termination and my lawfully guaranteed opportunity to defend myself **never** given. It is extremely pertinent to note that I was **never found guilty** by any investigation of Appellees or any other body and yet continued discriminatory treatment was inflicted upon me. ⁵⁰

Now my fervent pleas have been amply vindicated and corroborated by the newly discovered evidence that unequivocally testifies to the fact that the key points that my adversaries have been reiterating all along, have been entirely false. ⁵¹

With this background, preparing and submitting legal paperwork to Court all by myself without any legal assistance necessarily becomes a prolonged distressful exercise. To make matters worse, I feel active efforts are being made even now so that my sleep is being persistently interrupted and deprived in my apartment. I have given the details of this in my **sworn** Statements with my Motions filed to Circuit Court in July 2022, in what I believe is criminal conspiracy. ⁵²

In addition, due to Appellees illegally and deliberately **blocking** me from taking up any new employment for **more than 7 years**, I am needlessly subjected to financial hardship and extreme deprivation, even as a physician. Consequently, I have not only been diagnosed with **nutritional deficiency diseases** in this period, I am undergoing immense mental anguish as well. Additionally, I am struggling to pay my rent, among other adversities. This is exacerbated by the fact that the Courts in America at different levels have not rendered me any justice for years on end, which has definitely not helped my mental health and caused me untold and **continuing** harm. It is thus manifest that there is grave and repeated violations of my **human rights**. I just *can't take this anymore*. ⁵³

Moreover, due to my continuing financial travails and adversities, I am not able to employ a lawyer from the outset, but am also forced to seek justice *pro se*. Therefore, I have to relive all this protracted injustice which is excruciatingly traumatic. The dragging on of this injustice for no fault of mine for more than half a decade makes it all the more unbearable, like Post-traumatic stress disorder (PTSD). ⁵⁴

What is all the more unconscionable and simply unacceptable is that those authorities, whose duty it is to ensure that such illegal behavior is set right and punished, seem to be even *abetting* such grave wrongdoings themselves. Do you not think that if their employment was blocked for forget 7 years or even 7 months, **even for a month**, would they not have resolved this a long time ago?

If the Hon. Court so desires I am willing to reiterate any of these points in this letter under the penalty of perjury.

For me, this Court may well be the last hope to get justice as it is a well-established fact that historically the Supreme Court, unfortunately, takes up only an extremely small percentage of cases.

Respected Chief Judge Gregory, I am appealing to your conscience. You are holding an exalted position that the nation has bestowed upon you and in this position you wield great authority and power of dispensing justice.

Having been apprised of the tremendous amount of injustice I am being repeatedly subjected to in this Court and in the lower Court for several years, I request you to ensure how some modicum of justice is delivered to me. I have abiding faith in you because I understand that as a Federal Judge, you are sworn to serve as a protector of the 'rule of law' and of the Constitution.

In the present circumstances, I am alone and distraught in a foreign land and thus in a very vulnerable situation. It is at this perilous and precarious juncture that I most fervently reach out to you for succor in undoing the gross injustice being done to me by your Courts.

Thank you.

With kind regards,
Yours sincerely,

/s/ Lijo Panghat
Dr. Lijo Panghat
pro se

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Date: April 24, 2023

Email: dr.panghat@gmail.com

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3. USCA4 Appeal: 22-1772, Doc: 33, Pages: 5, 7, 10 and 11. ECF 81, ECF 81-1, ECF 81-2
4. ECF 63, ECF 63-1, ECF 63-2, ECF 63-3, ECF 63-4, 63-5, 63-6, ECF 63-7, ECF 63-8, ECF 63-9
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52. USCA4 Appeal: 22-1772, Doc: 6-2, Page: 2
53. ECF 63-1, Page 2, ¶¶ 10 to 11, Page: 3, ¶ 22
54. ECF 63-1, Page: 1, ¶ 4

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2023, I electronically filed the foregoing Letter with the Clerk of the Court for the U.S. Court of Appeals for the Fourth Circuit by using the CM/ECF system. All participants are registered CM/ECF users, and will be served by the appellate CM/ECF system.

/s/ Lijo Panghat
Lijo Panghat, M.D.
Pro Se

No. 23A23

IN THE
SUPREME COURT OF THE UNITED STATES

Lijo Panghat, M.D.
Petitioner,
V.
Dept. of Veterans Affairs
&
University of Maryland,
Baltimore
Respondents

APPLICATION FOR FURTHER EXTENSION OF TIME IN WHICH TO FILE A
PETITION FOR *WRIT OF CERTIORARI* BECAUSE OF UNFORESEEN
EMERGENCIES LIKE PREVENTING POTENTIAL EVICTION

TO THE HONORABLE JOHN G. ROBERTS, JR., CHIEF JUSTICE OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE FOURTH CIRCUIT:

NOW COMES Petitioner, Dr. Lijo Panghat, and respectfully requests a thirty-day extension of time for filing a Petition for a Writ of Certiorari to the United States Court of Appeals for the Fourth Circuit, such extension to include Monday, October 23, 2023. This application is submitted more than ten (10) days prior to the scheduled filing date for the Petition, which is September 22, 2023. In support of this Motion, and because of prevailing unprecedented circumstances, Petitioner shows the following:

Petitioner, Dr. Lijo Panghat had filed the above-captioned Case in the United States District Court for the District of Maryland. He is **representing himself** in this Case.

Petitioner plans to file in this Court a ~~Petition~~ for a *Writ of Certiorari* to the United States Court of Appeals for the Fourth Circuit, asking this Court to review the final judgment by the United States Court of Appeals for the Fourth Circuit.

The Circuit Court issued its unpublished Decision on January 19, 2023. See Exhibit A.

Petition for Rehearing *En Banc* and Petition for Rehearing was filed on April 05, 2023.

The final Order dismissing his Case was filed on April 25, 2023. See Exhibit B.

Petitioner requests this emergency extension of time to file his Petition for a *Writ of Certiorari* based on the specific and unprecedented reasons given in subsequent paragraphs.

On account of certain recent developments that happened suddenly, Petitioner is compelled to apply for this further extension of time of 30 days as requested above. This is essentially required in addition to the sixty-day extension that had earlier been granted by this Court.

In essence, the compelling reasons that have presently created a situation of an emergency for Petitioner are enumerated below and have subsequently been explained in detail:

1. Petitioner has recently received documents that could lead to **potential eviction that could cause him homelessness** because he is very vulnerable, being a foreigner.
2. Petitioner has recently discovered that certain important **evidence has been selectively destroyed illegally** in the latest submission he had made in the instant Court. In addition, some specific **evidence has been switched**.
3. Petitioner has been recently informed by an institution, which is part of NIH, that his **blood tests exhibit abnormality and he has disease**. This is **adversely affecting his work** efficiency.

See accompanying Affidavit Page 1, ¶¶ 1 to 3

I. THREAT OF POTENTIAL EVICTION

Petitioner have abruptly got a document without any warning entitled, "NOTICE OF INTENT TO FILE A COMPLAINT FOR **SUMMARY EJECTMENT**" from "Maryland Rent **Court.com**". Emphasis added. See accompanying Affidavit Page 1, ¶ 1, and Exhibit C.

It is to be noted that prior to the above-quoted notice, Petitioner was not given a single communication, either written or oral, regarding such a serious matter. They thereby denied Petitioner a rightful opportunity to resolve matters mutually by failing to directly contact him. Given the seriousness of such a grave matter as the unforeseen loss of Petitioner's place of residence staring at him, he had to completely **pivot** in resolving this time-sensitive problem. To Petitioner this issue of **potential homelessness was all-consuming** and not only delayed his Report of missing evidence to the Chief Justice of the U.S. Supreme Court but also completely stopped his work on the other documents being submitted to the Supreme Court. Petitioner had to discuss this sudden and unexpected emergency with persons overseas and make adequate and speedy arrangements for finances. This large amount of money had to be converted from Indian Rupees to U.S. dollars and had to be transmitted to him expeditiously. Despite Petitioner *promptly paying thousands of dollars in addition to the monthly rent* and also regularly paying the rent every month, he still has not received any kind of assurance from the apartment renting Company confirming that the legal recourse will not be resorted to till his imminent submissions to the U.S. Supreme Court are completed. Petitioner had recently made sincere requests to the Company many times to desist from the impending legal option. Nevertheless, he has not got any word from them that they would not adopt legal means for now. In order to assess the extent of time lost by Petitioner in resolving this serious issue, please see the extensive communication undertaken by him, as given in Exhibits E and F. The ramification of this possible eviction is particularly significant because Petitioner has been placed in an **extremely vulnerable position** as both his State and National I.D. have been jeopardized because of the unlawful and deliberate actions of his adversaries UM and VA. As a consequence of this, Petitioner will find it nearly *impossible to secure any alternate*

accommodation in the event of his threatened eviction. See sworn statement herein, Page 3, ¶¶ 10 to 13.

The exact and **chosen timing** of their action, when Petitioner is just weeks away from submitting his Petition has harmed him immensely. He thus believes this **serves the interests of his adversaries** who have resorted not only to illegal actions but also to criminal actions.

This is when Petitioner is in the midst of his Supreme Court submissions whose deadlines are **significantly less than a month away**. This Supreme Court Case is extremely important to him because the harm his adversaries are inflicting is **egregious and is continuing**. This struggle for justice that has been going on for several years is now at a crucial point and culminating in this august Court.

The implications of attempting to **embroil Petitioner in another Court case** when he is already engaged single-handedly in the formidable task of preparing a Petition for *Writ of Certiorari*, for which he is presently facing an immense and crucial shortage of time, would be clear to any astute person.

Petitioner believes it is obvious that the only persons who would benefit from initiating and pressing forward with this legal measure trying to evict him from where he lives at this critical juncture, would be the ones who would be exposed on account of the illegal actions resorted to even in the Supreme Court. This is especially so because he has recently reported in detail **missing evidence from the U.S. Supreme Court** to none other than the Chief Justice of the country.

II. EVIDENCE THAT WAS SUBMITTED BY THE PETITIONER IN THE U.S. SUPREME COURT WENT ILLEGALLY MISSING AND EVIDENCE WAS ALSO TAMPERED WITH

Petitioner had spent a considerable amount of time preparing a formal and comprehensive Report regarding the **tampering** of the document that he had officially submitted to the United States Supreme Court recently. Thereafter, this Report has already been submitted by him to the Chief Justice of the United States Supreme Court. The specific details of these grave violations of due process have been recorded by Petitioner in the Affidavit herein. Refer to Affidavit, Pages 1 to 2, ¶¶ 4 to 6.

However, in summary, the specifics of the tampering observed from perusing the document on record in the official website of the U.S. Supreme Court are given in the paragraph immediately below.

Specifically, **all the pages containing Exhibits B and D** of Petitioner's above-referred official submission to the instant Court are **missing** from his official submission. These cumulatively add up to as many as 10 pages. In addition to these violations, the specific original page containing **Exhibit C has been switched** and another page has been unlawfully inserted in lieu of it. See accompanying Affidavit, Pages 1 to 2, ¶¶ 4 to 6, and

<https://www.supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/23a23.html>

It is important to note that Petitioner has spent considerable amount of time in preparing and producing and formally filing the aforesaid Report in the Supreme Court. This has **been at the expense of preparing his Petition for Writ of Certiorari**, which he is still struggling to complete in this extremely limited timeframe of **just a few weeks**.

III. FURTHER DETERIORATION OF HEALTH

In Petitioner's Application to the Chief Justice filed on July 07, 2023, he had specifically given a sworn statement:

6. This consequent persistent deprivation has adversely affected my basic health. Several blood tests were conducted on me and numerous abnormalities were detected. 'University of Maryland School of Medicine' [part of Respondent UM] informed me recently of disease that has 'worsened'.

In addition to this, yet another institution that is part of the National Institute of Health (NIH) has informed Petitioner as recently as last month that his blood tests it conducted were abnormal and he has disease.

This disease is also **adversely affecting his efficiency in preparing** his legal documents that have to be submitted to the Supreme Court under strict timelines.

To make matters worse, Petitioner's sleep and peace are continuing to be disrupted even now by loud noises from the apartment above. This has already been reported in detail to Federal Courts on different occasions in sworn affidavits. This needless and unprovoked disruption has been going on for a protracted period of time and it is well known that **prolonged sleep disruption and deprivation** are detrimental in efficiently producing compelling legal work.

See accompanying Affidavit, Page 2, ¶ 8, and Exhibit E, Pages 2 to 3 herein.

CONCLUSION

In summary, for all the above reasons Petitioner sincerely requests the Court to grant him this crucial additional time requested for, that is essential in the interest of Justice due to these extraordinary emergencies beyond his control.

Respectfully submitted,



Lijo Panghat, M.D.

Pro Se

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Phone (Cell): 667-303-7001
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Date: September 05, 2023

LIST OF ATTACHMENTS

AFFIDAVIT

Affidavit of Dr. Lijo Panghat in Support of his Application for Further Extension of Time in Which to File a Petition for *Writ Of Certiorari* because of Unforeseen Emergencies like Preventing Potential Eviction

EXHIBITS

Exhibit A: Unpublished Decision by United States Court of Appeals for the Fourth Circuit, filed 01/19/2023

Exhibit B: Order of the U.S. Court of Appeals for the Fourth Circuit, filed on 04/25/2023

Exhibit C: 'NOTICE OF INTENT TO FILE A COMPLAINT FOR SUMMARY EJECTMENT'

Exhibit D: Record of regular payments by a third-party

Exhibit E: Correspondence with Rental Company Part 1

Exhibit F: Correspondence with Rental Company Part 2