

EMERGENCY PETITION FOR REHEARING SUPREME COURT OF THE UNITED STATES

Julian Raven, Petitioner, pro-se

v.

Kim Sajet, et al., Respondents

Original Petition Denied: No. 19-6548 Rehearing Requested

TO THE HONORABLE CHIEF JUSTICE JOHN G. ROBERTS OF THE SUPREME COURT OF THE UNITED STATES:

Petitioner Julian Raven respectfully submits this emergency petition for rehearing of the denial of certiorari in case No. 19-6548. This request arises not from dissatisfaction with the Court's previous decision, but from the intensifying constitutional crisis caused by the Court's refusal to address the foundational federal question raised: *What is the legal status of the Smithsonian Institution under U.S. law?*

I. NEW AND COMPELLING CIRCUMSTANCES

Petitioner's case has now been directly cited as the **fourth reason** in **President Donald J. Trump's public statement** seeking the dismissal of Kim Sajet, Director of the Smithsonian National Portrait Gallery. This historic moment—the first time a U.S. President has attempted to fire a Smithsonian museum director—has catalyzed a national debate about whether the President possesses such authority.

This crisis was **foreseeable and avoidable**, had the Court granted certiorari and answered the question central to *Raven v. Sajet* (17-cv-01240-TNM): *Is the Smithsonian Institution a federal agency, or is it a private charitable trust managed by federal officers?*

II. CONFLICTING CLAIMS DEMAND JUDICIAL CLARITY

In **Raven v. Sajet**, the D.C. District Court adopted the government's argument that the Smithsonian is "**government through and through**," applying the **government speech doctrine** to dismiss Raven's First Amendment claims. Yet in response to President Trump's recent effort to fire Kim Sajet, Smithsonian Secretary **Lonnie Bunch publicly asserted** that the Smithsonian is an "**independent, non-partisan entity**." These irreconcilable positions cannot coexist without undermining rule of law and constitutional clarity.

This contradiction is **a legal ambiguity of national consequence**. According to **Marbury v. Madison**, *“It is emphatically the province and duty of the judicial department to say what the law is.”* If the Smithsonian is “government,” then public accountability—including presidential authority—follows. If it is not, then citizens such as the Petitioner must have full First Amendment protection.

III. PETITIONER’S RIGHTS AND THE BROADER CONSTITUTIONAL COST

Petitioner remains silenced at the Smithsonian Institution, barred from the National Portrait Gallery despite no misconduct and despite **Judge McFadden’s acknowledgment** that Director Sajat’s rejection of Petitioner’s artwork was “**odious**” and “**partisan**.”

Unlike the plaintiffs in **Lebron v. National Railway Corp.** and **Pennsylvania v Board of Trustees**, who prevailed against hybrid government-private entities and were granted constitutional protections, Raven was denied speech rights due to the government’s contradictory posture. He stands today as an American citizen **unjustly stripped of First Amendment protection**.

This is not only a personal injury, but a **public injustice** affecting every taxpayer and citizen whose cultural institutions remain cloaked in legal ambiguity while spending over **\$700 million annually in public funds**.

IV. PRAYER FOR RELIEF

For the preservation of constitutional order and the rule of law, Petitioner respectfully requests that the Court **grant rehearing** and accept this case for plenary review. The public’s trust in our institutions—and the Constitution’s guarantee of free speech—demands no less.

Respectfully submitted,

Julian Raven, pro se

Date: June 12th, 2025

CC: The President of the United States

“Silence in the face of contradiction is complicity in confusion. It is time to say what the law is.”