

No. 25-1153

In The
Supreme Court of the United States

IRVING F. ROUNDS, JR.,
Petitioner,

v.

U.S. DEPARTMENT OF JUSTICE; RICHARD CIRUOLO,
AGENT, DEPARTMENT OF JUSTICE; JOHN COUGHLIN,
AGENT, DEPARTMENT OF JUSTICE,
Respondents.

On Petition for Writ of Certiorari
to the United States Court of Appeals
for the First Circuit

PETITION FOR REHEARING

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PETITION FOR REHEARING

Pursuant to Rule 44.2 of the Rules of the Supreme Court of the United States, Petitioner Irving F. Rounds, Jr., pro se, respectfully petitions this Court for rehearing of the order entered Tuesday, May 26, 2026, denying his petition for a writ of certiorari in the above-captioned matter.

INTRODUCTION

On Tuesday, May 26, 2026, at 11:16:29 a.m. (as reflected in the notification generated by the Court's Electronic Filing System), the Court entered its order denying the petition for a writ of certiorari docketed as No. 25-1153. Petitioner submits this Petition for Rehearing within the twenty-five-day period prescribed by Rule 44.2, and on or before Monday, June 22, 2026.

This Petition is presented in strict compliance with Rule 44.2 and is limited to two categories of grounds that the Rule itself prescribes: (i) *intervening circumstances of a substantial or controlling effect*, and (ii) *other substantial grounds not previously presented*. Petitioner does not, and does not seek to, re-argue the questions presented in the underlying petition for a writ of certiorari. The grounds set forth below are stated briefly and distinctly, as Rule 44.2 directs, and are presented in good faith and not for delay.

In substance, two timing-based circumstances and three previously-unpresented substantial grounds warrant the Court's reconsideration. First, a

discrete Supplemental Medical Record (Exhibits RR, SS, TT, and UU) was lodged with the Clerk only five days before the Court's order of denial, together with a Renewed Application for Emergency Injunctive Relief that was hand-delivered on May 21, 2026 by licensed commercial process server. Second, an acute medical event of March 28, 2026 — post-dating the original cert petition filed March 12, 2026 — bears directly on the irreparable-harm element on which the underlying record turns. Third, new documentary evidence of institutional conduct, including the Massachusetts State Police records-suppression pattern documented at Exhibit II and the cross-state conduct memorialized at Exhibit CC, constitutes substantial grounds not previously presented to this Court in the form they now appear.

I.
GROUND FOR REHEARING —
INTERVENING CIRCUMSTANCES OF A
SUBSTANTIAL OR CONTROLLING EFFECT

Rule 44.2 reserves rehearing for two narrow categories of grounds. The first — *intervening circumstances of a substantial or controlling effect* — is satisfied here by three distinct circumstances that intervened between the filing of the original certiorari petition on March 12, 2026 and the Court's order of May 26, 2026. Each is documentary, each is contemporaneous, and each bears directly on the record this Court considered.

A. Timing of the May 21, 2026 Supplemental Medical Record (Exhibits RR–UU) Relative to the Court’s May 26, 2026 Order.

On May 21, 2026 — five days before the Court’s order of denial — Petitioner lodged with the Clerk a Notice of Filing of Supplemental Exhibits in Support of Applicant’s Renewed Application for Emergency Injunctive Relief. The Supplemental Exhibits, which were submitted pursuant to Supreme Court Rule 21 and the Court’s inherent authority to receive supplemental materials in aid of a pending application for extraordinary relief, were styled and filed as discrete medical exhibits demonstrating, in the words of the Notice itself, the *continuous, thirteen-year (2012–2025) causal connection between Applicant’s documented whistleblower-retaliation history and his ongoing stress-related medical conditions, including urinary and cardiovascular impacts and high-risk colon-cancer surveillance.*

The Supplemental Record consists of four exhibits:

- **Exhibit RR** — Letter of Dr. Jerry M. Blaine, MD (Lahey Clinic, 41 Mall Road, Burlington, Massachusetts 01805), electronically signed May 21, 2012, together with the contemporaneous treatment notes of Michael E. Foran, LICSW (7 Kent Street, Brookline, Massachusetts 02445), dated January 4, 18, and 25, 2012. This exhibit establishes the 2012 whistleblower-stress baseline

contemporaneous with Petitioner's EPA whistleblower disclosure.

- **Exhibit SS** — Letter of Dr. Igor Sorokin, MD, UMass Memorial Health, Urology Department, 33 Kendall Street, Levine Building, Worcester, Massachusetts 01605, dated September 16, 2022. Exhibit SS is the first contemporaneous urologic record in the case file expressly linking *external situations happening in his life* to negatively affected health *with poor sleep and urinary difficulties*.
- **Exhibit TT** — Letter of Amanda Mitchell, NP, Firefly Health Primary Care, 260 Arsenal Place, Watertown, Massachusetts 02472, dated January 29, 2025. Exhibit TT is the first primary-care record expressly identifying *cardiovascular* and *mental health* as conditions exacerbated by the pattern of *numerous events* impacting Petitioner's stress levels.
- **Exhibit UU** — Procedure note of Dr. Prashanth Rau, MD, UMass Memorial Gastroenterology, dated September 29, 2025, reflecting a colonoscopy performed under the indication *High risk colon cancer surveillance: Personal history of adenomatous colonic polyps*, with an ASA Grade II designation and findings of diverticulosis in the sigmoid and descending colon.

Petitioner respectfully suggests that the proximity between the May 21, 2026 lodging of the Supplemental Record and the Court's order of May 26, 2026 raises a substantial question whether the Supplemental Record reached the conference of the Court in the form contemplated by Rule 22 and the Court's ordinary pre-conference distribution practice. Petitioner makes no theory of intent, and accuses no member of the Court or of the Clerk's office of any irregularity. He observes only that the documentary record — the Clerk's receipt stamp of May 21, 2026, the Same Day Process Service Job Number 356620 hand-delivery receipt of the same date, and the entry of the order on May 26, 2026 at 11:16:29 a.m. — establishes, on its face, a five-day window during which Petitioner cannot determine from the public docket whether the supplemental materials were distributed to the conference prior to the Court's consideration of the petition.

On the face of Rule 44.2, that documentary sequence is itself an *intervening circumstance* — the Supplemental Record was placed before this Court between the original cert filing of March 12, 2026 and the order of May 26, 2026, and the question whether it was distributed, considered, and weighed at the conference is, respectfully, properly raised at this stage and not earlier.

B. The March 28, 2026 Acute Kidney-Stone and Urinary-Tract-Infection Event.

On March 28, 2026, Petitioner sustained an acute kidney-stone and urinary-tract-infection event. That event, which is referenced in the Renewed

Application for Emergency Injunctive Relief at paragraph 23 and is tied by multiple independent treating providers to chronic externally induced stress, post-dates the original petition for a writ of certiorari, which was filed sixteen days earlier on March 12, 2026.

Under Rule 44.2, an acute medical event that materializes after the filing of a cert petition and that bears directly on the irreparable-harm element of the underlying record is paradigmatic of *intervening circumstances of a substantial or controlling effect*. The March 28, 2026 event is corroborated, in continuous time series, by the four Supplemental Exhibits described in Section I.A: Exhibit SS (September 16, 2022 — first contemporaneous urologic linkage of external stress to *urinary difficulties*); Exhibit TT (January 29, 2025 — first primary-care linkage of stress to cardiovascular and mental-health risk); and Exhibit UU (September 29, 2025 — formal procedure note classifying Petitioner as ASA Grade II under high-risk colon-cancer surveillance). The March 28, 2026 event sits on that thirteen-year arc and is, respectfully, a substantial intervening circumstance.

C. Timing of the May 21, 2026 Hand-Delivery of the Renewed Emergency Application Relative to the Court’s Pre-Conference Distribution Cycle.

On May 20, 2026, Petitioner executed the Renewed Application for Emergency Injunctive Relief, together with its Appendix of Exhibits T through QQ, pursuant to the All Writs Act, 28 U.S.C.

§ 1651, and Supreme Court Rules 21 and 22. On May 21, 2026 the Renewed Application was hand-delivered to the Clerk of this Court by licensed commercial process server Same Day Process Service, Inc., Job Number 356620, and was concurrently served by United States Mail on the Solicitor General of the United States.

On the same day, May 21, 2026, the Notice of Filing of Supplemental Exhibits described in Section I.A was filed. Five days later, on May 26, 2026 at 11:16:29 a.m., the Court entered its order denying certiorari. Petitioner respectfully asks whether, under the Court's ordinary pre-conference distribution cycle, the Renewed Application and the Supplemental Exhibits were before the conference at which the petition was disposed of — a question that bears directly on the procedural-fairness interest the Court has long recognized in due-process review. Petitioner advances no theory of intent. As in Section I.A, he respectfully observes only that the documentary sequence — Rule-29.2-compliant hand-delivery on May 21, 2026; concurrent service on the Solicitor General by United States Mail; entry of the order at 11:16:29 a.m. on May 26, 2026 — is on its face an *intervening circumstance* under Rule 44.2.

Under the formulation in *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 878 (2009), the inquiry on rehearing is whether, on the documentary record, the proximity between the Supplemental Record's arrival and the Court's disposition raises a substantial question warranting the Court's reconsideration. Petitioner respectfully submits that it does.

II.
GROUNDNS FOR REHEARING — OTHER
SUBSTANTIAL GROUNDNS NOT PREVIOUSLY
PRESENTED

Rule 44.2 reserves a second category of grounds for rehearing: *other substantial grounds not previously presented*. Three such grounds are advanced here. None of these grounds was presented in the original petition for a writ of certiorari in the form in which it is now before the Court, and each goes to the institutional-conduct framework of the underlying matter — not to the merits of the underlying constitutional questions, which Petitioner does not seek to re-argue.

**A. New Documentary Evidence Post-Dating
the March 12, 2026 Cert Petition.**

Each of the four Supplemental Exhibits (RR, SS, TT, and UU) was, as a discrete medical document, not previously presented to this Court in the form in which it now appears in the record. Exhibit RR continues the 2012 whistleblower-stress baseline; Exhibit SS — the September 16, 2022 Sorokin letter — is the first contemporaneous urologic record of urinary pathology linked to external stress; Exhibit TT — the January 29, 2025 Mitchell letter — is the first primary-care record expressly linking the institutional pattern to *cardiovascular* and *mental health* outcomes; and Exhibit UU — the September 29, 2025 Rau procedure note — is the most recent and most clinically detailed exhibit in the case file, a

formal procedure note (not a letter) classifying Petitioner as ASA Grade II with diverticulosis findings in the sigmoid and descending colon, and confirming high-risk colon-cancer surveillance status.

The Supplemental Record was assembled and filed for the express purpose, stated on the face of the May 21, 2026 Notice, of demonstrating the *continuous, thirteen-year (2012–2025) causal connection* between the documented institutional-conduct pattern and the medical record. That continuous time series — 2012 (Exhibit RR), 2022 (Exhibit SS), January 2025 (Exhibit TT), September 2025 (Exhibit UU), and the March 28, 2026 acute event described in Section I.B — was not before this Court at the time of the March 12, 2026 cert petition. It constitutes, respectfully, a substantial ground not previously presented.

B. The Charlton Police Department and Massachusetts State Police Records-Suppression Pattern (Ex. II) and the 2020–2021 Access-to-Court Record (Ex. PP).

Exhibit II, drawn from Massachusetts Public Records Request P009996-090524, reflects that the Massachusetts State Police identified one thousand nine hundred seventy-eight (1,978) pages of material responsive to Petitioner’s February 16, 2024 records request and released only one hundred thirty-seven (137) emails — primarily Petitioner’s own outbound communications. That records-suppression pattern, which post-dates the conduct giving rise to the underlying matter and which is documented in a state agency’s own production response, was not previously

presented to this Court in the form in which it now appears at Exhibit II.

Exhibit HH (Charlton Police Department Incident Report 24-99-OF, authored by Sergeant Anthony F. Gribbons and approved by Deputy Chief Gary Mason) is corroborative: it reflects that on four documented dates — August 4, 2023; August 16, 2023; December 11, 2023; and January 16, 2024 — the reporting sergeant *had conversations with school officials regarding* Petitioner, and *spoke with Dayna Junkins regarding her involvement* — the latter admission corroborating, by direct law-enforcement admission, the audio recording at Exhibit BB.

Exhibit PP separately memorializes the 2020–2021 access-to-court record, including the contemporaneous turnaway of Petitioner’s licensed commercial process server at the U.S. Supreme Court Police guard station on the evening of January 14, 2021. As in the original Renewed Application, Petitioner advances no theory of intent and accuses no individual of wrongdoing. He observes only that the documentary record at Exhibit II (state-agency records-suppression), Exhibit HH (municipal law-enforcement admission), and Exhibit PP (2020–2021 access-to-court materials) — viewed together — is a substantial ground that was not previously presented to this Court in the form in which it now appears in the consolidated record now before the Court.

**C. Cross-State Conduct of June 2–3, 2023
Memorialized at Ex. CC.**

Exhibit CC, filed under seal in light of the witness’s status as a minor, reflects the successful

percipient-witness identification of two persons from a photo array — Defendants Natalie A. Brehm and John Klesaris — in connection with cross-state conduct during the weekend of June 2–3, 2023. The Vermont incident is corroborated by the contemporaneous audio recording at Exhibit G and by the public record at Exhibit I, which reflects the Bay Path community petition (over four hundred eighty signatures, with a timeline, photographs, video, and an audio recording in which Petitioner’s former sister-in-law confirms that she did not approach the minor witness in Vermont).

The Exhibit CC identification, by reason of its sealed status and the protections afforded the minor witness, was not previously presented to this Court in the form in which it now appears. The cross-state character of the conduct identified at Exhibit CC, viewed together with the documentary record at Exhibits HH, II, and PP described in Section II.B, constitutes a substantial ground not previously presented within the meaning of Rule 44.2.

Petitioner names, in this Petition, the six named respondents — the U.S. Department of Justice; John Klesaris; Natalie A. Brehm; Meg Reilly; Richard Ciruolo; and John Coughlin — solely for purposes of caption identification and to preserve the integrity of the documentary record. Consistent with the Rule 29.2 compliance statement set forth in the Renewed Application, Petitioner makes no accusation against any individual officer, prosecutor, judge, or Justice by name.

CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, and for those further reasons appearing on the face of the documentary record now before the Court — including the Renewed Application for Emergency Injunctive Relief executed May 20, 2026 and hand-delivered May 21, 2026 (Same Day Process Service Job Number 356620), the Notice of Filing of Supplemental Exhibits filed May 21, 2026, and Exhibits RR, SS, TT, and UU annexed thereto — Petitioner Irving F. Rounds, Jr., respectfully prays that this Court:

- (1) Grant rehearing under Rule 44.2 of the Rules of the Supreme Court of the United States;
- (2) Recall and vacate the order entered May 26, 2026 denying the petition for a writ of certiorari in No. 25-1153;
- (3) Reinstate the petition for a writ of certiorari in No. 25-1153 for full consideration on a record that includes the Supplemental Exhibits RR through UU and the Renewed Application for Emergency Injunctive Relief executed May 20, 2026 and lodged with the Clerk on May 21, 2026, together with its Appendix of Exhibits T through QQ; and
- (4) Grant such other and further relief as the Court deems just and proper.

Petitioner closes with the respectful observation that this Petition is presented in strict compliance with Rule 44.2 — limited to intervening

circumstances of a substantial or controlling effect and to other substantial grounds not previously presented; stated briefly and distinctly; presented in good faith and not for delay.

Dated: June 1, 2026

Respectfully submitted,

Irving F. Rounds, Jr.

Pro Se Petitioner

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Telephone: (781) 504-8974

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CERTIFICATE OF 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.


May 27, 2026

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**NOTICE OF INCORPORATION BY
REFERENCE**

Petitioner Irving F. Rounds, Jr., pro se, respectfully provides this Notice of Incorporation by Reference for the convenience of the Court and the Clerk's office. All exhibits referenced in the foregoing Petition for Rehearing are already part of the docket in No. 25-1153 and are not refiled herewith. The exhibits listed below — the four Supplemental Medical Exhibits filed May 21, 2026, together with the previously-filed digital-access exhibit (Appendix E) — are reproduced here with their respective docket information to assist the Court in locating them in connection with the Rule 44.2 grounds set forth in Section I above.

Exhibit RR — Lahey Clinic / Brookline LICSW records (January–May 2012): (a) Letter of Jerry M. Blaine, M.D., Lahey Clinic, 41 Mall Road, Burlington, Massachusetts 01805, electronically signed May 21, 2012 re visit of January 25, 2012; and (b) Contemporaneous treatment notes of Michael E. Foran, LICSW, 7 Kent Street, Brookline, Massachusetts 02445, sessions of January 4, 18, and 25, 2012.

Exhibit SS — Letter of Igor Sorokin, M.D., UMass Memorial Health, Urology Department, 33 Kendall Street, Levine Building, Worcester, Massachusetts 01605, dated September 16, 2022.

Exhibit TT — Letter of Amanda Mitchell, N.P.,
Firefly Health Primary Care, 260 Arsenal
Place, Watertown, Massachusetts 02472,
dated January 29, 2025.

Exhibit UU — Colonoscopy Procedure Note of
Prashanth Rau, M.D., UMass Memorial
Health, Gastroenterology, dated September
29, 2025.

Appendix E — Petition Access via QR Code and
Hyperlink. Filed as Appendix E to the Petition
for a Writ of Certiorari in No. 25-1153 (and
previously filed in the United States Court of
Appeals for the First Circuit, No. 23-1789).
Provides the Court with direct digital access
to the petitioner's public petition referenced in
this filing. Hyperlink:
<https://c.org/V78gHt9fZd>.



The four Supplemental Exhibits (RR through UU)
were hand-delivered to the Clerk of this Court on May
21, 2026 by licensed commercial process server Same
Day Process Service, Inc., Job Number 356620, and
were concurrently served by United States Mail on
the Solicitor General of the United States, D. John
Sauer, Esq., Room 5616, U.S. Department of Justice,

950 Pennsylvania Avenue, N.W., Washington, D.C. 20530-0001, counsel of record for the federal respondents. The Supplemental Exhibits accompanied Petitioner's Renewed Application for Emergency Injunctive Relief, executed May 20, 2026, together with its Appendix of Exhibits T through QQ.

Petitioner respectfully requests that the Court take notice of the foregoing exhibits as already part of the record in No. 25-1153 and consider them, together with the remaining record in this matter, in connection with the Petition for Rehearing.

APPENDIX OF EXHIBITS

Petitioner re-incorporates by reference the following exhibits previously lodged with this Court, all of which form part of the documentary record relevant to this Petition for Rehearing:

Renewed Application for Emergency

Injunctive Relief. Executed May 20, 2026; hand-delivered to the Clerk on May 21, 2026 by Same Day Process Service, Inc. (Job No. 356620), and concurrently served on the Solicitor General of the United States by United States Mail.

Appendix of Exhibits T through QQ.

Annexed to the Renewed Application for Emergency Injunctive Relief and lodged with the Clerk on May 21, 2026, including Exhibits CC (sealed minor-witness photo-array identification of Defendants Klesaris and Brehm in connection with cross-state conduct of June 2–3, 2023); HH (Charlton Police Department Incident Report 24-99-OF); II (Massachusetts State Police Public Records Request P009996-090524, identifying 1,978 responsive pages with 137 released); and PP (2020–2021 access-to-court documentation).

Notice of Filing of Supplemental Exhibits.

Filed May 21, 2026, lodging Exhibits RR, SS, TT, and UU pursuant to Supreme Court Rule 21.

Exhibit RR. Letter of Dr. Jerry M. Blaine, MD, Lahey Clinic, electronically signed May 21, 2012, re visit of January 25, 2012; together with treatment notes of Michael E. Foran, LICSW, dated January 4, 18, and 25, 2012 (2012 whistleblower-stress baseline).

Exhibit SS. Letter of Dr. Igor Sorokin, MD, UMass Memorial Health, Urology Department, dated September 16, 2022 (first contemporaneous urologic linkage of external stress to poor sleep and urinary difficulties).

Exhibit TT. Letter of Amanda Mitchell, NP, Firefly Health Primary Care, dated January 29, 2025 (first primary-care linkage of cumulative external events to cardiovascular and mental-health risk).

Exhibit UU. Procedure note of Dr. Prashanth Rau, MD, UMass Memorial Gastroenterology, dated September 29, 2025 (high-risk colon-cancer surveillance colonoscopy; ASA Grade II; diverticulosis findings in sigmoid and descending colon).

Appendix E. Petition Access via QR Code and Hyperlink, as filed at Appendix E to the Petition for a Writ of Certiorari in No. 25-1153 (and previously filed in the United States Court of Appeals for the First Circuit, No. 23-1789) (digital-access mechanism providing the Court with direct access to the petitioner's public petition; hyperlink: <https://c.org/V78gHt9fZd>).

Petitioner respectfully refers the Court to the docket of No. 25-1153 for the complete record on file, including all documents enumerated above.

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202-449-9565 Fax
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5614 Connecticut Avenue, NW #307
Washington, DC 20015

June 1, 2026

Clerk
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20002

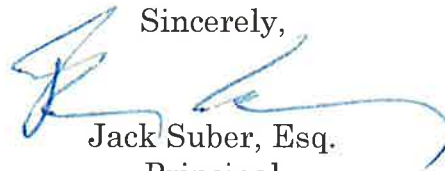
RE 25-1153: IRVING F. ROUNDS, JR. V. DEPARTMENT OF JUSTICE, ET AL.

Dear Sir or Madam:

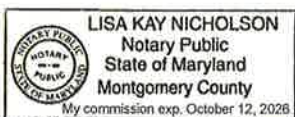
As required by Supreme Court Rule 33.1(h), I certify that the Petition for Rehearing referenced above contains **2,558** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,



Jack Suber, Esq.
Principal



Sworn and subscribed before me this 1st day of June 2026.

Lisa K Nicholson

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5614 Connecticut Avenue, NW #307
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June 1, 2026

Clerk
Supreme Court of the United States
1 First Street, NE
Washington, D.C. 20002

RE 25-1153: IRVING F. ROUNDS, JR. V. DEPARTMENT OF JUSTICE, ET AL.

Dear Sir or Madam:

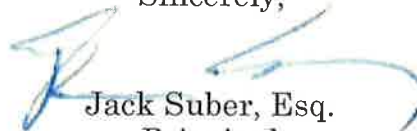
I certify that at the request of the Petitioner, on June 1, 2026, I caused service to be made pursuant to Rule 29 on the following counsel for the Respondents:

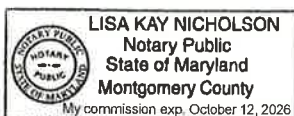
RESPONDENTS:

D. John Sauer
Solicitor General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
supremectbriefs@usdoj.gov
202-514-2217

This service was effected by depositing three copies of a Petition for Rehearing in an official "first class mail" receptacle of the United States Post Office as well as by transmitting digital copies via electronic mail.

Sincerely,


Jack Suber, Esq.
Principal



Sworn and subscribed before me this 1st day of June 2026.

