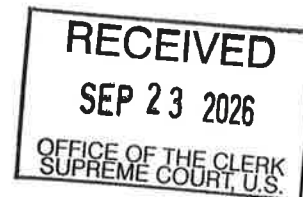


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IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 2026

RAJNINDER K. JUTLA,

Applicant,

v.

WA STATE MEDICAL
COMMISSION, ET AL.,

Respondents.

) WA Supreme Court: 1050976
)
)
)

) Appellate Case No. 60086-2 COA
) DIV 2
)
)

) Thurston County Superior Court
) No.: 23-2-02915-34
)
)
)

) APPLICATION FOR EXTENSION
) OF TIME TO FILE PETITION FOR
) WRIT OF CERTIORARI
)
)
)
)
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TO THE HONORABLE ELENA KAGAN, ASSOCIATE JUSTICE OF THE
SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR
THE NINTH CIRCUIT:

Pursuant to Supreme Court Rule 13.5, Applicant Rajni Jutla, M.D., respectfully
requests a sixty-day extension of time, through and including November 28, 2026,
within which to file a petition for a writ of certiorari seeking review of the

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judgment of the Washington Supreme Court entered July 1, 2026, denying review of the decision of the Washington Court of Appeals, Division II, in No. 60086-2-II.

The current deadline for filing the petition is September 29, 2026. This is Applicant's first request for an extension.

I. JUDGMENT AND PROCEDURAL POSTURE

This matter arises from the permanent revocation of Applicant's Washington medical license by the Washington Medical Commission ("WMC") originally based on a non-hearing ruling of revocation by Oregon Medical Board for a missed deadline which was later reversed to suspension ending next Summer.

Applicant timely filed a Petition for Judicial Review in Thurston County Superior Court pursuant to Washington's Administrative Procedure Act, chapter 34.05 RCW, challenging the WMC's Final Order.

The Superior Court did not adjudicate the Petition on the merits. Instead, pursuant to RCW 34.05.518, the Superior Court certified the matter for direct review by the Washington Court of Appeals.

On February 10, 2026, the Washington Court of Appeals, Division II, issued an unpublished opinion in No. 60086-2-II. The Court of Appeals concluded:

“Because Jutla fails to comply with RAP 10.3(a)(6) or otherwise waives her arguments, we affirm.”

The opinion did not, however, adjudicate several of Applicant's substantive challenges on their merits. In particular, the Court expressly stated that it “decline[d] to consider” Applicant's arguments concerning the Commission's reliance on the Acumen Assessment and the denial of reconsideration. The Court then held that those arguments were abandoned because of inadequate briefing under RAP 10.3(a)(6).

The Court likewise declined to address Applicant's constitutional claims because it concluded that Applicant (pro se) had provided insufficient argument and authority.

The Court's treatment of the Acumen issue is especially significant to the procedural posture. The Court stated:

“Even if we were to consider Jutla's argument on the merits” regarding reliance on the Acumen Assessment, Applicant had waived the issue by entering into the prior stipulated order.

Thus, while the Court of Appeals ultimately stated that it “affirm[ed],” the opinion expressly distinguishes between the disposition of the appeal and consideration of

Applicant's substantive claims on their merits.

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The Court of Appeals also expressly determined that the Commission had failed to comply with RCW 34.05.566(1) by failing to transmit the administrative record within the statutory 30-day period. The Court nevertheless concluded that Applicant had not established entitlement to affirmative relief based upon that violation.

The Washington Supreme Court subsequently denied Applicant's petition for review on July 1, 2026.

II. BASIS FOR JURISDICTION

This application concerns a final judgment of the highest court of the State of Washington that Applicant seeks to have reviewed by this Court.

The Washington Supreme Court denied discretionary review on July 1, 2026. Applicant therefore seeks review in this Court of the state-court proceedings culminating in that denial.

The Court of Appeals' decision is included with this application as required by Supreme Court Rule 13.5.

The Court of Appeals subsequently dismissed the appeal based upon Applicant's failure to comply with certain requirements of the Washington Rules of Appellate

Procedure. The Court of Appeals did not adjudicate the merits of Applicant's challenges to the WMC's Final Order and did not conduct substantive judicial review of the agency action under RCW 34.05.570.

Applicant sought discretionary review in the Washington Supreme Court. The Washington Supreme Court denied review on July 1, 2026.

Following denial of discretionary review, the Court of Appeals issued its mandate returning the cause to the Superior Court for further proceedings.

Applicant thereafter filed a motion in Thurston County Superior Court entitled:

"Petitioner's Amended Memorandum of Law in Support of Motion to Restore Timely Petition for Judicial Review Following Appellate Mandate or, in the Alternative, for Determination of This Court's Continuing Jurisdiction."

(APPENDIX A)

That motion asks the Superior Court to determine whether Applicant's original, timely Petition for Judicial Review remains pending following certification for direct appellate review, procedural dismissal of the appeal, denial of discretionary review, and issuance of the appellate mandate.

As of the filing of this Application, Applicant has not received a ruling on that

motion. Applicant therefore does not represent that the Superior Court has restored the Petition to its active docket or has determined that jurisdiction continues.

III. THE CASE PRESENTS AN UNUSUAL PROCEDURAL QUESTION

The procedural posture presents a question that, to Applicant's knowledge after diligent research, has not been directly addressed in a published Washington appellate decision.

Applicant's original Petition for Judicial Review was timely filed in Superior Court. The Superior Court certified the matter for direct review under RCW 34.05.518. The Court of Appeals affirmed without adjudicating Applicant's substantive challenges to the agency's Final Order. The Washington Supreme Court denied discretionary review, and the Court of Appeals subsequently issued its mandate returning the cause to Superior Court.

One resulting question is what happens to the original timely Petition for Judicial Review when direct appellate proceedings conclude without a merits determination.

Applicant's pending Superior Court motion therefore asks, in substance, whether the original Petition remains pending and whether the Superior Court retains

authority to adjudicate it.

The motion does not seek reconsideration of the Court of Appeals' dismissal or reversal of the Washington Supreme Court's denial of discretionary review. Rather, it presents a jurisdictional question concerning the legal status of the original proceeding following issuance of the appellate mandate.

IV. GOOD CAUSE EXISTS FOR THE REQUESTED EXTENSION

Good cause exists because this case presents an unusually complex procedural posture requiring Applicant to carefully distinguish between the matters actually adjudicated by the Washington Court of Appeals and the substantive issues that court expressly declined to consider.

The Court of Appeals used the term “affirm” in its disposition. Applicant does not dispute that the appellate disposition left the Commission's permanent-revocation order undisturbed. At the same time, the opinion expressly states that several of Applicant's principal challenges were not considered because of briefing deficiencies and waiver.

That distinction is important to the preparation of a petition for a writ of certiorari.

Applicant must accurately identify the judgment presented for review without misstating either the scope of the Court of Appeals' decision or the effect of the

Washington Supreme Court's subsequent denial of discretionary review.

The petition will therefore require careful analysis of the interaction among Washington's Administrative Procedure Act, RCW 34.05.518 and RCW 34.05.570, the Washington Rules of Appellate Procedure governing briefing and waiver, and the effect of an appellate disposition that affirms the agency order while expressly declining to consider significant substantive challenges.

The procedural history is further complicated by the Court of Appeals' determination that the Commission failed to comply with RCW 34.05.566(1)'s requirement that the agency transmit the administrative record within 30 days of service of the petition for judicial review. The Court nevertheless declined to grant affirmative relief because Applicant had not identified authority establishing such relief.

In addition, Applicant is proceeding without counsel. Applicant's former counsel withdrew during the state-court proceedings, and Applicant has since been required to research and prepare the appellate and Supreme Court filings without representation. The record is extensive, and the underlying matter concerns the permanent revocation of Applicant's medical license and the resulting permanent professional consequences.

Additional time is therefore necessary to:

1. carefully review and organize the state administrative and judicial record;
2. identify precisely which federal questions are properly presented for this Court's review;
3. distinguish claims actually decided by the Washington courts from claims that were not reached because of briefing or waiver;
4. analyze the interaction between the Washington Administrative Procedure Act and the appellate rules governing waiver and abandonment;
5. prepare an accurate jurisdictional statement and question presented that does not overstate the Washington Court of Appeals' disposition;
6. review the applicable Supreme Court precedents and ensure that the petition satisfies this Court's jurisdictional, procedural, and formatting requirements; and
7. prepare the petition and accompanying appendix in a manner that will permit meaningful review by this Court.
8. presently unresolved jurisdictional proceeding in Superior Court based on the most recent filing at the Lower Court: "Petitioner's Amended Memorandum of Law

in Support of Motion to Restore Timely Petition for Judicial Review Following
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Appellate Mandate or, in the Alternative, for Determination of This Court's Continuing Jurisdiction.”

The petition for certiorari will require careful analysis of the precise scope of the Court of Appeals' disposition and mandate and the relationship between that disposition and Applicant's original Petition for Judicial Review.

In particular, Applicant must accurately distinguish between matters that were actually decided by the Court of Appeals and matters that were never reached.

The Court of Appeals' disposition concerned Applicant's compliance with the Rules of Appellate Procedure. The appellate court did not determine whether the WMC acted lawfully under RCW 34.05.570, did not adjudicate Applicant's substantive APA claims, and did not expressly determine the continuing status of the original Petition following issuance of the mandate.

IV. THE PENDING SUPERIOR COURT PROCEEDING REQUIRES ADDITIONAL TIME TO PRESENT THE PROCEDURAL POSTURE ACCURATELY

Applicant's pending Superior Court motion creates an additional reason for an extension.

Applicant has asked the Superior Court to determine whether the original Petition for Judicial Review remains pending following the appellate mandate. No ruling

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has yet been received.

Because the Superior Court may determine the procedural status of the original Petition, Applicant seeks sufficient time to present this Court with an accurate account of the state-court proceedings rather than prematurely characterizing the Superior Court's jurisdiction or assuming the outcome of the pending motion.

The Attorney General states that it does not object to Petitioner's motion, but notes that the Court of Appeals "affirmed the Medical Commission's decision for permanent revocation." Petitioner does not dispute that the Court of Appeals' disposition left the Commission's order undisturbed. The issue presently before this Court, however, is not whether the Commission's order remained in effect. It is whether the Court of Appeals adjudicated the merits of Petitioner's timely Petition for Judicial Review, or instead terminated appellate review on procedural briefing grounds without reaching the merits.

Those are materially different propositions.

The Court of Appeals' decision was based foremost on alleged deficiencies in Petitioner's appellate briefing under RAP 10.3(a)(6) and related doctrines. The Court did not undertake the merits review contemplated by RCW 34.05.570, did not determine whether the Commission's factual findings were supported by

substantial evidence, and did not resolve Petitioner's substantive statutory and constitutional challenges to the Commission's permanent revocation. Petitioner's petition for review to the Washington Supreme Court likewise identified the Court of Appeals' disposition as one that did not resolve the merits of the underlying claims.

Accordingly, the use of the word "affirmed" describes the result of the appellate proceeding—it does not necessarily establish that the Court of Appeals conducted a merits adjudication of the agency decision. An appellate disposition may leave a lower decision undisturbed without resolving every issue that would have been presented in a merits review.

That distinction is dispositive of the narrow issue presently before this Court. Petitioner is not asking this Court to disregard, modify, or collaterally attack the Court of Appeals' decision. Nor is Petitioner asking this Court to determine that the Court of Appeals erred in applying RAP 10.3(a)(6). Petitioner accepts that the Court of Appeals terminated its review and that its mandate issued.

The question is what legal effect that procedural termination had upon the original, timely Petition for Judicial Review that had been filed in this Court and subsequently certified to the Court of Appeals under RCW 34.05.518.

RAP 12.2 provides that the action taken or decision made by the appellate court is binding and governs subsequent proceedings. The rule therefore requires attention to the actual scope of the appellate disposition. If the Court of Appeals did not adjudicate the merits of the APA petition, the mandate cannot reasonably be treated as a merits judgment that the Commission's permanent revocation satisfied RCW 34.05.570 merely because the agency order was left undisturbed.

The Attorney General's statement that it does not object to Petitioner's motion is therefore significant. The State does not identify an appellate decision adjudicating the merits of Petitioner's original APA petition, nor does it identify a statutory provision expressly providing that a timely APA petition is extinguished when appellate review is terminated solely because of briefing deficiencies.

Petitioner accordingly respectfully requests that the Court determine the procedural status of the original Petition for Judicial Review following issuance of the appellate mandate. If the Court concludes that the original petition no longer remains pending, Petitioner respectfully requests a written determination identifying the legal authority and procedural event by which the timely petition was extinguished. Such a determination would provide a clear basis for any further appellate review of this unresolved jurisdictional question.

The key language is:

The court says “Because Jutla fails to comply with RAP 10.3(a)(6) or otherwise waives her arguments, we affirm.” On the Acumen Assessments (disputed diagnosis of Narcissistic Personality Disorder and permanent revocation solely based on this) and reconsideration issues, it expressly says “we decline to consider these arguments.” It then holds those arguments were “abandoned on appeal” because of inadequate briefing. Most importantly, the court states that even if it considered the Acumen issue on the merits, there was a separate waiver based on the stipulated order. Additionally, the stipulated order was coercively signed by the licensee and never did it provide for false diagnosing to generate what the Commission was seeking- an assessment that the licensee was unfit to practice medicine after 20 years of successfully doing so. The “waiver” would be deemed conditional language, not an actual merits adjudication

The constitutional claims likewise were not addressed because the court found the briefing inadequate. It is unreasonable to characterize the opinion as a merits determination that the WMC's permanent revocation was lawful under RCW 34.05.570. The technically accurate formulation is:

The Court of Appeals affirmed the result of the Commission's order, but expressly

declined to consider several substantive challenges because of waiver and inadequate briefing.

Additionally, the Court of Appeals expressly found that the Commission failed to comply with RCW 34.05.566(1) by not providing the record within 30 days. The court simply concluded authority establishing affirmative relief from the violation was not offered as a procedural defect, nothing more.

The demonstrative language is:

“Because Jutla fails to comply with RAP 10.3(a)(6) or otherwise waives her arguments, we affirm.” Then, when discussing the substantive issues, COA expresses “we decline to consider these arguments.” Furthermore, “Because Jutla fails to comply with RAP 10.3(a)(6), these arguments are abandoned on appeal.”

Finally, “Accordingly, we affirm.” There is no grace to revise the Brief to correct the procedural defects. Ultimately the COA unpublished opinion makes clear that the court declined to consider the principal substantive challenges because of briefing/waiver. In particular, it did not conduct the merits analysis expected under the APA's judicial-review framework concerning whether the Commission's action was legally sustainable.

Similarly the COA's footnote: “Even if we were to consider Jutla's argument on
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the merits regarding the Commission's reliance on the Acumen Assessment, we note that Jutla already waived this argument..." proving that the court did not actually undertake that merits consideration.

"The Court of Appeals affirmed the Commission's order, but its opinion expressly states that it declined to consider Petitioner's substantive challenges because of inadequate briefing and waiver. The present application for extension of time for Writ of Certiori does not challenge the affirmation. Rather, it asks what happened procedurally to the original, timely APA petition after the appellate court terminated appellate review without adjudicating the unresolved substantive claims.

Nonetheless, the Court of Appeals expressly found that the Commission violated RCW 34.05.566(1) by failing to transmit the agency record within 30 days.

Applicant does not ask this Court to await the Superior Court's ruling, nor does Applicant represent that the Superior Court will necessarily rule in Applicant's favor.

Instead, the requested extension will permit Applicant to account for any ruling that may issue and to determine precisely which issues remain available for federal review.

This is particularly important because Applicant's proposed petition may present questions concerning the availability of meaningful judicial review of an agency order permanently revoking a professional license where the state appellate proceedings terminated on procedural grounds before the underlying agency action was judicially reviewed.

V. THE CONSEQUENCES OF THE UNDERLYING AGENCY ACTION ARE SUBSTANTIAL

The underlying matter concerns the permanent revocation of Applicant's medical license.

Applicant had practiced medicine for approximately two decades without issue or harm in the Pacific Northwest before the Commission's permanent revocation order. The agency proceeding therefore resulted in an exceptionally consequential deprivation of Applicant's ability to continue practicing her profession.

Applicant disputes both the factual basis for the Commission's decision with eight polarized expert opinions, specifically a sole psychological conclusion of her being a *narcissist* relied upon by the Commission.

Applicant does not seek to litigate those factual matters through this application for an extension. They are relevant here only to explain the significance of obtaining

meaningful judicial review and the importance of allowing adequate time to prepare a petition presenting the federal questions with precision.

VI. APPLICANT'S PRO SE STATUS AND THE COMPLEXITY OF THE RECORD SUPPORT THE REQUEST

Applicant has proceeded without continuous retained appellate counsel and has been required to undertake substantial portions of the appellate litigation herself.

The proceedings have generated an extensive administrative and appellate record and have involved multiple levels of Washington judicial review.

Additional time is necessary to review that record carefully, identify the precise federal questions presented, research the applicable Supreme Court authorities, and prepare a petition that complies fully with the Court's requirements.

The requested extension is therefore necessary to ensure that the petition presents the procedural history, jurisdictional posture, and federal questions accurately and completely.

VII. THE REQUEST IS MADE IN GOOD FAITH AND NOT FOR PURPOSES OF DELAY

Applicant respectfully submits that the requested extension is made in good faith and not for purposes of delay.

The requested sixty-day extension will provide the additional time necessary to prepare a complete petition addressing an unusually complicated procedural history and significant questions concerning judicial review of agency action.

Applicant respectfully requests the full sixty days because the unresolved Superior Court jurisdictional proceeding, the extensive underlying record, and the procedural history spanning several levels of judicial review make a shorter extension unnecessarily restrictive.

VIII. REQUESTED RELIEF

Applicant Rajni Jutla, M.D M.B.A., is proceeding pro se. Applicant has been required to prepare and litigate the state-court proceedings without continuous representation by appellate counsel. The procedural history of this matter spans administrative proceedings before the Washington Medical Commission, judicial review proceedings in Thurston County Superior Court, direct appellate review in the Washington Court of Appeals, discretionary review in the Washington Supreme Court, and proceedings following issuance of the appellate mandate.

Applicant is presently also awaiting a ruling from Thurston County Superior Court on a motion concerning the status of the original Petition for Judicial Review following the appellate mandate.

Applicant respectfully submits that additional time is necessary to review the extensive record, accurately present this unusual procedural history, identify the federal questions presented, and prepare a petition that complies with the Rules of this Court.

For the foregoing reasons, Applicant respectfully requests that the Court grant an extension of sixty days, through and including November 28, 2026, within which to file a petition for a writ of certiorari.

IX. NOTICE OF OBJECTION OR CONSENT

The Washington Attorney General's Office, attorney for respondent, has been notified of the intent to file this application and was requested to advise if there was any objection to the filing. Response a day later, was there is no objection.

Appendix A — Washington Court of Appeals decision/order
The February 10, 2026 decision/dismissal.

Appendix B — Washington Supreme Court order denying review
July 1, 2026.

Exhibit C — Court of Appeals mandate

Exhibit D — Your Superior Court motion to restore/ determine continuing jurisdiction

Respectfully submitted,

RAJNINDER JUTLA, M.D.

Applicant, Pro Se

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APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI

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Dated: _____September 10, 2026

CERTIFICATE OF SERVICE

I certify that on September 17, 2026, I served a copy of this Application for Extension of Time to File Petition for Writ of Certiorari upon counsel for Respondent by electronic service at the following address:

Christina Pfluger

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/s/ Rajninder Jutla, M.D.
Applicant, Pro Se