

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

IN THE

SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
Crystal N. Jones (Kuri) — PETITIONER  
(Your Name)

State of Kansas, Dept. of Labor vs.  
Employment Security Board — RESPONDENT(S)  
of Review

ON PETITION FOR A WRIT OF CERTIORARI TO

IN THE Supreme Court of The State of Kansas  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Crystal N. Jones (Kuri)  
(Your Name)

1641 N. Poplar  
(Address)

Wichita, KS. 67214  
(City, State, Zip Code)

(316) 390-2725  
(Phone Number)

QUESTION(S) PRESENTED

1. Crystal N. Kuri phone call drop?
2. <sup>Did</sup> State Referee Asked Crystal N. Kuri to hold and never return to the line?
3. Did state fail to present requested evidence of Audio hearing to support Crystal N. Kuri claim?
4. Did Crystal N. Kuri engage in any misconduct before she was terminated by College Hills.
5. Does Employee Warning Notice and Employment Information Discharge/suspension evidence support Crystal N. Kuri claim/contention?

## LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- [ ] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

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## TABLE OF AUTHORITIES CITED

CASES Kimble v. Div of Emp't Sec., 388 W.3rd, PAGE NUMBER  
(Mo. App. W.D. 2013) (citations and internal quotation marks omitted.) 634 (2.2 page)  
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Munson v. Div. Emp't Sec., 323 S.W. 3d 112, 115 (Mo. App. W.D. 2010)  
(internal quotation marks omitted; quoting Doigen Corp. Inc. v. Zatorski,  
134 S.W. 3d 813, 820 (Mo. App. W.D. 2004)); see also, e.g.,  
Wooden v. Div of Emp't Sec., 341 S.W. 3d 770, 774  
(Mo. App. W.D. 2011.) (page 2.2)

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STATUTES AND RULES

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IN THE  
SUPREME COURT OF THE UNITED STATES  
  
PETITION FOR WRIT OF CERTIORARI

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

**OPINIONS BELOW**

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix \_\_\_\_\_ to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

The opinion of the Court of Appeals of the State of Kansas court appears at Appendix A to the petition and is

☐ reported at \_\_\_\_\_; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

## JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was \_\_\_\_\_.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 18<sup>th</sup> July 2018  
A copy of that decision appears at Appendix B.

☒ A timely petition for rehearing was thereafter denied on the following date: 18<sup>th</sup> July 2018, and a copy of the order denying rehearing appears at Appendix B.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including \_\_\_\_\_ (date) on \_\_\_\_\_ (date) in Application No. \_\_\_\_ A \_\_\_\_.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

## CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Appellate review of a decision made by the Commission is governed by Section 288.10. We may not reverse, remand, or set aside the Commission's decision unless the Commission acted without or excess of its powers, the decision was procured by fraud, the decision was not supported by the facts, or the decision was not supported by sufficient competent evidence in the WHOLE record to warrant the making of or the denial of the award. An Appellate Court must examine the WHOLE record to determine if it contains sufficient competent and substantial evidence to support the award, i.e., whether the award is contrary to the overwhelming weight of the evidence. In reviewing the Commission's decision, and Appellate Court must view the evidence objectively, not in light of most favorable to the decision of the Commission. However on matters of witness credibility and resolution of conflicting evidence, the Appellate Court defers to the Commission's findings of fact, the Court is not bound by the Commission's conclusions of law or the Commission's applications of the law to the facts.



## STATEMENT OF THE CASE

Appellant was not previously warned by employer as evidence to employers write ups. Appellant was terminated on 08/04/2016 and all falsified write ups in their Agency recorded are dated 08/25/2016 weeks after Appellant had been terminated they are all notarized and signed on 08/25/2016 please review Vol. 1 (INFG Redacted Agency Record 1 thru 16) (APN 1 thru 124) also REQTS 1 thru 121.

Appellant phone call did not drop, Appellant was asked to hold by UI Referee. UI Referee proceeded to conduct the telephone conference while Appellant was on hold. Appellant phone never dropped the call she was placed on hold by the UI Referee whom never returned to the line to include Appellant in the telephone hearing Vol. 1 (INFG 1 thru 16) (PLEANS 1 thru 115) (INFJSO 1 thru 118) (REQTS 1 thru 121) (APN 1 thru 124) Vol. 2 (Tran Bench Trial 1 thru 23).

## REASONS FOR GRANTING THE PETITION

The Commission did not resolve all disputed Factual Issues, it is not possible to Conduct a meaningful review of the decision when the Commission fails to address essential Factual issues, and its decision must be reversed and the Cause remanded so that the Commission can resolve the essential issues.

### Conclusion

For the aforementioned reasons, Crystal N. Jones (Kuri) respectfully request that this Court (1) Reverse and remand the determination to disqualify Crystal N. Jones (Kuri) from receiving unemployment benefits, is reversed, and the case is remanded to the Commission for the entry of Supplemental Findings of Facts concerning the reason for Crystal N. Jones (Kuri) unemployment denial of benefits.

For the aforementioned reasons, Crystal N. Jones (Kuri) respectfully request that this Court (1) Reverse and remand the determination to disqualify Crystal N. Jones (Kuri) from receiving unemployment benefits, is reversed, and the case is remanded to the Commission for the entry of supplemental findings of facts concerning the reason for Crystal N. Jones (Kuri) unemployment denial of benefits.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Crystal N. Jones

Date: 08-17-2018



Julie D. Scott  
8/17/18

