

No. 23A23

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

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

Supreme Court, U.S.
FILED
JUL 07 2023
OFFICE OF THE CLERK

APPLICATION FOR EXTENSION OF TIME IN WHICH TO FILE
PETITION FOR *WRIT OF CERTIORARI*

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, pursuant to Supreme Court Rule 13.5, and respectfully requests a sixty-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 **September 22, 2023**. This application is submitted more than ten (10) days prior to the scheduled filing date for the petition, which is July 24, 2023. In support of this application, 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The Circuit Court issued its unpublished Decision on January 19, 2023.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. Additionally, Petitioner wrote detailed and personalized letters to the Hon. Circuit Court judges that were filed on April 24, 2023. See Exhibit B.

The **very next day**, the final Order dismissing his Case was filed on April 25, 2023. It is significant to observe that this Decision was filed a **mere twenty (20) days** from the filing of the Petition for Rehearing *En Banc* and Petition for Rehearing. See Exhibit C.

Petitioner requests this extension of time to file his Petition for a *Writ of Certiorari* based on the following specific reasons:

Numerous serious irregularities had been committed by the Federal Courts. The United States District Court for the District of Maryland resorted to a large number of **due process violations**, including but not limited to the **Destruction of Evidence by Officer/Officers of the Court**. See USCA4 Appeal: 22-1772 Doc: 33 Filed: 04/05/2023 Pg: 9 of 29.

In addition to this, there are several errors in the Decisions of the Circuit Court Judges. These numerous violations and wrongdoings need to be explained in detail in the Petition of Appellant. As a result of these egregious wrongdoings, both by Petitioner's adversaries as well as by successive Courts, he suffered serious harm for a protracted period of time and needs additional time to include and describe these facts in his aforementioned submission.

Shortly after Petitioner had filed his Petition for Rehearing *En Banc*, he had written a crucial and comprehensive letter regarding serious and sensitive facets of the Case to the Chief Judge of the

Fourth Circuit, Hon. Roger L. Gregory, among several other Judges of that Court. **Even before 24 hours** had elapsed after Petitioner had sent the aforementioned letters to all of them, the Case itself was hurriedly dismissed. See Exhibits B and C.

The aforesaid elaborate letters were unlikely to have been read and deliberated upon by all the Judges in such a short period of time. What is more, **each** one of them arrived at the same decision (of not requesting a poll for this Petition for *En Banc*).

There is confirmed and verifiable evidence that there has been '**destruction of evidence**' in the **US District Court by the Officer/Officers of the Court**. Therefore, in the interest of justice and for this Case, it is imperative to ascertain the extent of the violation of due process.

Although Petitioner had been painstakingly trying hard to ascertain the extent of the lack of due process, he is **still unable** to confirm whether the Chief Judge among other Judges of the Circuit Court **even got to read** the aforementioned letters, which Petitioner had sent personally to each one of them by name. This is because the Order was filed within less than 24 hours of Petitioner's letters to them, as explained above.

In addition, Petitioner had written an important letter that was personally addressed to the Clerk of the Circuit Court, and unfortunately **to date he is not sure** if she actually got to even read Petitioner's letter. See Exhibit D.

This confirmation is essential in Petitioner's pursuit of justice for the sake of completeness.

This Application is to request for an increase in the time to file the Petition for *Writ of Certiorari* because this allotted limit would just not be adequate to do justice to illustrate and bring out the very large number of unlawful actions, **some even criminal in nature**. Refer USCA4 Appeal: 22-1772

Doc: 30-1 Filed: 03/07/2023 Pg: 1 of 6.

Many of these illegal actions are even deliberate. Unlawful and unacceptable actions have recently been committed again by another Officer of the Court.

Furthermore, even the **U.S. District Court for the District of Maryland itself** recently resorted to **illegal actions**. These unlawful actions by the **Officers of the Court**, as well as the Court itself, have a direct bearing upon this Case.

These unlawful actions are needlessly and continually denying justice to Petitioner even to this day and are wrongfully being used by Respondents to somehow mislead the Courts. To add to this, Petitioner is having to counter the **false statements of two (2) Respondents**. This task becomes more onerous and necessitates the need for more time because both these adversaries have extremely poor credibility that needs to be exposed with supporting evidence for justice that has been evasive so far to be finally attained.

As a result of the continued illegal blocking of Petitioner's confirmed employment the **financial burden is crushing**. Consequently, Petitioner **can't afford even a single attorney** and he has to prepare his submissions under adverse circumstances working on his own, although he is not trained in law, being a physician.

This is a challenging and asymmetrical position to obtain justice. This adverse situation would get **further compounded if he is not granted the requested additional time** to seek justice.

Petitioner has been **illegally blocked by Respondent UM from taking up any job for more than seven (7) years**, and due to the consequent **extreme deprivation and financial hardship**, he is compelled to fight the Case *pro se* even though he is not a lawyer. This task is made all the more onerous because Petitioner is a foreigner and is unfamiliar with the procedures and the legal system of this country. These illegal actions are inflicting egregious harm on him. Refer USCA4 Appeal: 22-1772 Doc: 30-1 Filed: 03/07/2023 Pg: 2 of 6.

Further, the adversaries deliberately misled State and Federal agencies based on numerous patent misrepresentations and misused **false** and even **fabricated evidence**. These illicit actions are not serving the interest of justice and these facts are material to this Case.

This persistent deprivation and financial hardship has even adversely affected Petitioner's basic health and he has been diagnosed with nutritional deficiency diseases in this period after his unlawful termination. This has led to further **deterioration of his health**. Therefore, Petitioner needs more time for this crucial Court submission. See attached Affidavit, Page 1, ¶ 5.

It is manifestly ironic that the parties that resort to deliberately and repeatedly breaking the law and violating due process are being given an unfair advantage, unjustly tilting the scales of justice.

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.

Petitioner feels 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.

The **ongoing illegal blocking of livelihood** by adversaries for a protracted period of time has made even basic tasks like arranging and paying the rent a struggle and these challenges, which should be routine and easy, are taking up considerable time. See attached Affidavit, Page 1, ¶ 4 to ¶ 5.

Petitioner has specifically recorded in a sworn affidavit in Circuit Court that his, “sleep is being often interrupted in the dead of night ... and this often causes sleep **deprivation** ... from the apartment immediately above and I am **abruptly startled out of my sleep very often**. ... going on for months.

As per the evidence I have gathered, a postdoc reportedly from **University of Maryland School of Medicine** ... was living in the apartment above along with two (2) other males.” Emphasis added.

Extract from July 2022 Affidavit submitted to the Circuit Court.

It is obvious that when a person’s sleep is chronically deprived, his legal work product will suffer. On account of such adverse working situations even in his own place of residence, which are continuing even to this day, Petitioner needs **more time** for preparing his legal papers.

The prolonged blocking of Petitioner’s livelihood by his adversaries because he is a vulnerable foreigner is taking its toll. To give just one example, he is struggling with basic necessities like paying for utilities and essentials and a lot of effort and time goes into trying to resolve matters such as these.

These continuing challenges also necessitate more time.

In addition to the above reasons, more time is also necessitated for preparing his Petition considering the large extent of laws being broken. These **flagrant violations of human rights** are neither in the **public nor national interest**. See attached Affidavit, Page 2, ¶ 9.

It is pointed out that the Petitioner is placed at an added distinct disadvantage, being a **vulnerable foreign citizen**, unfamiliar with some of the complex laws and rules of the U.S. Court system, especially at the Supreme Court level, and this makes his task all the more daunting.

In summary, the issues involved in this Case are complex, seriously jeopardizing Petitioner's struggle for justice. This has caused protracted injustice spanning more than seven years and is still continuously inflicting egregious harm upon him. In the interest of equity and fair play, Petitioner must be given adequate opportunity and time to express his points in his relentless quest for due process, and fairness. This is all the more relevant because this Court is the last hope for Petitioner to obtain justice.

CONCLUSION

For all the reasons stated above this sixty-day extension is fully justified and necessary. Therefore, Petitioner humbly requests the Hon. Court to please grant him permission for an increase in the time requested for submitting his Petition for a *Writ of Certiorari*.

WHEREFORE, Petitioner respectfully requests that an Order be entered extending the time for filing a Petition for a *Writ of Certiorari* in this matter to and including September 22, 2023.

This is the 6th day of July, 2023.

Respectfully submitted,



Lijo Panghat, M.D.

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LIST OF EXHIBITS

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

Exhibit B: Petitioner's Letter to the Chief Judge of the U.S. Court of Appeals for the Fourth Circuit, filed on 04/24/2023

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

Exhibit D: 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)

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.

EXHIBIT A

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

**AFFIDAVIT OF DR. LIJO PANGHAT IN SUPPORT OF HIS APPLICATION FOR
REQUESTING LEAVE TO EXTEND THE TIME TO FILE HIS PETITION
FOR WRIT OF CERTIORARI BECAUSE OF PREVAILING
UNPRECEDENTED CIRCUMSTANCES**

Case No. _____

**Lijo Panghat, M.D., Petitioner v. Dept. of Veterans Affairs and University of Maryland,
Baltimore, Respondents.**

I, Dr. Lijo Panghat, am over eighteen years of age and have personal knowledge of the facts set forth herein:

1. The lower Courts have committed several serious actions that I believe are unlawful, which must be brought to the attention of the instant Court.
2. This is a self-attested document because I am unable to proceed with getting this document notarized. The reason I state this is that I do not have a State issued I.D. anymore, which is essentially required to be produced at the time of notarization. My State-issued I.D., namely my passport, is not being renewed by the Indian Embassy, in the absence of certain documents that I am unable to produce at present because my adversary UM has I believe illegally and deliberately blocked this.
3. I have already informed the Indian Embassy in writing with a sworn statement about the repeated illegalities committed against me, for which I filed a Case in the Federal Court.
4. The reason for this is that my adversary UM deliberately denied me my confirmed job at Johns Hopkins University, thereby destroying my J-1 Visa.
5. As a result of this continued illegal blocking of my confirmed employment at Johns Hopkins by my adversary UM the financial burden is crushing. I am being effectively denied a job for more than 7 years.
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' informed me recently of disease that has 'worsened'.
7. I am of the firm opinion that my health is deteriorating. The relevant documents will be presented to the concerned Indian and American authorities to highlight the needless abuse and harm done to me by UM.
8. The prospect of the Court not setting right these grievous wrongdoings and thus

denying me justice, is indeed a matter of abiding consternation and agony for me because it has seriously affected my means of livelihood and even my health for a protracted period of time.

9. Blocking someone's livelihood on false accusations and fabricated evidence is illegal and I believe a violation of basic human rights and I think is unconscionable cruelty.

10. I am self-attesting this document even though I am not a Notary. However, I have formally informed the concerned Indian authority in writing as to my present constraints and that the matter is currently in Court.



Lijo Panghat, M.D.

Pro Se
June 16, 2023