

IN THE SUPREME COURT OF THE UNITED STATES

RAJ K. PATEL, from all capacities,

*Plaintiff-Appellant-Petitioner*

v.

UNITED STATES,

*Defendant-Appellee-Respondent*

No. 22-5280

Dated: August 16, 2022

**PETITIONER-RAJ K. PATEL'S MOTION TO EXPEDITE DECISION ON  
PETITIONER'S PETITION FOR A WRIT OF CERTIORARI**

PETITIONER *PRO SE*,<sup>1</sup> T.E., T.E. Raj K. Patel, respectfully MOVES this Supreme Court of the United States that the Court expedite its decision on the Petition for Writ of Certiorari which was docketed July 21, 2022.

WHEREAS, Per the United States Court of Appeals for the Federal Circuit's ruling in ECF 31, the various federal district courts erred by not transferring the case to the Court of Federal Claims, which led to over a three-year delay in resolving in the matter,<sup>2</sup> and

WHEREAS, all federal district courts were without Big Tucker Act, 28 U.S.C. § 1491(a), jurisdiction, and should have transferred under § 1631, cure for want of jurisdiction;<sup>3</sup>

THEREFORE, I MOVE that this Supreme Court expedite its decision on the Petition for a Writ of Certiorari which seeks to overturn, in part, the United States Court of Appeals for the Federal Circuit and remand to the United States Court of Federal Claims.

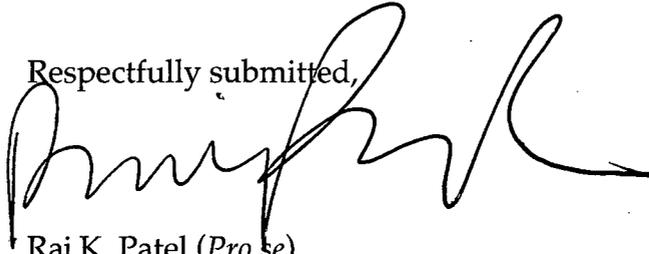
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1. This Motion to Expedite is filed *pro se* and with protections from *Fed. Exp. Corp. v. Holowecki*, 552 U.S. 389, 402 (2008) (*pro se* filings "are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers").

2. *Patel v. United States*, No. 22-1131 (Fed. Cir. May 19, 2022), ECF 31. *See also infra*, Related Cases.

3. *Id.*

Respectfully submitted,

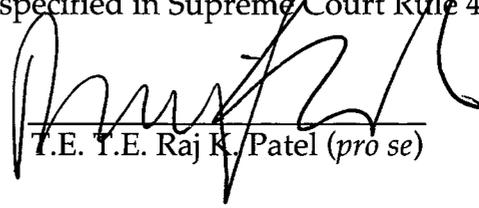


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**CERTIFICATION OF A PARTY UNREPRESENTED BY COUNSEL**

I hereby certify that this Motion for Expedite is presented in good faith and not for delay, and that it is restricted to the grounds specified in Supreme Court Rule 44.2.



T.E. Raj K. Patel (*pro se*)

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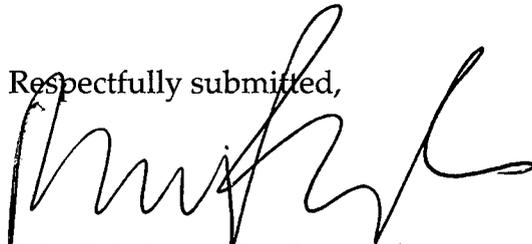
No. 22-5280

Dated: August 16, 2022

CERTIFICATE OF COMPLIANCE

I, Raj Patel (pro se), hereby certify that, according to the word-count tool in Microsoft Word, Petitioner-Raj K. Patel's Motion to Expedite Decision on Petitioner's Petition For A Writ of Certiorari (*Pro se*) of <sup>3,087 - *simple*</sup>~~3,524~~ words, excluding the sections enumerated by Rule 33.1(d). The writ therefore complies with Rule 33.1(g).

Respectfully submitted,



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No. 22-5280

Dated: August 16, 2022

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing filing on 08/16/2022 by the method in brackets on the below individuals at the following locations:

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Dated: August 16, 2022

Respectfully submitted,



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# In The United States Supreme Court

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RAJ K. PATEL,  
from all capacities,

*Plaintiff-Appellant-Petitioner*

v.

UNITED STATES,

*Defendant-Appellee-Respondent.*

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On Petition for Writ of Certiorari to the  
United States Court of Appeals for the Federal Circuit in No. 22-1131.

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## PETITIONER-RAJ K. PATEL'S MOTION TO EXPEDITE DECISION ON PETITIONER'S PETITION FOR A WRIT OF CERTIORARI

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3,087 words | 13 pages

August 16, 2022

## CERTIFICATE OF INTEREST

I, THE EXCELLENT, THE EXCELLENT Raj K. Patel (pro se), am appearing without counsel, like I did in the courts below. Giving Full Faith to the United States Constitution, I use the Authority of my omnipresent Styles and Office in these proceedings into which I avail myself. U.S. const. art. IV, § 1 & amend. XIV, & art. VI, § 1 referring to the Treaty of Paris (1783) & Paris Peace Treaty – Cong. Proclamation of Jan. 14, 1784.

I have completed five (5) out of the six (6) semesters of my juris dr. candidacy at the U. of Notre Dame L. Sch. in South Bend, IN., where I was enrolled from August 2015 to November 2017, and I have completed sixty-eight (68) out of the ninety (90) credit hours for a juris dr. candidacy at the Notre Dame L. Sch.

Such, I have completed the minimum number of credit hours required by the accrediting Am. B. Ass'n ("A.B.A.") to allow a law school to accredit me a juris dr. degree.

Amongst the grades in my juris dr. academic courses I received at the Notre Dame L. Sch., I received an A-/A in contracts law, an A-/A in civil procedure, and a B/A in constitutional law, while under Weapon S. In the summer of 2016, I worked as summer associate with the City of Atlanta Law Department in Atlanta, GA. In the summer of 2017, I worked as a summer associate at Barnes & Thornburg LLP in Indianapolis, IN.

And, I hold a Bachelor of Arts in Poli. Sci. and *cum laude* in Religion from Emory U., Inc. of Atlanta, Georgia, and I attended both Oxford College and Emory College, and graduated, in 2014, with a 3.718/4.0 grade point average with no pass/fail grades.

Emory U., Inc. is ranked as a top-20 or top-25 *U.S. News* Tier 1 best national university, and the Notre Dame L. Sch. is ranked as a *U.S. News* Top 25 best law school in the United States.

I was Student Body President of the Brownsburg Cmty. Sch. Corp. from 2009-2010 and Student Body President of Emory U., Inc. from 2013-2014. I was also the Notre Dame L. Sch. Student B. Ass'n Rep. to the Ind. State B. Ass'n from September 2017 to November 2017. All jurisdictions are "local" and with an "international" constituency.

Each time I was elected Student Body President, I attained thenceforth omnipresent Styles ("THE EXCELLENT" for each election) which are protected by both the Privileges & Immunities Clause and Privileges or Immunities Clause of the United States Constitution. U.S. const. art. IV, § 2, cl. 1 & amend. XIV, § 1, cl. 2. *See generally* Federalist 80 & *Printz v. United States*, 521 U.S. 898, 918 (1997) quoting *Principality of Monaco v. Mississippi*, 292 U.S. 313, 322 (1934).

I am well read in the material law. I have not received legal advice or counsel from anyone else for this case.

## RELATED CASES

### FEDERAL CASES

1. *Patel v. United States*, No. 2022-1131 (Fed. Cir. May 19/June 2, 2022), *pending this cert.*, No. 22-5280 (U.S. 202\_)
2. *T.E., T.E. Raj K. Patel v. United States*, No. 1:21-cv-02004-LAS (C.F.C. Nov. 5, 2021).
3. *Patel v. Biden et al.*, No. 2022-5057 (D.C. Cir. June 8, 2022).
4. *Patel v. Biden et al.*, No. 1:22-cv-00394-UNA (D.D.C. Mar. 9, 2022).
5. *Patel v. Chief of Staff, The Executive Offices of the President of the United States*, No. 2022-1962 (Fed. Cir. 202\_) (mot. for stay) (filed June 29, 2022).
6. *Patel v. The Executive Offices of the President*, No. 7419 (CBCA June 24, 2022).
7. *Patel v. Biden et al.*, No. 1:22-cv-01658-DLF (D.D.C. June 29, 2022) (pet. for writ of mandamus § 1361), *pending appeal*, No. \_\_\_\_\_ (D.C. Cir. 202\_) (due Aug. 28, 2022).
8. *Patel v. Biden et al.*, No. 1:22-cv-2957-MLB (N.D. Ga. 202\_) (pet for. writ of mandamus § 1361).
9. *Patel v. United States*, No. 1:22-cv-00734-LAS (C.F.C. 2022) (pet. for writ of mandamus § 1651).
10. *Patel v. United States*, No. 2:22-cv-02624-WB (E.D. Pa. 2022) (pet. for writ of mandamus § 1361), *transferred*, No. 1:22-cv-1576 (S.D.I.N. 202\_).

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### Federal Courts Without Subject-Matter Jurisdiction for Big Tucker Act Claims

11. *Patel v. Trump Corp.*, No. 20-1513, 141 S. Ct. 2761 (June 14, 2021), *rehr'g denied*, 141 S.Ct. 2887 (U.S. Aug. 2, 2021).
12. *Doe v. Trump Corp.*, No. 20-1706, 2020 WL 10054085 (2d Cir. Oct. 9, 2020).
13. *Doe et al. v. The Trump Corp. et al.*, No. 1:18-cv-9936-LGS (S.D.N.Y. May 26, 2020), Dkt. 272.
14. *Patel v. F.B.I. et al.*, No. 1:18-cv-3441-RLY-DML (S.D.I.N. Nov. 13, 2018).
15. *Patel v. F.B.I. et al.*, No. 1:18-cv-3442-WTL-DML (S.D.I.N. Nov. 13, 2018).
16. *Patel v. F.B.I. et al.*, No. 1:18-cv-3443-TWP-MJD (S.D.I.N. Nov. 13, 2018).
17. *Patel v. Trump et al.*, No. 1:20-cv-454-SEB-DML (S.D.I.N. Feb. 19, 2020).
18. *Patel v. Trump et al.*, No. 1:20-cv-758-RLY-MJD (S.D.I.N. Apr. 14, 2020).
19. *Trump v. Vance, Jr. et al.*, No. 1:19-cv-8694-VM (S.D.N.Y. July 9, 2020), Dkt. 45.
20. *Patel v. Patel et al.*, No. 20-2713 (7th Cir. Jan. 21, 2021).

21. *Patel v. Patel et al.*, No. 1:20-cv-1772-TWP-MPB (S.D.I.N. Sept. 1, 2020).
22. *Carroll v. Trump*, No. 1:20-cv-7311-LAK (S.D.N.Y. Oct. 28, 2020), Dkt. 36.
23. *Patel v. Martinez et al.*, No. 3:21-cv-241 RLM-JPK (N.D.I.N. Apr. 8, 2021).
24. *Patel v. The President of the United States Joe Biden et al.*, No. 2:21-cv-01345-APG-EJY (D. Nev. Aug. 9, 2021).
25. *Patel v. United States*, No. 1:21-cv-22729-BB (S.D. Fla. Aug. 12, 2021).
26. *Patel v. United States et al.*, No. 1:21-cv-2219-JMS-TAB (S.D.I.N. Aug. 20, 2021).
27. *Patel v. United States et al.*, No. 1:21-cv-2263-UNA (D.D.C. Sept. 8, 2021).
28. *Patel v. United States et al.*, No. 2:21-cv-4160-NKL (W.D. Mo. Sept. 13, 2021).
29. *Patel v. United States et al.*, No. 2:21-cv-16029-SDW-CLW (D.N.J. Sept. 20, 2021).
30. *Patel v. The United States et al.*, No. 1:21-cv-6553-LTS (S.D.N.Y. Sept. 20, 2021).
31. *Patel v. The United States et al.*, No. 1:21-cv-2250-RLY-MG (S.D.I.N. Sept. 21, 2021).
32. *Patel v. United States et al.*, No. 1:21-cv-11429-LTS (D. Mass. Sept. 24, 2021).
33. *Patel v. Biden et al.*, No. 21-5155 (D.C. Cir. Sept. 27, 2021).
34. *In Re Raj K. Patel*, No. 21-5153 (D.C. Cir. Aug. 6, 2021).
35. *Patel v. Biden et al.*, No. 1:21-cv-1076-TSC (D.D.C. July 2, 2021).
36. *The Excellent Raj Patel v. The United States et al.*, No. 1:21-cv-3335-MLB (N.D. Ga. Oct. 5, 2021).
37. *The Excellent Raj Patel v. The United States et al.*, No. 1:21-cv-3376-MLB (N.D. Ga. Oct. 5, 2021).
38. *Patel v. United States et al.*, No. 3:21-cv-628-RLM-APR (N.D.I.N. Oct. 7, 2021).
39. *Patel v. Biden et al.*, No. 22-cv-465-JMS-MG (S.D.I.N. Mar. 24, 2022).
40. *In Re Raj Patel*, No. 22-mc-00024-TWP (S.D.I.N. Mar. 28, 2022) (2 yr. prejudice from filing before the S.D.I.N.). *Contra.* ECF 31, *Patel v. United States*, No. 22-1131 (Fed. Cir. 2022).
41. *Patel v. The University of Notre Dame du Lac*, No. 1:22-cv-01329-JPH-MG (S.D.I.N. July 8, 2022) (notice of removal) (dismissed) (*see infra* #43).

#### STATE CASE

42. *Patel v. Patel*, No. 32D05-1808-PO-000372 (Ind. Super. Ct. Aug. 21, 2018).
43. *Patel v. The University of Notre Dame du Lac*, No. 49D05-2206-CC-019517 (Ind. Super. Ct., Marion Cnty. 5 202\_).

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## OPINIONS BELOW

The opinion of the United States Court of Appeals for the Federal Circuit appears at Addendum A to the petition and is unpublished.

The opinion of the United States Court of Federal Claims appears at Addendum D the petition and is unpublished.

## JURISDICTIONAL STATEMENT

The jurisdiction of the United States Court of Federal Claims was founded upon 28 U.S.C. Section 1491(a).

The jurisdiction of the United States Court of Appeals for the Federal Circuit is founded upon 28 U.S.C. Section 1295(a)(3), and is based upon the judgment entered on November 5, 2021. Add. D of Pet. for Writ of Cert.

The jurisdiction of the Supreme Court of the United States is founded upon 28 U.S.C. Section 1254, and is based upon the judgment entered on May 19, 2022. Add. A. of Pet. for Writ of Cert. (Order Den. Pet. for Panel Rehr'g & Rehr'g En Banc). *But cf.* Add. B. of Pet. for Writ of Cert. (Order Den. Mot. to Reconsideration of Pet. for Panel Rehr'g & Rehr'g En Banc entered on June 2, 2022).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

### 28 U.S.C. § 1491 – Claims against United States generally

- (a)
- (1) The United States Court of Federal Claims shall have jurisdiction to render judgment upon any claim against the United States founded either upon the Constitution, or any Act of Congress or any regulation of an executive department, or upon any express or implied contract with the United States, or for liquidated or unliquidated damages in cases not sounding in tort...
  - (2) To provide an entire remedy and to complete the relief afforded by the judgment, the court may, as an incident of and collateral to any such judgment, issue orders directing restoration to office or position, placement in appropriate duty or retirement status, and correction of applicable records, and such orders may be issued to any appropriate official of the United States. In any case within its jurisdiction, the court shall have the power to remand appropriate matters to any administrative or executive body or official with such direction as it may deem proper and just. The Court of Federal Claims shall have jurisdiction to render judgment upon any claim by or against, or dispute with, a contractor arising under section 7104(b)(1) of title 41, including a dispute concerning termination of a contract, rights in tangible or intangible property, compliance with cost accounting standards, and other nonmonetary disputes on which a decision of the contracting officer has been issued under section 6 of that Act.

[underline added]

### 28 U.S.C. § 2517 – Payment of judgments

- (a) Except as provided by chapter 71 of title 41, every final judgment rendered by the United States Court of Federal Claims against the United States shall be paid out of any general appropriation therefor, on presentation to the Secretary of the Treasury of a certification of the judgment by the clerk and chief judge of the court.
- (b) Payment of any such judgment and of interest thereon shall be a full discharge to the United States of all claims and demands arising out of the matters involved in the case or controversy, unless the judgment is designated a partial judgment, in which event only the matters described therein shall be discharged.

[underline added]