

25-5663

- No. \_\_\_\_\_

ORIGINAL

Supreme Court, U.S.  
FILED

APR 17 2025

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

BRAHIM BOUMAKH et al

— PETITIONER

(Your Name)

vs.

Dr. Reid et al

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

BrahimBoumakh

(Your Name)

1405 S. Fern Street # 557

(Address)

ARLINGTON, VA 22202

(City, State, Zip Code)

202 381 4255

(Phone Number)

**QUESTION(S) PRESENTED**

Whether a United States District Court judge may dismiss a civil rights employment discrimination case on procedural technicalities without granting:

A jury trial as requested under Rule 38,

A hearing on a motion to proceed in forma pauperis (IFP) despite documented indigency and medical hardship,

Appointment of counsel,  
and

A full hearing on religious accommodation, constitutional violations (First and Fourteenth Amendments), and EEOC findings — all in contravention of Caperton v. Massey, Haines v. Kerner, and Henderson v. United States?

## **LIST OF PARTIES**

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Dr. Reid, John R. Lewis High school  
Fairfax County School Board  
Alfonso Smith, Emily Corbin, Lambert Brianne

## **RELATED CASES**

Boumakh v. Reid, No. 1:24-cv-01098-RDA-LRV (E.D. Va.)

Boumakh v. Reid, No. 24-1098 (4th Cir.) – Judgment entered April 14, 2025

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## TABLE OF AUTHORITIES CITED

	CASES	PAGE NUMBER
	Caperton v. A.T. Massey Coal Co., 556 U.S. 868 (2009)	
	Haines v. Kerner, 404 U.S. 519 (1972)	
	Henderson v. United States, 517 U.S. 654 (1996)	
	Erickson v. Pardus, 551 U.S. 89 (2007)	
	Brown v. Board of Education, 347 U.S. 483 (1954)	
	U.S. Constitution: Amendments I and XIV	
	Universal Declaration of Human Rights, Art. 10	
	Sup. Ct. Rules 13.1, 34, 39	
	STATUTES AND RULES	
OTHER	The Fourth Circuit affirmed the District Court's dismissal by unpublished opinion on April 14, 2025. The opinion is not officially reported but is included in the Appendix.	

IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

[ ] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A1 to the petition and is

reported at APRIL 14TH 2025; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the United States district court appears at Appendix A2 to the petition and is

reported at 10/24/2024; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

[ ] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A3 to the petition and is

[ ] reported at \_\_\_\_\_; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

The opinion of the 4TH CIRCUIT court appears at Appendix \_\_\_\_\_ to the petition and is

reported at APRIL 14TH 2025; or,  
[ ] has been designated for publication but is not yet reported; or,  
[ ] is unpublished.

## **JURISDICTION**

### **[ ] For cases from federal courts:**

The date on which the United States Court of Appeals decided my case was APRIL 14TH 2025.

No petition for rehearing was timely filed in my case.

[ ] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

## **JURISDICTION**

**The judgment of the Court of Appeals was entered on April 14, 2025.**

**This petition is timely filed under Rule 13.1.**

**Jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).**

### **[ ] For cases from state courts:**

The date on which the highest state court decided my case was \_\_\_\_\_.  
A copy of that decision appears at Appendix \_\_\_\_\_.

A timely petition for rehearing was thereafter denied on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

[ ] An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. A \_\_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

**U.S. Const. amend. I – Freedom of religion**

**U.S. Const. amend. XIV – Due Process and Equal Protection**

**42 U.S.C. § 2000e et seq. (Title VII of Civil Rights Act of 1964)**

**Sup. Ct. R. 39 – Leave to proceed in forma pauperis**

**Sup. Ct. R. 34 – Cover sheet requirements**

**Fed. R. Civ. P. 38 – Right to jury trial**

## **STATEMENT OF THE CASE**

### **1-Constitutional Due Process and Access to Justice Violated**

The district court failed to hold a hearing or provide procedural fairness, directly contradicting this Court's precedents under Caperton, Haines, and Henderson.

### **2- Religious Rights and Discrimination Ignored**

Petitioner raised constitutional and religious rights, citing Islamic jurisprudence (Maliki school) requiring due process and consultative jury-style proceedings.

### **3- Serious Ethical, Legal, and Institutional Misconduct Alleged**

Petitioner uncovered a systemic concealment by school officials, including the Superintendent, of National Merit academic award notifications intended for economically disadvantaged students. This deliberate nondisclosure obstructed students' access to scholarships and college financial aid, and was later dismissed by the administration as a mere "human error"—despite widespread impact and the launch of a formal investigation by the state attorney general. These actions constitute not only a violation of Title VI of the Civil Rights Act of 1964 and the principles laid out in *Brown v. Board of Education*, but also implicate federal civil conspiracy statutes and the Whistleblower Protection Act, given the retaliatory consequences faced by the petitioner after raising these concerns.

**4-In direct retaliation for exposing these practices and disagreeing with Superintendent Dr. Reid via internal communications, petitioner was subjected to severe professional, financial, and medical hardship. These retaliatory acts included wrongful termination, falsification of federal and state employment records indicating a voluntary resignation (without petitioner's signature), denial of legal due process, refusal to appoint counsel, seizure of work-related electronic devices, and the unfounded "do not rehire" designation. The petitioner, suffering from documented post-COVID vaccination complications, was denied reasonable accommodation and left with only \$3 in his account, amplifying the retaliatory impact on his health, livelihood, and future employment.**

**5-The Case Raises Broader Issues Post-Pandemic That petitioner raises after second shot that school required for in -person classrooms, and fired right after returning to school: This case represents a broader pattern of post-pandemic discrimination and procedural dismissals affecting economically disadvantaged educators and workers.**

## REASONS FOR GRANTING THE PETITION

This petition presents grave and compelling questions concerning the violation of fundamental rights protected under the U.S. Constitution, established precedent, and international human rights law. At its core, this case involves:

The denial of due process guaranteed under the Fourteenth Amendment, where the District Court dismissed petitioner's civil rights complaint without a hearing, without evaluating substantive claims, and in disregard of binding precedents including *Haines v. Kerner*, 404 U.S. 519 (1972) (requiring liberal construction of pro se filings), and *Henderson v. United States*, 517 U.S. 654 (1996) (holding that dismissal is improper where procedural failure is caused by circumstances outside a litigant's control);

The disregard of financial hardship and denial of in forma pauperis status without a hearing, contrary to *Erickson v. Pardus*, 551 U.S. 89 (2007), which emphasizes the importance of procedural fairness for indigent pro se litigants facing life-altering consequences;

The violation of petitioner's religious rights under the First Amendment, including his right to religious expression and adjudication consistent with Islamic jurisprudential norms (Maliki school), rooted in centuries of consultation (Shura) and mandatory bilateral hearings, as supported in federal and international frameworks (e.g., Universal Declaration of Human Rights, Art. 10);

The retaliation and systemic misconduct following protected whistleblowing activity under federal law, implicating civil conspiracy, Title VI of the Civil Rights Act of 1964, and whistleblower protections, where the petitioner faced wrongful termination, employment record falsification, and destruction of academic and professional integrity for opposing unethical suppression of academic awards to low-income students;

The appearance of judicial bias in contravention of *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009), which held that due process requires recusal where there is a serious risk of actual bias and public perception of unfairness;

The lack of meaningful appellate review, as the Fourth Circuit affirmed without oral argument, effectively rubber-stamping a procedurally and substantively deficient lower court ruling in a civil rights case involving a licensed public servant with documented medical vulnerability and financial distress.

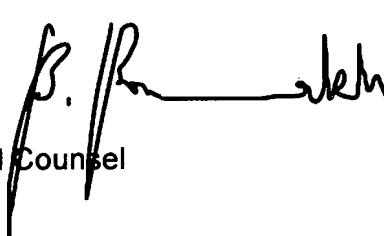
This case reflects a dangerous erosion of legal protections afforded to educators, whistleblowers, religious minorities, and pro se litigants—especially in the post-pandemic era marked by institutional opacity, economic fragility, and rising public mistrust in administrative systems. If left undisturbed, the decision below risks establishing precedent that courts may dismiss well-founded constitutional claims on technicalities, deny hearings to those most vulnerable, and silence dissent under color of law.

### CONCLUSION

For all the reasons Cited above : This Court's intervention is not only warranted—it is necessary to restore confidence in equal access to justice, the integrity of civil rights protections, and the rule of law. The petition for a writ of certiorari should be granted.

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
Brahim Boumakh / Pro-Se-AI Assisted Counsel

Date: 06/05/2025