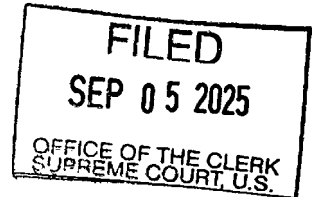


25-6118
No. _____

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Jane Doe — PETITIONER
(Your Name)

vs.

University of Chicago et al. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the
Seventh Circuit

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

PETITION FOR WRIT OF CERTIORARI

Jane Doe

(Your Name)

PO Box 1030

(Address)

New York, NY 10163

(City, State, Zip Code)

(646) 504-2231

(Phone Number)

QUESTION(S) PRESENTED

1. Under Fed. R. Civ. P. 8(a)(2) and 8(e), does a court's failure to consider at all a pro se plaintiff's well-pled facts, including Complaint Exhibits of medical records and other assessments created by Defendant-Appellants, violate the requirement that it accept such facts as true, construe them and reasonable inferences in her favor, and construe her pleadings to do justice?

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:

University of Chicago, University of Chicago Medical Center, Saul Levmore, Thomas Miles, Michele Richardson, Michael Schill, Abbie Willard, David Zarfes

RELATED CASES

Doe v. Univ. of Chicago et al, 22-cv-1032, US District Court for the Northern District of Illinois. Judgement entered September 27, 2023.

Doe v. Univ. of Chicago et al., 23-3070, US Court of Appeals for the Seventh Circuit. Judgement entered March 6, 2025.

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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 _____ to the petition and is

☐ reported at _____; or,

☐ has been designated for publication but is not yet reported; or,

☐ is unpublished.

My Pacer account isn't working, and customer service couldn't help. I couldn't see the docket or download the opinion.

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

☐ reported at _____; 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 _____ 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 _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; 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 March 6, 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: June 9, 2025, and a copy of the order denying rehearing appears at Appendix _____.

My Pacer account isn't working, and customer service couldn't help me. I couldn't view the docket or download the order.

☐ 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).

☐ 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).

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 A 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 United States district court appears at Appendix B to the petition and is

☐ reported at _____; 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 _____ 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 _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; 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 March 6, 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: June 9, 2025, and a copy of the order denying rehearing appears at Appendix C.

☐ 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).

☐ 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

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Sayyah, M. et al., “Cognitive Function before and during Treatment with Selective Serotonin Reuptake Inhibitors in Patients with Depression or Obsessive-Compulsive Disorder,” <i>Psychiatry journal</i> , 2016, doi:10.1155/2016/5480391	3

STATEMENT OF THE CASE

Please see attached

STATEMENT OF THE CASE

For brevity, while I cite to many Complaint Exhibits, I only include medical records and other written assessments in Appendix D.

From 2006 to 2010, I was a student at the University of Chicago Law School (“University”) Law School (“Law School”). Compl., Dkt. 1, Ex. 5. Under American Bar Association Standard 303, schools had a duty to dismiss incompetent students and follow their own academic policies. *Id.* Ex. 3. Under published policy, students need two writing and 105 academic credits to graduate; only faculty could oversee independent studies; and Defendant-Appellant David Zarfes, a lawyer and professor, wasn’t faculty. *Id.* Ex. 4. There were also unpublished policies, discussed more later, making students dependent on the school for honest enforcement of policy.

During the 2007 to 2008 academic year, the University of Chicago Medical Center (“Hospital”), the University’s subsidiary and alter ego, repeatedly failed to diagnose a borderline cancerous ovarian tumor, likely related to my BRCA1 mutation. *Id.* ¶151. In June 2008, while I was interning in New York City (“NYC”), the tumor was diagnosed. *Id.* ¶167. It caused reproductive complications, destroying one ovary and half my eggs and putting me at risk of early onset menopause. *Id.* ¶155. Due to their fraud, for reasons only touched on here, I probably can’t have children.

The tumor also caused mental complications. In March 2008, a University psychiatrist diagnosed me with dysthymia, a form of depression requiring two years of symptoms. *Id.* Ex. 13, App. D, p. 6. This placed the onset of symptoms to March 2006, six months pre-enrollment. *Id.* She prescribed Lexapro, an SSRI, drugs impacting serotonin levels in the brain. *Id.* Before this, I’d never taken psychiatric drugs. *Id.* After my tumor diagnosis, she said the tumor caused a hormone imbalance that induced my mental illness. *Id.* ¶162, *see* Ex. 22, App. D, p. 9 (written

notes linking my tumor and mental illness muted compared with in-person statement); *Cf.* Gross, Rachel E., *Sex Hormones Are Brain Hormones. What Does This Mean for Treating Brain Disease?*, N.Y. Times, April 22, 2025 (discussing estrogen’s impact on brain functioning).¹

Since I had a hormone imbalance, not a serotonin one, Lexapro was wrong for me. Yet, for almost eight years, from 2008 through 2015, I took this drug. *See Id.* ¶161; Ex. 13, App. D, p. 6. Since its 2002 approval, there’s increasing data about its harms, including permanent brain damage, cognitive impairment, and difficulty quitting due to withdrawal. Danborg, P. et al., “Long-term harms from previous use of selective serotonin reuptake inhibitors: A systematic review.” *The International journal of risk & safety in medicine* vol. 30, 2, 2019, doi:10.3233/JRS-180046 (“Long-term use of psychiatric drugs may cause permanent brain damage[.]”); Sayyah, M. et al., “Cognitive Function before and during Treatment with Selective Serotonin Reuptake Inhibitors in Patients with Depression or Obsessive-Compulsive Disorder,” *Psychiatry journal*, 2016, doi:10.1155/2016/5480391 (“Originally, SSRIs did not appear to cause cognitive impairment, but nowadays there are conflicting evidences[.] ...Serretti et al. showed that using SSRIs even in healthy individuals leads to cognitive impairment.”); Horowitz, Mark A. et al., “Tapering of SSRI treatment to mitigate withdrawal symptoms,” *The lancet. Psychiatry*, 2019, doi:10.1016/S2215-0366(19)30183-X (“SSRI withdrawal syndrome occurs often and can be severe[.]”).²

In February 2025, the federal government began investigating the overprescription of SSRIs. Bendix, Aria, “Kennedy thrusts antidepressants into the spotlight as doctors and advocates defend them,” NBC News, February 21, 2025.³ Even those who defend SSRIs acknowledge that they were approved based on studies of monthslong use, not yearslong use, and that some patients

¹ Under Federal Rule of Evidence 201, I understand that courts make take judicial notice of certain facts.

² Under Federal Rule of Evidence 201, I understand that courts make take judicial notice of certain facts.

³ Under Federal Rule of Evidence 201, I understand that courts make take judicial notice of certain facts.

respond negatively to them. Aftab, Awais, “Harm from Antidepressants Is Real. Let’s Not Cede the Conversation to Kennedy,” N.Y. Times, May 3, 2025.⁴

There are three phases to my functioning: before my tumor, while having my tumor or taking Lexapro, and after stopping Lexapro. During the first phase, I was high functioning. I had many close relationships with family and friends; skipped the fourth grade less than two years after being raped; got into or went to good schools; and was liked and respected at my job with an international financial services firm in Tokyo. Compl., Dkt. 1, ¶326, ¶108, Ex. 10 (grade school transcript), 5 (law transcript with redacted college), Ex. 11 (employer’s referral). When my first employer in Japan, where my mother is from, stole from me, I had the wherewithal to realize this, file a legal complaint, and recoup my money. *Id.* ¶111. When my parents disowned me for refusing to take out a credit card loan in my name for them, I criticized them, not myself. *Id.* ¶116; Ex. 13, App. D, p. 6.

During the second phase, when I just had the tumor, my performance declined. In Fall 2006, my first quarter, I had two exams (Elements of the Law and Civil Procedure I), got Bs, and was basically average. *Id.* ¶127, Ex. 5. As my tumor grew, my grades worsened. Even then, I took four classes per quarter, met academic obligations, and did above average in my first-year legal writing course (final grade blended across three quarters). *Id.* Ex. 5.

After I started Lexapro, I worsened. In Spring 2008, I took three classes, met obligations for one, and got two incompletes. *Id.* ¶165, ¶166, ¶183, ¶185. During my third academic year, spanning two, I got more incompletes, often having four at a time. *Id.* ¶240, ¶265, ¶270.

During my third academic year and the two year SOL on my malpractice claims, Appellees defrauded me of damages. In furtherance of fraud, they processed and paid themselves my federal

⁴ Under Federal Rule of Evidence 201, I understand that courts make take judicial notice of certain facts.

student loans, which I can't afford to repay. *Id.* Ex. 7, 8.

They did this through many acts and omissions. This included violating my privacy and issuing invalid credits and a law degree to hide my deterioration.

In June 2008, I shared my tumor diagnosis in confidence with Appellee David Zarfes, a lawyer and professor who was staying at his NYC apartment. *Id.* ¶184. Zarfes emailed condition to his colleagues in Illinois: Appellees Saul Levmore, the dean with a law degree and PhD; Michele Richardson, a lawyer and the dean of students; and Abbie Willard, a PhD and the head of career services. *Id.* Ex. 15. In another email, Zarfes also admitted to violating my confidence and asked Richardson to conceal this, which she did when emailing me offering to help. *Id.* Ex. 16, 17.

When Richardson and I spoke, I'd resigned from my internship. *Id.* ¶¶167-8. Because this showed damages, she made me return post-surgery. *Id.* ¶¶205-8. When I did, I wasn't physically healed, lacked a normal menses, and had difficulty reading. *Id.* ¶¶229-30. However, when I again tried to leave, Willard made me stay, and she and Zarfes contacted my firm to secure an offer without my prior knowing. *Id.* ¶¶234-5.

Appellees Richardson, Willard, and Zarfes discussed my reduction in emails they sent each other and colleagues. *Id.* Ex. 25, 27, App. D, pp. 11-16. They called me "clueless," incompetent, lacking judgement, or too mentally ill to study or practice law. *Id.*

However, because dismissing me from the law school would show damages, Appellees also enrolled and graduated me.

However, when I asked for academic support, this was denied, with Richardson and Zarfes yelling that I was "fine" and Willard refusing to help. *Id.* ¶¶250-2. Appellees also repeatedly humiliated me. *Id.* ¶250, ¶273. My psychiatrist diagnosed me with changed behaviors, including "incongruent" "affect," inappropriate responses; "characterlogic vulnerabilities," self-blame; and

described me as “euthymic,” associated with bipolar disorder. *Id.* ¶246, Ex. 22, App. D, p. 9. In this reduced state, I trusted and deferred to Defendant-Appellees.

Because I shouldn’t have been enrolled, under ABA Standards, I believe all credits conferred during my third academic year were invalid. *Id.* ¶55. Of these, some also violated academic policy. *Id.* ¶¶49-54. In Fall 2009, my final quarter of classes, I took a labor law course. *Id.* Ex. 5. It was worth three academic credits, two for class attendance and participation and one for the final paper. *Id.* ¶¶294-6. Further, the final paper was allowed to count toward one writing credit. *Id.* When I submitted my paper late, my professor refused to accept it, leaving me two credits short of graduating. *Id.*

Zarfes emailed Appellee Michael Schill, a lawyer who succeeded Levmore as dean, copying Richardson and Willard, about this matter. In his email, Zarfes wrote many negative things about me. He called me “an anomaly,” expressed “doubts” about my “character and fitness,” and said that he disliked the idea of graduating me or certifying me to the bar. However, he advocated for both, writing “...Jane either has commenced or is planning malpractice litigation against the University Hospitals; I’m not sure we want to add to her potential damages.” *Id.* Ex. 28, App. D, p. 18 (“Smoking Gun Email”). He gave no other reason and cited no academic policy. My paper was attributed to an independent study with him, the writing credit indicated with an asterisk next to the course title. *Id.* Ex. 5 (only the old version of my transcript, submitted to the New York Board of Law Examiners [“NYBOLE”], has asterisks indicating writing credits, with the second next to my marriage law course).

I believe more credits were fraudulently conferred. *Id.* ¶285 (Richardson alleging a one-year cap on paper extensions, an unpublished policy, and that Levmore overrode it); Ex. 18, (Richardson telling a professor extensions for illness were usually equivalent to “time lost,”

another unpublished policy); Ex. 26 (redacted September 2009 email seeking legal advice about my Spring 2008 art law paper, then over one year late); ¶290 (University's bad faith refusal to state if there was a one-year cap on extensions).

In 2010, I was graduated, and the SOL on my medical malpractice claims expired. *Id.* ¶321, ¶323. Due to Appellees' fraud, I couldn't find a lawyer on contingency, get damages, or afford reproductive healthcare in my 20s. *Id.* ¶241, ¶327, Ex. 24 (psychiatric records discussing fertility concerns). The University sent my fraudulent transcript to NYBOLE in New York State and my firm in NYC, both of which had access to the Law School's published academic policies and accepted it as valid, I failed the bar and was terminated for performance. *Id.* ¶322, ¶¶324-5. For years, I didn't work, was homeless, or couldn't start a family. *Id.* ¶325. Due to my changed behavior and shame, I became estranged from extended family and lost almost all my friends. *Id.* ¶326. I blamed myself. *Id.* ¶326, *see* Ex. 22, App. D, p. 9 (characterologic vulnerabilities).

During my third phase, I became aware of Appellees' fraud. 2016 was the first year that I didn't take Lexapro, and I began to improve. *See Id.* ¶161, ¶329 (shift in awareness). This happened to be when the Department of Education ("DOE") was investigating schools' handling of student assault and harassment cases. I realized Zarfes had mishandled a 2010 harassment complaint. *Id.* ¶329. Contacting DOE, I learned about the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232g, and submitted a records request about this incident. *Id.* ¶330. In December 2016, the University produced emails where Zarfes expressed concern for the Hospital, a shock. *Id.* ¶330, Ex. 30. I asked for more documents, and in 2017, it produced many, including the Smoking Gun Email. *Id.* ¶¶331-2; Ex. 28, App. D, p. 18. Based on it, I came to believe my labor law paper credits and, by extension, my degree were invalid. *See Id.* ¶332.

That year, I'd gotten a room in an apartment and started working at a small law firm started

by a former colleague. *Id.* ¶¶333. He hired me assuming I could take the bar exam and be admitted to practice, which I'd also assumed to be true. *Id.* Once I no longer believed this to be the case, I left my job. *Id.*

Unfortunately, I again couldn't find a lawyer on contingency to represent me in this case, which I understand has both medical malpractice and fraud components, increasing litigation costs.

In December 2021, within five years of discovering Appellees' fraud, I filed suit as a *pro se* in the Southern District of New York ("SDNY"). A remedy I sought was revocation of my degree. *Id.* p. 108. Other than my first year legal writing class, for which I wrote a brief in 2007, this was my first time writing a complaint. For many reasons, including inexperience, trauma, frustration, and anger, my Complaint was badly written. It was too long, had irrelevant information, was repetitive, disorganized, cited too many cases (which I thought was helpful but have since learned is a research burden), used over the top language, and asked for very high damages. I believe these defects reflected badly on me, my claims, and my credibility and frustrated or alienated the judges.

In January 2022, the SDNY district judge transferred my case to the Northern District of Illinois ("NDIL"). Order, Dkt. 7. In September 2023, the NDIL district judge dismissed my case with prejudice for timeliness, holding that the statute of limitations ("SOL") began in 2010 when my transcript was published, that I should have discovered the fraud then or when I failed the bar or lost my job, and that the SOL expired in 2015. Order, Dkt. 68. He didn't let me amend my Complaint and refused to publish redacted Exhibits. *Id.*

In October 2023, I appealed to the Seventh Circuit. Dkt. 70. Due to my health, in January 2025, I didn't realize my Appellate Reply was due and failed to submit it. Previously, I'd never missed a deadline. On March 6, 2025, the Seventh Circuit affirmed the district judge's decision. I

REASONS FOR GRANTING THE PETITION

Please see attached

REASON(S) FOR GRANTING THIS PETITION

The lower courts departed from the accepted and usual course of judicial proceedings by violating Rule 8(a)(2) and Rule 8(e) in failing to accept or even acknowledge my well-pled facts as true, to construe them in my favor, or to construe my pleadings to do justice.

Under Rule 8(a)(2), a pleading must contain “a short and plain statement of the claim showing that the pleader is entitled to relief[.]” A complaint is construed to benefit the plaintiff, with the court “accept[ing] all well-pled facts alleged in the complaint as true and draw[ing] all reasonable inferences in plaintiff’s favor.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). “Documents attached to the complaint are incorporated into it and become part of the pleading itself.” *Int’l Mktg., Ltd. v. Archer-Daniels-Midland Co.*, 192 F.3d 724, 729 (7th Cir.1999); *see Erickson v. Pardus*, 127 S.Ct. 2197, 2200 (2007) (“Petitioner, in addition, bolstered his claim by making more specific allegations in documents attached to the complaint and in later filings.”).

Under Rule 8(e), “Pleadings must be construed so as to do justice.” Under this rule, “A document filed *pro se* is ‘to be liberally construed,’ ... and ‘a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers[.]’ ... Cf. Fed. Rule Civ. Proc. 8(f) (‘All pleadings shall be so construed as to do substantial justice’).” *Erickson* at 2200.

A claim “may not be time-barred even if the statute of limitations began to run earlier. Tolling doctrines stop the statute of limitations from running even if the accrual date has passed.” *Cada v. Baxter Healthcare Corp.*, 920 F. 2d 446, 450 (7th Cir. 1990). Where “the injury itself impaired the ability of the plaintiff to understand and pursue her claim,” “such incapacity could toll the accrual date,” and “the proper focus ... remains on the claimant’s awareness or ability to discover and comprehend the cause of her injuries.” *Watkins v. United States*, 854 F.3d 947 (7th Cir. 2017). “[T]here are often multiple causes for a plaintiff’s injury” and “determining the

causes underlying a claimant's injury can be a more complicated task than it initially appears[.]” *Arroyo v. United States*, 656 F.3d 663, 668 (7th Cir. 2011). “[C]ourts must distinguish between plaintiffs' cognizance that they have been harmed and their recognition that they may have been harmed by” a particular person or group of people. *Id.* “[A] plaintiff's claim only accrues when he obtains sufficient knowledge of the ... cause of his injury.” *Id.* at 672.

In *Waliga v. Bd. of Trustees of Kent State Univ.*, 22 Ohio St. 3d 55 (Ohio 1986), a university awarded degrees to two graduates in 1966 and 1967, respectively.⁵ More than ten years later, in 1978 and 1982, it received information of fraud, investigated, and found that they hadn't met degree requirements. *Waliga* syllabus. The university told them it was considering revoking their degrees and that there would be a hearing in which they could participate, upon which they sued. *Id.* Finding for the university, the court held, “Academic degrees are a university's certification to the world at large of the recipient's educational achievement and fulfillment of the institution's standards.” *Id.* at 57. It also expressed concern that the very existence of invalid degrees “would undermine public confidence in the integrity of degrees, call academic standards into question, and harm those who rely on the certification which the degree represents.” *Id.* See *Hartzell v. S.O.*, 672 SW 3d 304, 315 (Tex. 2023) (where two cases like *Waliga* were consolidated and the court cited to *Waliga* in holding the invalidly conferred degrees could and should be revoked).

As a matter of public policy, I think my law degree is fraudulent and should be revoked. *Id.* p. 108; *Waliga*; *Hartzell*. Degree fraud is hard to discover. See *Waliga*; *Hartzell*. Neither NYBOLE nor my firm, both of which had my transcript and access to the Law School's published academic policies, discovered it when I failed the bar or they terminated me.

⁵ I rely on free legal research resources, mostly Google Scholar. Unfortunately, the opinion doesn't include a factual background of the case. This information came from the court syllabus, which I found on vLex.com (<https://case-law.vlex.com/vid/waliga-v-board-of-887472932>).

My illness made it impossible to discover this fraud sooner than when I did. Under Rule 8, in deciding equitable tolling, the courts should have considered materials and statements corroborating my diminishment. These materials include

- medical records evidencing that I was given a psychiatric drug inappropriate for someone with a hormone imbalance, not a serotonin one, Compl., Dkt. 1, Ex. 13, 22, App. D, pp. 6, 9;
- medical records evidencing changed behaviors and deterioration, including self-blame and inability to emote or behave appropriately, *Id.*; and
- academic and professional assessments created by Individual Defendant-Appellees calling me “clueless,” incompetent, lacking judgement, too mentally ill for law, or the like. *Id.* Ex. 25, 27, 28, App. D, pp. 11-18.

These statements include that I took Lexapro during the SOL and that, while I took it, I wasn’t functional, couldn’t support myself, and was basically a totally different person than I’d been. *Id.* ¶¶161, 322-6.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

\s\ Jane Doe

Date: 9/5/2025