

No. 25-7349

IN THE
SUPREME COURT OF THE UNITED STATES

Rajesh Motibhai Patel, PETITIONER

v.

United States of America, Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Eleventh Circuit

PETITION FOR A REHEARING

Patel . July 14, 2026

Rajesh Patel, Pro Se, Prisoner

ID: 57586510

300 Wendell Court, Atlanta, GA 30036

Rpatel30161@yahoo.com

770-856-3581

SUBSTANTIAL INTERVENING CIRCUMSTANCES

Eleventh Circuit in its July 6, 2026 opinion of 25-11344, vacated and Remanded Counts 7 and Count 8.

Count 7: Disparate Treatment discrimination in Patient A.H.'s January 14, 2020 examination, Title VII, same issue as in Criminal trial, certiorari.

Count 8: Deprivation of due process, of 42 USC 11112, requested March 2, 2020, never given, same material issue as criminal trial, certiorari.

Appendix A, 25-7349 cert. denied; Appendix B, 11th Cir. 25-11344 opinion; Appendix C, Complaint count 7, 8.

Certificate of Counsel.

Petition is presented in good faith and not for delay, and it is strictly limited to the intervening Circumstances of a substantial controlling issue. I declare under penalty of perjury that foregoing is true & correct. Executed on July 14, 2026,

R Patel,

Ph: 770-856-3581.

RAJESH PATEL, I. D. 57586510, Prose prisoner
300 Wendell Court, Atlanta, GA 30336, RPatel3061@yahoo.com.

**Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001**

June 22, 2026

Scott S. Harris
Clerk of the Court
(202) 479-3011

Dr. Rajesh M. Patel
Prisoner ID 57586510
300 Wendell Court
Atlanta, GA 30336

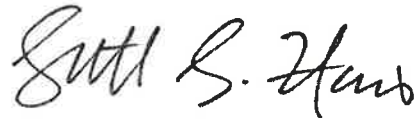
Appendix A

Re: Rajesh Motibhai Patel
v. United States
No. 25-7349

Dear Dr. Patel:

The Court today entered the following order in the above-entitled case:
The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-11344
Non-Argument Calendar

Appendix B

RAJESH MOTIBHAI PATEL,

Plaintiff-Appellant,

versus

SECRETARY, DEPARTMENT OF VETERANS AFFAIRS,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:24-cv-02263-TRJ

Before ROSENBAUM, JILL PRYOR, and BRANCH, Circuit Judges.

PER CURIAM:

Rajesh Patel appeals the district court's order granting a motion to dismiss his complaint against the Secretary of the U.S. Department of Veterans Affairs ("Secretary") for discrimination and

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Opinion of the Court

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on February 17, 2024, alleged a “violation of [his] rights under Federal Employment” and referenced an “EEO complaint for Discrimination under TITLE VII, ADEA, ADA, Reprisal,” Patel did not offer any reason to believe that a nurse telling him, “you cannot be here,” on two occasions was motivated by his disability or any other protected ground. Nor has he done so in the district court or on appeal, as we explained above. Accordingly, Patel has not alleged facts from which it would be reasonable to infer that his February 2024 emails evidenced beliefs about the unlawfulness of his employer’s conduct that were “objectively reasonable in light of the facts and record present.” *Furcron*, 843 F.3d at 1311.

V.

In sum, we affirm the dismissal of Counts 1, 2, 9, and 10 for failure to exhaust, and the dismissal of Counts 3–6 for failure to state a claim. We vacate the dismissal of Counts 7 and 8 for failure to exhaust administrative remedies, and we remand for further proceedings consistent with this opinion.

AFFIRMED in part; VACATED in part; REMANDED.⁴

⁴ Patel’s motion to take judicial notice is DENIED.

Appendix: C

19. Facts of claim:

Claim # 6, Retaliation by change in work assignment

Retaliation:
Hostile work
environment

After I complaint of lunch refusal on 2/17/2023, my work assignment was changed in retaliation. On 2/24/2023, I was emailed to refrain from going to purple team. My keys to purple team door was taken away.

20. Facts of claim:

Claim # 7, Disparate treatment discrimination

contacted VA
EEO curvy in
45d

On February 5, 2020, my clinical privileges were suspended for examination in absence of chaperone. I did have Chaperone LPN T. T. present in the room for patient AH on 1/14/2020, second patient CB had her examination in Radiology department by two females, not me on 12/19/2019. Patient CB signed a statement that her visit with me was "satisfactory" for 9/14/2019 visit. There were two other female PCPs JP and KN who did not have chaperone present in patient AH examination but their privileges were not suspended.

21. Facts of claim:

Claim # 8, Deprivation of due process

My clinical privileges were suspended on February 4, 2020 and I requested a hearing in 30 days on March 2, 2020, under TITLE IV, HCQIA, 42 USC

11112 (Exhibit # 14). Law reads “Hearing shall be held”. As of today, no hearing is held, even after more than 4 years.

22. Facts of claim:

Claim # 9, Refusal of reasonable accommodation for Covid-19

Occupational Health issued me a high risk certificate based on diabetes and age over 65, for Covid-19 infection (Exhibit # 12). Agency refused reasonable accommodation of tele-work (Exhibit # 15). In the office space, a coworker was infected with Covid-19, myself, my wife (age 68) and my disable mother (age 93) all got infected with covid-19 on 10/05/2022.

23. Facts of claim:

Claim # 10, “pretext” by agency’s false & forgery document

04/18/2024, Ms. Lovetta Ford filed an affidavit (Exhibit # 8) based on February 2020 restrictions (Exhibit # 9). Dr. Thomas Price in his affidavit wrote that he did not write or issue this February 2020 restrictions letter (Exhibit # 10). EEOC Hon. Judge Hagan Ordered only 30 days of restrictions (Exhibit # 11).

24. Plaintiff is not working for the defendant (Terminated 2/27/2024).

25. Jury trial requested.

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v.

United States of America, Respondent

CERTIFICATE OF SERVICE

I, **Rajesh Motibhai Patel**, hereby certify that on this 14th day of **July, 2026**, served one copy of the **Petition for a Rehearing** to be served upon all parties required to be served by Supreme Court Rule 29.3.

Service was accomplished by depositing **one** copy of the document into the United States Postal Service, via **First-Class Mail** postage prepaid by me, properly addressed to the following counsel of record:

Solicitor General of the United States,

Room: 5614, Department of Justice,

950 Pennsylvania Ave, NW,

Washington, DC 20530-0001

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

Executed on 14th, July, 2026.

Patel

Rajesh Patel, Pro Se, *prisoner*

ID: 57586510

300 Wendell Court, Atlanta, GA 30036

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770-856-3581