

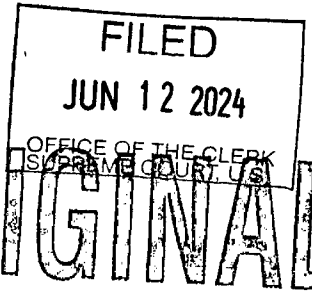
23-7785

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

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SUPREME COURT OF THE UNITED STATES

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Jared Pierce Sanchez,

*Petitioner,*

v.

Brown University, Lifespan Corporation, Care New

England Health System

*Respondents.*

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On Petition for a Writ of Certiorari to the United States

Court of Appeals for the First Circuit

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**PETITION FOR A WRIT OF CERTIORARI**

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Jared Pierce Sanchez

*Attorney pro se*

M.D. Class of 2027 Degree Candidate

144 Church St. Manville, RI 02838

Tel: (917) 994-4989

E-Mail: jaredsans1920@gmail.com

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## I. Questions Presented

1) Whether the First Circuit Court of Appeals and the District Court erred in dismissing Mr. Sanchez's claims of religious discrimination, harassment, and academic exclusion under the First and Fourteenth Amendments, despite compelling and irrefutable evidence that the Defendants-Appellees operate public hospitals.

2) Whether the enforcement of Covid-19 mRNA inoculation mandates without religious exemptions by Lifespan Corporation and Care New England Health System, as part of their affiliation with Brown University's Warren Alpert Medical School (WAMS), constitutes a violation of the Plaintiff-Appellant's rights to free exercise of religion and equal protection under the law.

3) Whether the lower courts failed to adequately consider and address the substantial and documented evidence provided by the pro se Plaintiff-Appellant, while predominantly relying on the filings and arguments of Defendants-Appellees' counsel, thereby undermining the fairness and integrity of the judicial process.

4) Whether the lower courts' failure to address the Plaintiff-Appellant's evidence and arguments regarding

his natural immunity and the discriminatory impact of the Defendants-Appellees' policies necessitate Supreme Court intervention to ensure consistent and uniform application of constitutional protections against religious discrimination.

5) Whether a party may motion to dismiss prior to attempted service of summons, how this might impact judicial fairness, and whether a district court may deny a pro se litigant's timely-filed amended complaint within 21 days of successful summons service.

## **II. Related Cases**

Sanchez v. Brown University et al., No. 1:23-00343-JJM-PAS, Rhode Island District Court

Sanchez v. Brown University et al., No. 23-1983, First Circuit Court of Appeals

## **III. List of Parties**

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

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**VI. Table of Authorities**

**Cases**

Does 1-11 v. Board of Regents of University of Colorado,  
100 F.4th 1251 (10th Cir. 2024).....Pp.6,9

Groff v. De Joy (2022), No. 22-174, U.S. Court of Appeals  
3rd Circuit.....9

Health Freedom Defense Fund, Inc., et al. v. Alberto  
Carvalho, et al., No. 22-55908, United States Court  
of Appeals for the Ninth Circuit.....9

Ringhofer v. Mayo Clinic, 23-2994, U.S. Court of Appeals  
for the 9th Circuit.....9

Tabura v. Kellogg USA’s (2018), U.S. Court of Appeals  
10th Circuit.....9

Wegmann v. Trustees of John A. Logan College (2023),  
U.S. District Court, Southern District of Illinois.

**Statutes and Rules**

*Health and Human Services* (p. 10):

42 CFR Ch. IV § 441.151(c)(3)(iii, vi, vii, x); §482.42  
(g)(3)(iii, vi, vii, x); § 485.70 (n)(3)(iii, vi, vii,  
x); and § 485.904 (c)(3) (iii, vi, vii, x).

45 CFR §§ 80.3(c)(iii) & 80.3(b)(v)

*Code of Conduct for United States Judges* (p. 11):

Canon 3(A)(4)

Canon 3(A)(4)(b)

*Federal Rules of Civil Procedure:*

Rule 83.0

*The Higher Education Act of 1965* (p. 11):

SEC. 111. [20 U.S.C. 1011](a)

*The Rhode Island Department of Health* (P. 11):

Rule 216-RICR-20-15-9

**Other**

*Brown University Policies* (P. 10):

Institutional Records Policy (Principle 1, Bullet  
Points 1 and 2)

Policy on Internships and Volunteer Opportunities

(Policy No. 08.05.05) Code of Conduct (Policy No.

01.05.01, Section 3.3.4) Nondiscrimination and

Anti-Harassment Policy (Policy No. 01.45.03)

**VII. Petition for Writ of Certiorari**

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

**VIII. Opinions Below**

The opinion of the United States court of appeals  
appears at Appendix A to the petition and is reported at  
case number 23-1983, with final judgement affirming

District Court's decisions on June 11<sup>th</sup>, 2024. The opinions of the United States District Court appear at Appendix B to the petition and is reported at 1:23-00343-JJM-PAS, with ordered dismissal of Lifespan Corporation on October 4<sup>th</sup>, 2023; Order denying appointment of counsel and preliminary injunction on November 21<sup>st</sup>, 2023; and Order denying motion to vacate and for recusal on January 9<sup>th</sup>, 2024.

### **IX. Jurisdiction**

The date on which the United States Court of Appeals decided my case was June 11<sup>th</sup>, 2024. No petition for rehearing was timely filed due to the appearance of judicial partiality; therefore, the jurisdiction of this Court is invoked under 28 U.S.C. § 1254(1).

### **X. Cited Constitutional & Statutory Provision**

#### **U.S. Constitution:**

**U.S. Const. amend. I:** "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

**U.S. Const. amend. XIV:** "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United

States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

**42 U.S.C. § 1983:** "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia."

**Titles II, VI, and VII of the Civil Rights Act of 1964:**

**Title II:** "All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin."

**Title VI:** "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

**Title VII:** "It shall be an unlawful employment practice for an employer— (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin."



## XI. Statement of Case

Petitioner Jared Pierce Sanchez, a medical student at the Warren Alpert Medical School of Brown University (WAMS), brought a lawsuit against Brown University, Care New England Health System (CNE), and Lifespan Corporation (Lifespan), alleging religious discrimination, harassment, and academic exclusion in violation of the First and Fourteenth Amendments. Mr. Sanchez was granted a religious exemption from the Covid-19 mRNA inoculations in July 2021 due to his sincerely held religious beliefs. Despite this exemption, Lifespan and CNE enforced mandates for the inoculations without accommodations for religious exemptions starting October 1, 2021. Consequently, Mr. Sanchez faced exclusion from his clinical training and academic program, experiencing severe psychological, emotional, financial, and professional harm.

Throughout the proceedings, Mr. Sanchez, acting pro se, presented substantial evidence that the Defendants-Appellees are state actors engaged in significant public functions, including operating public hospitals. This evidence includes public admissions by Defendants-Appellees' executives at a Rhode Island State

House healthcare summit, where they identified their institutions as public hospitals and acknowledged their public service roles. Despite this, the district court dismissed the complaint under Federal Rule of Civil Procedure 12(b)(6) and denied motions to amend and for reconsideration. The First Circuit Court of Appeals affirmed this decision, failing to address the substantial constitutional claims and new evidence provided by Mr. Sanchez.

The lower courts predominantly based their decisions on the arguments presented by Defendants-Appellees' counsel, often overlooking or inadequately addressing the detailed filings and arguments submitted by the pro se Plaintiff-Appellant. This included the dismissal of motions to amend the complaint, exclusion of new evidence demonstrating the state actor status of the Defendants-Appellees, and misrepresentation of the facts by Defendants-Appellees' counsel. Mr. Sanchez has argued that these procedural injustices have severely impacted the fairness of the proceedings and necessitate Supreme Court intervention.

Furthermore, Mr. Sanchez has cited relevant case law, including *Does 1-11 v. Board of Regents of University of Colorado* and *Ringhofer v. Mayo Clinic*, which support his claims that entities closely intertwined with state functions or wielding state-like authority can be deemed state actors subject to constitutional scrutiny. Despite the compelling evidence and legal precedents, the lower courts have failed to grant the necessary relief, perpetuating the discrimination and exclusion faced by Mr. Sanchez. This oversight underscores the need for Supreme Court review to ensure the uniform application of constitutional protections against religious discrimination.

Given the significant constitutional questions raised and the substantial evidence of state actor status and procedural misconduct, Mr. Sanchez respectfully requests that the Supreme Court grant his petition for a writ of certiorari. The Court's intervention is essential to rectify the lower courts' oversight, protect the constitutional rights of individuals facing similar discrimination, and ensure that state actors engaged in public functions uphold the principles of religious freedom and equal protection under the law. Notably, the lower courts denied Mr.

Sanchez any opportunity to present his complaint, effectively silencing him and perpetuating procedural injustice by members of the bar.

## **XII. Reasons for Granting the Petition**

The Supreme Court's intervention is critical to address the broader national implications of protecting students and workers in higher education who face religious or other discrimination, exclusion, or psychologically abusive actions on the basis of sincerely held religious beliefs, religious identity, ethnicity by proxy of religious identity, or other adverse actions taken against pre-professional students and workers seeking religious accommodations. This case presents a unique opportunity for the Court to reaffirm and clarify the protections afforded under the U.S. Constitution, federal statutes, and relevant case law, ensuring that institutions uphold the principles of religious freedom and equal protection.

### **1. Upholding Constitutional Rights Under the First and Fourteenth Amendments**

The First Amendment guarantees the free exercise of religion, and the Fourteenth Amendment ensures equal protection under the law. These constitutional protections

are fundamental to preventing discrimination and ensuring fair treatment of individuals based on their religious beliefs. In this case, Mr. Sanchez's exclusion from his medical education program due to his refusal to forsake his religious beliefs violates these constitutional rights. The lower courts' failure to address these claims adequately necessitates Supreme Court review to ensure that individuals' religious freedoms are protected against institutional biases and procedural misconduct.

## **2. Enforcing Federal Anti-Discrimination Statutes**

Federal statutes, including 42 U.S.C. § 1983 and Titles II, VI, and VII of the Civil Rights Act of 1964, provide robust protections against discrimination based on religion and ensure equal access to educational and professional opportunities. These statutes are designed to prevent discrimination in programs receiving federal financial assistance, prohibit employment discrimination, and safeguard individuals' civil rights. Mr. Sanchez's case highlights the need for stringent enforcement of these statutes to prevent institutions from circumventing their legal obligations and perpetuating discriminatory practices.

### **3. Addressing Broader National Implications**

The implications of this case extend beyond Mr. Sanchez's individual circumstances. The Court's decision will set a precedent for how educational and professional institutions handle religious accommodations and discrimination claims. In **Does 1-11 v. Board of Regents of University of Colorado**, the Tenth Circuit held that government policies exempting employees for secular reasons more readily than for religious ones violate the Free Exercise and Establishment Clauses of the First Amendment. Similarly, in **Groff v. De Joy**, the Third Circuit recognized the necessity of accommodating religious beliefs in employment. The Ninth Circuit's decision in **Health Freedom Defense Fund, Inc. v. Alberto Carvalho** highlighted the inadequacies of Covid-19 vaccine mandates. The Eighth Circuit in **Ringhofer v. Mayo Clinic** and the Tenth Circuit in **Tabura v. Kellogg USA** reinforced the need for reasonable accommodations for religious practices. The District Court's ruling in **Wegmann v. Trustees of John A. Logan College** emphasized protections against religious discrimination in educational settings. A ruling

in favor of Mr. Sanchez would reinforce these protections and ensure that institutions cannot undermine individuals' rights through procedural loopholes or misrepresentations.

#### **4. Ensuring Compliance with Institutional and Legal Standards**

Institutions of higher education and their affiliated entities are bound by various policies and regulations designed to protect individuals' rights. Brown University's own policies, such as the Nondiscrimination and Anti-Harassment Policy, Code of Conduct, and Policy on Internships and Volunteer Opportunities, require fair treatment and accommodation of religious beliefs. Additionally, federal regulations such as 42 CFR Ch. IV § 441.151(c)(3)(iii, vi, vii, x); §482.42 (g)(3)(iii, vi, vii, x); § 485.70 (n)(3)(iii, vi, vii, x); § 485.904 (c)(3) (iii, vi, vii, x), and 45 CFR §§ 80.3(c)(iii) & 80.3(b)(v) mandate non-discriminatory practices in federally funded programs. The Court's review is essential to ensure that these standards are upheld and that institutions are held accountable for violations.

#### **5. Promoting Judicial Integrity and Fairness**

The lower courts' reliance on the arguments of Defendants-Appellees' counsel, while overlooking Mr. Jared Pierce

Sanchez's pro se filings, raises significant concerns about judicial fairness and integrity. The Federal Rules of Civil Procedure, Rule 83.0, and the Code of Conduct for United States Judges, Canons 3(A)(4) and 3(A)(4)(b), emphasize the importance of impartiality and fairness in judicial proceedings. The Higher Education Act of 1965, SEC. 111.20 U.S.C. 1011, further underscores the necessity of protecting students from discriminatory practices. The Rhode Island Department of Health's Rule, 216-RICR-20-15-9, highlights state-level commitments to non-discrimination in public health and educational settings. The Court's intervention is necessary to address these procedural injustices and ensure that all parties receive a fair hearing, particularly when fundamental constitutional rights are at stake.

Given the significant constitutional questions, the need for stringent enforcement of federal anti-discrimination statutes, the broader national implications, the necessity of compliance with institutional and legal standards, and the promotion of judicial integrity and fairness, the petition for a writ of certiorari should be granted. The Court's review is



essential to protect the rights of students and workers in higher education and ensure that religious freedoms and equal protections are upheld across the nation.

### **XIII. Conclusion**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A handwritten signature in black ink that reads "Jared Pierce Sanchez". The signature is written in a cursive, flowing style.

Jared Pierce Sanchez

Dated: June 12<sup>th</sup>, 2024

Petitioner, Attorney pro se

144 Church St. Manville, RI 02838

Tel: (917) 994-4989

E-mail: jaredsans1920@gmail.com

### **XIV. Proof of Service**

I, Jared Pierce Sanchez, do declare that on this date, June 12<sup>th</sup>, 2024, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS and PETITION FOR A WRIT OF CERTIORARI on each party to the above

proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

1. Mitchell R. Edwards, Hinckley, 100 Westminster Street, Suite 1500, Providence, RI 02903
2. Matthew H. Parker, 100 Westminister Street, Suite 710, Providence, RI 02903
3. James A. Musgrave, 10 Weybosset Street, Suite 800, Providence, RI 02903

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

Executed on June 12<sup>th</sup>, 2024

Jared Pierce Sanchez



Petitioner, Attorney pro se