

No. 23-7785

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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 Writ of Certiorari to the United  
States Court of Appeals for the First Circuit

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**PETITION FOR REHEARING**

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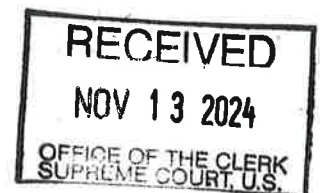


Table of Contents

Table of Contents.....2

Table of Cited Authorities.....3

**Certificate of Good Faith.....4**

Introduction and National Significance.....4

Grounds for Rehearing.....7

A. Intervening Legal Precedent: Bazinet v. Beth  
Israel Lahey Health, Inc.....7

B. Other Substantial Grounds: Conflicting Circuit  
Court Decisions.....8

**C. Certificate of the Grounds.....11**

Constitutional Implications and Case Law Analysis.....11

A. First and Fourteenth Amendment  
Implications.....11

B. Civil Rights Act of 1964.....12

Precedential Value and Harmony.....13

Conclusion and Request for Rehearing.....13

Statement of Compliance.....15

Statement of Correspondence.....15

Table of Cited Authorities

Cases:

Ablordeppey v. Walsh, 85 F.4th 27 (1st Cir. 2023).....11

Bazinet v. Beth Israel Lahey Health, Inc., 103 F.4th 74 (1st Cir. 2024).....7-9

Brox v. Woods Hole, Martha's Vineyard & Nantucket Steamship Authority, 83 F.4th 87 (1st Cir. 2023)..... 10-11

Jeramiah Cooper, et al. v. San Francisco Bay Area Rapid Transit District, Case No. 3:22-cv-09193-WHA (N.D. Cal. Oct. 24, 2024).....9

Lowe v. Mills, 68 F.4th 706 (1st Cir. 2023).....11

Skoly v. McKee, 103 F.4th 74 (1st Cir. 2024).....10

Constitutional Provisions and Statutory Authorities:

First Amendment, U.S. Constitution.....9,11-13

Fourteenth Amendment, U.S. Constitution.....11-13

Title II of the Civil Rights Act of 1964.....12

Title VI of the Civil Rights Act of 1964.....12

Title VII of the Civil Rights Act of 1964.....4,8-10,13

### Certificate of Good Faith

I, Jared Pierce Sanchez, hereby certify that this petition for rehearing is presented in good faith and not for purposes of delay.

### Introduction and National Significance of the Case

Petitioner, Jared Pierce Sanchez, humbly submits this Petition for Rehearing on Writ of Certiorari under Supreme Court Rule 44.2. This case addresses critical questions concerning the Constitution's application to religious discrimination, the responsibilities of federally funded institutions, and the protections afforded by the Civil Rights Act of 1964—particularly the unequal application of Title VII protections to healthcare workers involving religious accommodations within the First Circuit. Given *Sanchez v. Brown University et al.*'s national significance and precedential value, there exists urgent need for this Honorable Court to clarify and harmonize discordant decisions emerging from the federal circuits, as well as guide the fair application of employee and student protections throughout the United States.

This case challenges whether Respondents—Brown University, Lifespan Corporation (now “Brown University Health”), and Care New England Health System—may lawfully impose mRNA injection mandates without accommodating the religious beliefs of all employees and workers through reasonable exemptions, inclusive of accommodations within federally-subsidized engagement through roles as de facto employees, such as healthcare trainees and medical students completing clerkship requirements for degree completion. Moreover, the Petitioner’s pleadings in this civil suit are filed under Section 1983, as he is a student at Brown University, dependent on federal financial aid loans since 2016 to pursue his education.

The Respondents bear the responsibility to uphold constitutional protections due to funding, programming, and training advertised and paid before, after, and especially during the COVID-19 pandemic and Public Health Emergency. Also, the fact remains that in March 2022, the Warren Alpert Medical School of Brown University neglected its stakeholder authority and contractual obligations by blocking their student from

progressing to his year three clerkships due to Lifespan Corporation and Care New England Health System's refusal to acknowledge his Brown University-provided religious exemption letter regarding religious accommodations in his medical education at Brown University.

Let the record reflect that Respondents Care New England Health System and Lifespan Corporation deny as policy all religious exemptions for the initial COVID-19 mRNA inoculations to employees, volunteers, and student trainees. However, the hospitals at that time granted religious or conscious exemptions for boosters of the same Emergency Use Authorization (EUA) formulations: Pfizer's BNT162b2 and Moderna's mRNA-1273, prior to September 1<sup>st</sup>, 2022.

Mr. Sanchez was denied both religious and medical exemptions for the very same formulations his "partially vaccinated" counterparts received as accommodations. Mr. Sanchez faced discrimination for his sincerely held religious beliefs and exclusion from his required places of study because of his refusal to accept, as sacrament, either EUA formulation as initiation ritual and repeat substance

injection. Acceptance of such stands in direct conflict with Petitioner's unchanging, sincerely held religious beliefs and practice.

These claims of irreparable and continuous harm through discrimination, enduring Respondents' procedural irregularities and pre-trial assaults through apparent violations of Federal Rules of Civil Procedure by bar members and the Code of Conduct for United States Judges within the Rhode Island District Court, center around Respondents' exclusionary policies without reasonable accommodations. Directed religious discrimination starting after August 10<sup>th</sup>, 2021's expired gubernatorial executive order retains unexpired impunity, shielding discriminatory private corporations that do satisfy the requirements of state actor status while serving major governmental interests specifically under the Rhode Island Life Sciences Hub, and broadly as contracted quasi-public agencies operating and furnishing places of public accommodation.

#### Grounds for Rehearing

- A. Intervening Legal Precedent: *Bazinet v. Beth Israel Lahey Health, Inc.*, 103 F.4th 74 (1st Cir. 2024)

The First Circuit's decision in *Bazinet v. Beth Israel Lahey Health, Inc.*, creates an intervening precedent requiring reconsideration. In *Bazinet*, the First Circuit ruled that religious accommodation claims for COVID-19 vaccine mandates should not be dismissed under the 12(b)(6) standard when based on sincerely held religious beliefs, even without specific religious doctrines against vaccines. Mr. Sanchez's role as a medical student performing Medicaid and Medicare-billable services positions him as a de facto employee under Title VII, reinforcing his claim for religious accommodation. Without this Court's intervention, the Respondents' policies continue to stand as barriers to greater economic advancement through education and employment for religious and diverse communities which tramples upon the inalienable rights of U.S. citizens.

This Court's guidance is essential to address the discrepancy between the handling of Mr. Sanchez's case and *Bazinet*. In *Bazinet*, the court acknowledged that sincerely held religious beliefs warrant accommodation under Title VII. Mr. Sanchez's nearly identical request was denied, solely on the basis of his status as a trainee rather



than a de facto employee. The intervening precedent in *Bazinet* therefore demands a consistent application of Title VII protections across all quasi-employment roles in federally funded settings.

B. Other Substantial Grounds: Conflicting Circuit Court Decisions

Several recent circuit court cases illustrate conflicting interpretations of Title VII protections and First Amendment rights, further justifying the need for this Court's intervention.

1. *Jeramiah Cooper, et al. v. San Francisco Bay Area Rapid Transit District*, Case No. 3:22-cv-09193-WHA (N.D. Cal. Oct. 24, 2024):

A jury awarded \$7.8 million to BART employees denied religious accommodations under a COVID-19 vaccine mandate, underscoring the right to religious accommodations where undue hardship cannot be substantiated. Mr. Sanchez's case similarly involves the refusal of accommodation without valid justification. The *Cooper* case highlights the national importance of ensuring federal consistency in religious rights under public

health mandates, reinforcing the precedent established by *Bazinet*.

2. *Skoly v. McKee*, 103 F.4th 74 (1st Cir. 2024):

In this First Circuit decision, a healthcare worker's objection to a vaccine mandate was similarly dismissed, establishing a troubling pattern that limits religious accommodation. By failing to protect Mr. Sanchez under similar circumstances, the First Circuit overlooks the broader context of Title VII's religious protections.

3. *Brox v. Woods Hole, Martha's Vineyard & Nantucket Steamship Authority*, 83 F.4th 87 (1st Cir. 2023):

This case addresses reasonable accommodation obligations and further highlights the need for a consistent standard. Respondents' failure to accommodate Mr. Sanchez mirrors the unlawful actions identified in *Brox*.

4. *Ablordeppey v. Walsh*, 85 F.4th 27 (1st Cir. 2023):

This case similarly deals with federally funded entities' responsibility to accommodate religious beliefs. Respondents' categorical denial of

accommodations in Mr. Sanchez's case violates the standards highlighted in *Ablordeppey*.

5. *Lowe v. Mills*, 68 F.4th 706 (1st Cir. 2023):

The First Circuit upheld Maine's COVID-19 vaccine mandate, prioritizing public health over individual religious freedoms. Mr. Sanchez's case challenges this precedent, emphasizing the need to balance public health and religious rights uniformly across circuits.

### C. Certificate of the Grounds

Petitioner hereby certifies that the grounds for this petition are limited to intervening circumstances of substantial or controlling effect, specifically the recent First Circuit decision in *Bazinet v. Beth Israel Lahey Health, Inc.*, 103 F.4th 74 (1st Cir. 2024), and to other substantial grounds not previously presented arising from conflicting circuit court decisions on similar issues. These developments necessitate reconsideration to ensure consistent application of Title VII and First Amendment protections.

### Constitutional Implications and Case Law Analysis

#### A. First and Fourteenth Amendment Implications

The Respondents, acting as quasi-public agencies, compromised Mr. Sanchez's First Amendment right to freely exercise his religion and his Fourteenth Amendment right to equal protection. His religious beliefs, rooted in his Christian and Puerto Rican heritage, were disregarded under the COVID-19 mandate without reasonable accommodation in violation of Titles II and VI of the Civil Rights Act. These rights, central to Mr. Sanchez's individual freedom, are violated by Respondents' application and enforcement of their mRNA injection mandates without accommodations. This infringement aligns with other First Circuit patterns favoring institutional policies over individual liberties, further evidencing the need for this Court's clarity and intervention.

#### B. The Civil Rights Act of 1964

Titles II, VI, and VII of the Civil Rights Act of 1964 prohibit discrimination in public accommodations, federally funded programs, and employment. Respondents' actions contravene these protections by denying Mr. Sanchez reasonable accommodation and ignoring his rights under Title VII. Brown University and its training

hospitals' refusal to recognize Mr. Sanchez's exemption rights fails to uphold Title VII protections and underscores a gap in the legal accountability of federally funded academic institutions.

#### Precedential Value and Harmony

This case holds national significance as it addresses the intersection of public health mandates and religious freedoms within federally funded institutions. This Court's guidance will clarify the obligations of such entities under Title VII and other federal protections. Mr. Sanchez's case has the potential to set a nationwide precedent, ensuring consistent protection for individuals exercising their religious rights within quasi-public institutions and public edifices, furnished and operated by private corporations that satisfy the criteria to be considered state actors.

#### Conclusion and Request for Rehearing

The conflicting circuit decisions and intervening legal precedent addressed in this petition underscore the national importance of this case. Mr. Sanchez respectfully requests the Court to grant rehearing to ensure that federally funded institutions, such as the Respondents, are

held to their constitutional and statutory obligations to protect religious freedoms under Titles II, VI, and VII of the Civil Rights Act of 1964 and the First and Fourteenth Amendments to the U.S. Constitution.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jared Pierce Sanchez". The signature is written in a cursive style with a large, sweeping initial "J".

Jared Pierce Sanchez

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Date Created

November 7th, 2024, Signed at 11:00 PM (EST)

Pursuant to Clerk Scott S. Harris' October 30<sup>th</sup>, 2024 letter requiring edits for compliance before filing within 15 days.

Civil Case Originating from

Rhode Island District Court, Case 1:23-00343-JJM-PAS

First Circuit Court of Appeals, Case 23:1983

Statement of Compliance

This petition complies with Supreme Court Rule 33.2 regarding format and length requirements. The body of the petition, including all required statements and citations, is 15 pages and contains 1,982 words.

Statement of Correspondence

Three paper copies of this petition will be mailed to Respondent's counsel as required. Electronic copies will also be transmitted to the following addresses after USPS posting of this petition:

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