

UNITED STATES COURT OF INTERNATIONAL TRADE

IN RE RAJ PATEL.

Before: Jane A. Restani, Judge

Court No. 26-04703

OPINION AND ORDER

Dated: October 27, 2026

[Dismissing The Excellent The Excellent Double United States Basis Officers Raj K. Patel’s complaint for lack of subject matter jurisdiction.]

Raj Patel, of Zionsville, IN, proceeding pro se.

Restani, Judge: Before the court is The Excellent The Excellent Double United States Basis Officers Raj K. Patel’s (“Patel”) motion to compel, Pl. T.2E Raj. K. Patel USCIT R.5(d)(5) Mot. to Compel Acceptance of Compl., ECF No. 5 (Oct. 16, 2026) (“Mot.”) and his complaint, Pro Se Compl., ECF No. 5-1 (Oct. 16, 2026) (“Compl.”).

For the following reasons, the court denies Patel’s motion and dismisses his complaint for lack of subject-matter jurisdiction.

BACKGROUND

Patel¹ filed a complaint alleging that the United States violated various international trade agreements and due-process protections by preventing access to certain medical technologies.

¹ Patel is a serial litigant who has filed a series of “sprawling complaint[s]” in courts across the nation. Patel v. Patel, 834 F. App’x 244, 245 (7th Cir. 2021). Several of the complaints have been dismissed by federal courts that concluded that the claims were so frivolous as to divest the courts of subject-matter jurisdiction. See, e.g., Patel v. Biden, No. 21-cv-1076, 2021 WL 2882481 (D.D.C. July 2, 2021); Patel v. Patel, No. 1:20-cv-01772-TWP-MPB, 2020 WL 5204102 (S.D.

Compl. ¶¶ 13–16, Claims 1–8. He also alleges that the United States has failed to provide a lawful means of accessing certain technology and seeks declaratory and equitable relief, along with \$380 million in damages. Id. ¶¶ 9–10, Claim 9, Relief Sought.

Patel also filed a motion to compel the Clerk of the Court to accept and docket his complaint, arguing that the Clerk improperly returned two earlier submissions on the ground that the court lacked subject-matter jurisdiction. Mot. at 1. He contends that the court should permit him to cure any jurisdictional deficiencies and exercise jurisdiction under 28 U.S.C. § 1581(i),² and he requests an order compelling acceptance of the complaint. Id. at 2–7.

JURISDICTION

To adjudicate a case, a court must have subject-matter jurisdiction over the claims presented. See Steel Co. v. Citizens for a Better Env’t, 523 U.S. 83, 94–95 (1998). The CIT rules provide that “[i]f the court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.” USCIT R. 12(h)(3); see also Arbaugh v. Y & H Corp., 546 U.S. 500, 514 (2006) (“[W]hen a federal court concludes that it lacks subject-matter jurisdiction, the complaint must be dismissed in its entirety.”).

Plaintiff bears the burden of establishing subject-matter jurisdiction. See Norsk Hydro Can., Inc. v. United States, 472 F.3d 1347, 1355 (Fed. Cir. 2006). The court’s “[r]esidual jurisdiction under § 1581(i) is ‘strictly limited.’” Auxin Solar, Inc. v. United States, 698 F. Supp.

Ind. Sep. 1, 2020); Patel v. United States, No. 21-16029, 2021 WL 3861233 (D.N.J. Aug. 30, 2021); see also Patel v. United Parcel Servs., Inc., No. 22A-Ct-2627, 2023 WL 2591437 (Mar. 22, 2023) (dismissing his claim in state court). Patel was barred from filing new claims in the federal District Court of the Southern District of Indiana for a period of two years. Order at 3, In re: Patel, No. 1:22-mc-00024-JRS, ECF No. 1 (S.D. Ind. Mar. 28, 2022).

² Patel also asserts jurisdiction under 28 U.S.C. § 1585, but that statute relates only to powers of the court to render effective judgment once jurisdiction has been established and cannot be used to create jurisdiction. Star Sales & Distributing Corp. v. United States, 663 F. Supp. 1127 (CIT 1986).

3d 1353, 1366 (CIT 2024) (citation omitted); see also Erwin Hymer Grp. N. Am., Inc. v. United States, 930 F.3d 1370, 1374 (Fed. Cir. 2019) (“[A]n overly broad interpretation of § 1581(i) would otherwise threaten to swallow the specific grants of jurisdiction contained within the other subsections.”³ (citation modified) (citation omitted)).

“A party may not expand a court’s jurisdiction by creative pleading.” Sunpreme Inc. v. United States, 892 F.3d 1186, 1192 (Fed. Cir. 2018) (quoting Norsk, 472 F.3d at 1355). Instead, the court must “look to the true nature of the action . . . in determining jurisdiction.” Id. (quoting the same). Filings by pro se plaintiffs are to be liberally construed, and “a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” Erickson v. Pardus, 551 U.S. 89, 94 (2007) (citation omitted); see also USCIT R. 8(f) (“All pleadings shall be so construed as to do substantial justice.”)

Patel has not met his burden here. Patel asserts jurisdiction under the General Agreement of Tariffs and Trade of 1995; the Agreement between the United States of America, the United Mexican States, and Canada; the Doha Declaration; the Trump-Modi COMPACT; and the Economic and Trade Agreement Between the Government of the United States of America and

³ In relevant part, 28 U.S.C. § 1581(i) provides that
 [T]he Court of International Trade shall have exclusive jurisdiction of any civil action commenced against the United States, its agencies, or its officers, that arises out of any law of the United States providing for—
 (A) revenue from imports or tonnage;
 (B) tariffs, duties, fees, or other taxes on the importation of merchandise for reasons other than the raising of revenue;
 (C) embargoes or other quantitative restrictions on the importation of merchandise for reasons other than the protection of the public health or safety;
 or
 (D) administration and enforcement with respect to the matters referred to in subparagraphs (A) through (C) of this paragraph and subsections (a)-(h) of this section.

28 U.S.C. § 1581(i)(1).

the Government of the People's Republic of China. Compl. ¶¶ 3–7. Even granting Patel the most liberal reading of his complaint, he is seeking damages in relation to trade agreements that are not a law falling under this court's residual jurisdiction. Further, the court cannot conceive of any other provision conferring jurisdiction on the Court of International Trade that may be invoked with respect to his claims.

Patel's complaint is thus dismissed for lack of subject matter jurisdiction, and his motion to compel is denied as moot.

CONCLUSION

For the foregoing reasons, it is **ORDERED** that the complaint is **DISMISSED**, and the motion is **DENIED** as moot.

/s/ Jane A. Restani
Jane A. Restani, Judge

Dated: October 27, 2026
New York, New York