IN THE SUPREME COURT OF THE UNITED STATES

RUBY BLACKMON

V. CAUSE NO. 18-6388

EATON CORPORATION

PETITION FOR REHEARING ON ORDER DENYING WRIT OF CERTIORARI

BY: s/Ruby Blackmon, pro se

6387 Carson Drive
Olive Branch, MS 38654

IN THE SUPREME COURT OF THE UNITED STATES

RUBY BLACKMON

V **CAUSE NO. 18-6388**

EATON CORPORATION

PETITION FOR REHEARING ON ORDER DENYING WRIT OF CERTIORARI

Ruby Blackmon, (hereinafter "petitioner") petition for rehearing of an order denying petition for a writ of certiorari to review the judgment of the United States Court of Appeals for the Sixth Circuit, rendered in petitioners appeal, which judgment affirmed the decision of the United States District Court for the western District of Tennessee.

CERTIFICATE OF RUBY BLACKMON *PRO SE* (RULE 44)

I hereby certify that this Petition for Rehearing from the denial of certiorari is presented in good faith and not for delay, and that it is restricted to the grounds specified in Rule 44.2, namely intervening circumstances of substantial or controlling effect and substantial grounds not presented. Ruby Blackmon

STATEMENT/QUESTIONS PRESENTED FOR REVIEW

This Petition for Rehearing on the merits is taken from the decision of this Circuit's affirming the district court's ruling Blackmon presents the following issues:

1. Whether the Court erred in failing to find that the district court and Court of Appeals denied Blackmon due process of law in denying Blackmon's Motion for A New Trial based upon the verdict being against the overwhelming weight of the evidence.

2. Whether the Court erred in failing to find that the district court and Court of Appeals denied Blackmon due process of law in

denying Blackmon's Motion for A New Trial based upon the trial being unfair in the presentation of false/perjured testimony to the Court and other judicial bodies by defense counsel for Eaton and the admission of perjured testimony by Kimberly Hood, Resource Manager for Eaton and Darrel Tetlow.

3. Whether the Court erred in failing to find that the district court and Court of Appeals denied Blackmon due process of law in denying Blackmon's Motion for A New Trial where there was evidence that certain jurors were asleep during the trial.

4. Whether the Court erred in failing to find that the Granting in Part the Defendant's Motion in Limine excluding, (1) the requirement of Plaintiff to work overtime and (2) the cancellation of Plaintiff's vacation time was erroneous and failed to comply with the due process clause of the 14th Amendment to the United States Constitution.

5. Whether the Court erred in failing to find that the Court erroneously excluded and limited the testimony of Charlie Peggins, administrator for Eaton; admitting the testimony regarding the alleged adulterous relationship of Ruby Blackmon was substantially prejudicial and limiting to Blackmon's right of due process which mandates a reversal and remand for a new trial.

6.

THE PARTIES

The parties to this action are:

1. Ruby Backmon, Petitioner-Appellant;
2. Eaton Corporation, Defendant-Appellee

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INDEX OF APPENDICES

Petitioner adopts Appendice "A", attached hereto, and all Appendices which were attached and submitted with her petition for writ of Certiorari as being supportive of the issues which are raised in this Petition for Rehearing on Merits.

TABLE OF AUTHORITIES

STATUTES

OTHER AUTHORITIES

OPINIONS BELOW

Petitioner would assert that the opinions which were decided in this case, and which is attached to the initial Petition for Writ of

Certiorari as the Appendices to such petition, was not designated for publication and is therefore not cited as published opinions in this petition.

JURISDICTION

Petitioner prays that this Most Honorable Court respectfully request a Response from the Respondents so that this Response may allow this Most Honorable Court to grant the Petition for Rehearing of an Order Denying Petition for a Writ of Certiorari. The granting of the Petition for Rehearing of an Order Denying Petition for a Writ of Certiorari may allow this Most Honorable Court to rule that a form or exception must be established to protect and preserve Rights that are protected under the United States Constitution.

The date which the highest Court decided my case was October 18th, 2017. A copy of the decision appears at **Appendix "A"** to the initial petition.

A timely Petition for Rehearing was thereafter denied on the following date: December 13, 2017, and a copy of the order denying the Petition for Rehearing appears at Appendix "B" to the initial petition.

A timely Petition for a Writ of Certiorari that this Court's jurisdiction was invoked under 28 U.S.C. §1257(a), was thereafter denied on the following date: January 7, 2019, and a copy of the letter informing the petitioner of the order denying the Petition for a Writ of Certiorari, signed by the Supreme Court of the United States Clerk, Scott S. Harris, appears at **Appendix "A" to this petition**.

A timely Petition for the Rehearing of an Order Denying Petition for a Writ of Certiorari was submitted, in good faith and not for delay, within twenty-five (25) days of the order denying the Petition for a Writ of Certiorari in compliance of the Supreme Court of the United States Rule 44.2.

FACTS TO PETITION FOR REHEARING

On September 28, 2010, Ruby Blackmon hereinafter referred to as Ruby Blackmon, a female adult citizen of the United States, filed suit in the U.S. District Court for the Western District of Tennessee, against Eaton Corporation, hereinafter referred to as Eaton. Jurisdiction was conferred pursuant to Title VII, 42 USCS Section 2000e(5)(f)(3) and 28 USCS Section 1331 and 1343. (DE 1.). Venue was proper pursuant to 28 USC Section 1391(b) and 1391(c) in that

the claims arose in the Western District of Tennessee and Eaton Corporation conducts business or can be found in this district. (DE 1.). An appeal was perfected to the United States Circuit Court for the 6th Circuit on October 2, 2013 to the Judgment and Order on Report and Recommendation on Motion for Summary Judgment, (DE 62.). The United States Court of Appeals for the Sixth Circuit reversed the Judgment of the District Court and Remanded for further proceedings on October 16, 2014, (DE 72).

The trial proceedings were held in this cause commencing on September 29, 2015 and culminated on October 5, 2015, (DE 129 – 138.). On October 5, 2015, the jury returned a verdict for Eaton Corporation, (DE 139.). The District Court entered the Judgment on Jury Verdict on the same day (DE 140.). Blackmon filed the Motion for a New Trial on November 2, 2015, (DE 148.). The District Court denied the Motion for A New Trial, (DE 164.). Blackmon filed her notice of appeal, (DE 168.) to the Order on the Motion for Taxation, (DE.164), Order on Motion for A New Trial, (DE 155 and DE 164), Order on Motion in Limine (DE 121.) and Order on Motion for Sanctions (DE 121.).

The notice of appeal was in compliance with Rule 5 of the FRAP and 28 USCS 1292, conferring jurisdiction upon this Court of Appeals for the 6th Circuit pursuant to FRCP 28(a)(4), (DE 168), This appeal is from a final order or judgment that disposes of all parties claims.

The 6th Circuit affirmed the lower court's decision on October 18, 2017 and denied the Motion for Rehearing on December 12, 2017.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

United States Constitution, Amendment XIV

> §1. 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...

REASONS FOR GRANTING THE PETITION FOR REHEARING

Petitioner would assert that this writ should be granted for the reasons set out in sections 1-5 below.

1.

This Court should grant rehearing to make a determination as to whether the lower court erred in failing to find that the district court and Sixth Circuit Court of Appeals denied Blackmon due process of law, under the standards of the 14th Amendment to the United States Constitution, in denying Blackmon's Motion for A New Trial based upon the verdict being against the overwhelming weight of the evidence.

At the trial, the jury heard definitive testimony that Charlie Peggins, the administrator knew of the plan by management to engage in sexual harassment of Blackmon for the purpose of locating a cell phone that she had in her breast area. He admitted that he agreed to remain silent as to this plan and did remain silent. He admitted that Blackmon reported sexual harassment to him on several occasions and that he instructed her to report it to Human Resource. Charlie Peggins knew that the report to Human Resource would not have resulted in an investigation and cessation of the action because Human Resource Director, Kimberly Hood, Darryl Tetlow were well aware of the plan to harass Ruby Blackmon. He testified that he knew of the harassment policy and did not act immediately to curtail the action. He stated further that it was only later that he contacted the ethics department to report the action.The Court in its order wrote, " Although Plaintiff asserted that Tetlow frequently stared at her breast, breathed on her neck and rubbed on her back in a sexual manner, there was an abundance of evidence to the contrary, demonstrating that Tetlow looked at Plaintiff's chest only to determine whether she was hiding a cell phone in her shirt. " (DE 164, ID# 1624,). The Court is in error as to the legal standard and the application of the law regardless of whether the actions are based upon sexual attraction or insult, ridicule or otherwise. In general, to prevail on a hostile work environment claim, a plaintiff must show that (1) he or she was a member of a protected class; (2) he or she was subjected to unwelcome sexual harassment; (3) the harassment complained of was based on sex; (4) the charged sexual harassment created a hostile work environment; and (5) the employer is liable. **Randolph v. Ohio Dep't of Youth Servs.**, *453 F.3d. 724,* 733 (6th Cir. 2006).

Breast are considered part of the reproductive organs of the a woman's body and as such are different from an arm or a finger. The invasion of Blackmon's privacy of her reproductive organs based upon the alleged intent to find a cell phone or the pretext to find a cell phone still falls under sexual harassment. A plaintiff seeking to proceed on a hostile work environment theory must next prove that the environment at the workplace was hostile. This is so when " the workplace is permeated with discriminatory intimidation, ridicule, and insult that is sufficiently severe or pervasive to alter the conditions of the victim's employment and create an abusive working environment." *Harris*, 510 U.S. at 21 (internal citations omitted). To succeed, a plaintiff must show that the work environment was both subjectively and objectively hostile; in other words, that the plaintiff not only perceived the work environment as hostile, but that a reasonable person would have found it hostile or abusive as well. *Id.* at 21-22. When assessing the hostility of a work environment, courts and juries consider the totality of the circumstances, including " the frequency of the discriminatory conduct; its severity; whether it [was] physically threatening or humiliating, or a mere offensive utterance; and whether it unreasonably interfere[d] with an employee's performance." **Randolph,** 453 F.3d at 733 (quoting **Harris,** 510 U.S. at 23). It is undisputed that Plaintiff subjectively found the work environment severely hostile, and that it interfered with his performance.

The District Court's statement that somehow the fact that Tetlow was only looking at Blackmon's breast for the purpose of finding a cell phone does not constitute sexual harassment is a misstatement of the law. The Supreme Court has addressed this issue, by way of analogy in cases involving same sex discrimination/ harassment in **Oncale v. Sundowner Offshore Servs., Inc**., 523 U.S. 75, 80-81, 118 S.Ct. 998, 140 L.Ed.2d 201 (1998); **Vickers v. Fairfield Med. Ctr**., 453 F.3d 757, 765 (6th Cir. 2006). In **Oncale**, the Supreme Court listed three ways to demonstrate that sexual harassment was based upon sex: (1) where the harasser is acting out of sexual desire; (2) where the harasser is motivated by general hostility to the presence of women in the workplace; and (3) where the plaintiff offers " direct comparative evidence about how the alleged harasser treated members of both sexes in **a mixed-sex** workplace.

The petitioner contends that Clifton Macklin, co-worker, specifically testified that as a male, he carried his cell phone in his pocket and that he was never subjected to a starring of his private parts for the purpose of locating a cell phone. (See. Transcript DE).

The Court in substantiating its position that there was an abundance of evidence to the contrary that Tetlow stared at her breast in a sexual manner listed a garden list of ill-perceived understanding of the facts. The Court stated in its order:

> Tetlow testified that he never looked at Blackmon in a sexual manner. Tetlow further testified that during the September 29, 2010 meeting where Plaintiff was terminated, Plaintiff left to make phone call pulling her cell phone out from her shirt. Hood corroborated Tetlow's testimony that Plaintiff pulled her cell phone out of her shirt.

The Court failed to acknowledge that the policy and procedure of Eaton Corporation did not disallow the presence of the cell phone on the person- but rather the policy was against the use of the cell phone during on the floor. The presence of a cell phone in the breast area of Blackmon was not germane to the larger issue of the use of the cell phone. There was no testimony that Tetlow, Hood or others actually saw Blackmon use the cell phone while on the floor to justify the plan of ridicule of Blackmon as a woman by starring at her breast

.

As such the Court's review is based upon a misstatement of the law and reflects the jury's misunderstanding of the law. The standard of review is indeed low compared with other standards of review – however in this particular instance the admission by Peggins was more than enough to satisfy the elements of a finding of sexual harassment.[1] A verdict for the defendant was against the overwhelming weight of the evidence and the Court abused its discretion in reviewing on the Motion for A New Trial based upon not only a substantial /overwhelming weight of the evidence but also the misstatement of the law of sexual harassment.

2.

> This Court should grant this petition for rehearing to determine whether the Court erred in failing to find that the district court and Court of Appeals denied Blackmon due process of law in denying Blackmon's Motion for A New Trial based upon the trial being unfair in the presentation of

[1] Blackmon's sexual harassment and retaliation case turned into anything other than a sexual harassment and retaliation case.

false/perjured testimony to the Court and other judicial bodies by defense counsel for Eaton and the admission of perjured testimony by Kimberly Hood, Resource Manager for Eaton and Darrel Tetlow.

Blackmon alleged that she was retaliated against in the reporting of sexual harassment in the terms and conditions of her employment. Blackmon reported that her job duties changed substantially and that she was denied vacation time – but moreover that the termination was based upon her reports. Blackmon was allegedly terminated because she used the N word in responding to the accusation of Eaton by explaining that she did not use the N word.[2] The rationale for termination of Blackmon was in summary pre-textual.

In order to establish a prima facie case of retaliation under this court's Title VII, an employee must establish that (1) he or she engaged in protected activity, (2) the employer knew of the exercise of the protected right, (3) an adverse employment action was subsequently taken against the employee, and (4) there was a causal connection between the protected activity and the adverse employment action. See **Morris v. Oldham County Fiscal Ct., 201 F.3d 784**, 792 (6th Cir. 2000).

3.

Whether the Court erred in failing to find that the district court and Court of Appeals denied Blackmon due process of law in denying Blackmon's Motion for A New Trial where there was evidence that certain jurors were asleep during the trial.

The petitioner contends that Kimberly Hood, Human Resource Manager and Darrel Tetlow committed perjury during the course of the proceeding, as was testified to by Charlie Peggins, Administrative Manager. Kimberly Hood, in conspiracy with Darrell Tetlow, intentionally, with malice, exposed the plaintiff to a conspiratorial plan of sexual harassment. The evidence establishes that it was not against Eaton's 2009 and/or 2010 policy to have a cell phone on their person.(

[2] Stephanie Jones testified and alleged in Court that Blackmon walked up to her nad used the "N" word one time under her (Blackmon's) breath. Blackmon and Jones were never alone while at work. Out of the three people, Vernon Johnson, Vernell Pew, Cliffton Macklin, which were present when the alleged confrontation between Jones and Blackmon took place, only Macklin appeared in court and denied such words were spoken by Blackmon and the other two never appeared in Court to testify.

The Court in **United States v. Anderson,** 5 Cir., 1978, 574 F.2d 1347 stated, "The reviewing court must focus on the impact on the jury. A new trial is necessary when there is any reasonable likelihood that disclosure of the truth would have affected the judgment of the jury." Id. at 1356. In **Chapman v. California,** 1967, 386 U.S. 18, 23-24, 87 S.Ct. 824, 17 L.Ed.2d 705. The Supreme Court stated that a strict standard is appropriate because false testimony cases involve not only "prosecutorial misconduct," but also "a corruption of the truth-seeking function of the trial process," **United States v. Agurs**, supra, 427 U.S. at 104, 96S.Ct. at 2397.

Counsel for the defendant, Eaton, knew that records existed from the personnel file that contradicted the report of Kimberly Hood that the plaintiff had only reported the sexual harassment one time. In fact it was written in notes out of the personnel report of Blackmon that Blackmon was still reporting that Darell Tetlow was still looking at her breast.. The defendant's counsel elicited testimony from Kimberly Hood that the plaintiff had only reported sexual harassment one time. Moreover counsel reported that Blackmon had only reported sexual harassment one time despite knowing of the clear documentation in the file.

Counsel for the defendant made the false assertion to the EEOC, as well as the Chancery Court of Shelby County, Tennessee, as well as documents to this Court. A new trial may be warranted under Rule 59 " 'when a jury has reached a 'seriously erroneous result' as evidenced by . . . the verdict being against the weight of the evidence . . . or the trial being unfair to the moving party in some fashion, i.e., the proceedings being influenced by prejudice or bias.'" Balsley, 691 F.3d at 761 (quoting Holmes v. City of Massillon, 78 F.3d 1041, 1045-46 (6th Cir. 1996)).

The District Court in ruling that there was no evidence that Hood committed perjury or that Defense Counsel suborned perjury wrote,

Plaintiff argues that a document provided to her by the EEOC from the personnel file demonstrates that Kimberly Hood perjured herself by testifying that Plaintiff only reported sexual harassment on one occasion and that Defense Counsel, with knowledge of the document, suborned Hood's perjury. (ECR No. 155-1 at 12-16) and the handwritten document dated May 12, 2010, (ECF No. 155-8 paragraph 12). The Court further writes that there is no evidence that the document was written by Hood.

The facts are that the document is dated for May 12, 2010 and clearly is stamped by and with trial counsel's name. Although there is no signature by Hood, what is very clear is that defense counsel knew that there had been another reporting by Blackmon, other than the February reporting. The document clearly sets forth that Blackmon reported the sexual harassment on May 12, 2010 and that by way of implication notices that this report reflects Blackmon's report that **Tetlow** was still looking at her breast.

The Court further states that. " Because there is insufficient evidence to determine whether Hood authored or even had knowledge of the document, see supra Part II. B. 1 the Court cannot determine whether Hood's statement that Plaintiff reported sexual harassment on one occasion was false or whether defense counsel knowingly suborned a false statement. (DE 164, ID#1628)."

Yet, the plaintiff does more than just point to inconsistencies but presents a document with verifiable proof and identifying information of defense counsel, as well as submission by defense counsel, that their argument that Blackmon only reported sexual harassment one time to Hood was false. The attorney knew it was false and proceeded to develop their defense on this falsity not only to the EEOC and the Unemployment Division but also to the Court.

"Attorney misconduct that results in prejudice may serve as a basis for a new trial, ... [but][t]he burden of showing harmful prejudice rests on the party seeking the new trial." **Clarksville-Montgomery County Sch. Sys. v. U.S. Gypsum Co.,**925 F.2d 993, 1002 (6th Cir.1991) (internal citations omitted).*See Brady* , 373 U.S. at 86-87, **83 S.Ct. 1194**; *Giglio* , 405 U.S. at 153-154, **92 S.Ct. 763**. These cases demonstrate that certain prosecutorial misconduct can so undermine confidence in a verdict and impact the fairness of trial that a new trial is required. *Giglio,* for example, plainly states: " " A new trial is required if ' the false testimony could ... in any reasonable likelihood have affected the judgment of the jury.' " 405 U.S. at 154, **92 S.Ct. 763** (quoting *Napue v. Illinois,* **360 U.S. 264**, 271, **79 S.Ct. 1173**, 3 L.Ed.2d 1217 (1959)); *see also Kyles v. Whitley,* **514 U.S. 419**, 433, **115 S.Ct. 1555**, 131 L.Ed.2d 490 (1995).

Blackmon may not be able to prove definitively that Hood committed perjury, although the implications are quite strong based upon the admission by Charlie Peggins, but there is no doubt that Counsel for Eaton suborned perjury and withheld critical evidence

when they knew that Blackmon had reported sexual harassment on more than one occasion. The defense of counsel rested on this one report of harassment and this defense was repeated to both federal and state agencies. The defense counsel signed their name by their stamp and submitted the documents as included within the personnel file of Blackmon. More egregious was the fact that Blackmon, as a pro se, litigant did not receive this document until well past the discovery period. Such action is egregious to the judicial system generally and to the appellant specifically.

4.

Whether the Court erred in failing to find that the Granting in Part the Defendant's Motion in Limine excluding, (1) the requirement of Plaintiff to work overtime and (2) the cancellation of Plaintiff's vacation time was erroneous and failed to comply with the due process clause of the 14th Amendment to the United States Constitution.

Sleeping jurors obviously cannot be expected to perform their duties fairly and impartially. United States v. Warner, 690 F.2d 545, 555 (6th Cir. 1982). The record is silent as to the presence of sleeping jurors. In light of the overwhelming bias and substantial errors of the Court, this factor should be taken into consideration, based on the affidavit of the Appellant, in a review of the basis for granting the appellant a new trial from the perspective of a composite error.

5.

Whether the Court erred in failing to find that the Court erroneously excluded and limited the testimony of Charles Peggins, administrator for Eaton; admitting the testimony regarding the alleged adulterous relationship of Ruby Blackmon was substantially prejudicial and limiting to Blackmon's right of due process which mandates a reversal and remand for a new trial.

While the admission or exclusion of evidence is within the sound discretion of the trial court, the standard in reviewing a Motion for a New Trial wherein the trial court has improperly admitted or excluded evidence and a substantial right of a party has been affected, the trial court may order a new trial. **Logan v Dayton Hudson Cor,** 865 F.2d. 789, 790 (6thCir., 1989). Blackmon asserts that the admission by the Court of testimony by Bridgforth of a relationship with Blackmon while he was married and the allegation of harassment of the wife by Blackmon was highly prejudicial. Blackmon contends

that admission of this evidence did not have a tendency to make the fact of sexual harassment by supervisors of Eaton more or less probable. The admission of the evidence was so problematic and created undue prejudice – that had absolutely nothing to do with the conspiratorial plan by Eaton's supervisors to harass and intimidate the plaintiff by staring at her breast on a continuous and unrelenting basis. The appellant contends that despite plain error, the Court erred in the admissibility of the evidence.

The 5th Circuit in reviewed a similar issue when it rules that the testimony of an angry mistress was more prejudicial than probative by tilting the balancing test in Rule 403 in favor of exclusion in **Polanco v City of Austin, TX** 78 F.3d. 968 (5CA., 1996). The 8th Circuit in **Jones v Swanson**,341 F.3rd, 723 (8CA., 2003), also found that admission of the extra-marital affair was more prejudicial than probative.

The jury in Blackmon was compelled to focus on the extra-marital relationship rather than Blackmon's reputation for truthfulness as it relates to her claims. Under these circumstances, Blackmon's testimony was unduly prejudicial and denied to Blackmon fair jurors that had not been tainted by the highly prejudicial testimony regarding the affair and her alleged relationship with Bridgforth's wife.

The exclusion of the full testimony of Charlie Peggins regarding his ethics complaints against Eaton and his belief and knowledge that Eaton Corporation pressured management to wrongfully terminate associates affected a substantial right of the plaintiff. The testimony of Charlie Peggins was highly probative of the acts of Eaton Corporation atmosphere of unethical actions – as it relates specifically to the plan to actual engage in sexual harassment. The supervisors concocted this demeaning plan to leer, intimidate, ridicule the Blackmon by staring at her reproductive organs – her breast to find a cell phone – which they would not likely find excepting they, demanded that Blackmon strip. The probative nature of the testimony of Peggins would have allowed the jury to glean Eaton's willingness to engage in unethical behavior regarding it employees. The prejudicial value did not overweigh the probative value and thus was admissible.

CONCLUSION

For the foregoing reasons, the petition for rehearing should be granted.

The Petitioner seeks a reversal of the judgment for the defendant and the remand of the proceedings to the U.S. District Court for the Western District of Tennessee for a new trial based upon the verdict being against the weight of the evidence; (2) serious erroneous misstatement of the law; (3) the trial was influenced by bias and/or prejudice.

Respectfully submitted this the 8th day of February, 2019.

BY: Ruby Blackmon

/s/Ruby Blackmon, pro se
6387 Carson Drive
Olive Branch, MS 38654

(901) 626-4745

PROOF OF SERVICE

I, Ruby Blackmon, certify that I have THIS DAY mailed a copy of the Petition for Rehearing, BY UNITED STATES POSTAL SERVICE, to:

Marcia McShane Watson, Esq.
Ms. Mallory Schneider Ricci
Attorney for Eaton Corporation
401 Commerce Street, Suite 700
Nashville, TN 37219

Hon. John Doyle
Attorney for Eaton Corporation
100 North Cherry Street, Suite 300
Winston-Salem, NC 27101-4016

Dated: February 08, 2019.

BY: Ruby Blackmon

/s/Ruby Blackmon, pro se
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Supreme Court of the United States
Office of the Clerk
Washington, DC 20543-0001

Scott S. Harris
Clerk of the Court
(202) 479-3011

January 7, 2019

Ms. Ruby Blackmon
6387 Carson Drive
Olive Branch, MS 38654

Re: Ruby Blackmon
v. Eaton Corporation
No. 18-6388

Dear Ms. Blackmon:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

Scott S. Harris

Scott S. Harris, Clerk

Appendix "A"