

18-7002

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
AUG 30 2018
OFFICE OF THE CLERK
SUPREME COURT, U.S.

Clifton Stanley Diaz Jr — PETITIONER
(Your Name)

vs.

WMATA METRO TRANSIT POLICE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Clifton Stanley Diaz Jr
(Your Name)

3758 Columbus Drive Apt. 2
(Address)

Baltimore, Maryland 21215
(City, State, Zip Code)

(410) 757-6586
(Phone Number)

QUESTION(S) PRESENTED

U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT DID NOT RESPOND TO THE MOTION SEEKING MONETARY DAMAGES BECAUSE THE COURT WAS REVIEWING THE ORDER FILED FIVE DAYS FROM APRIL 17, 2018.

IS THE PLAINTIFF ASKING FOR HIS JOB BACK?

DC LAW STATES THAT IF THE COURT IGNORES THE MOTION, IT MUST PLACE A STAY ON ANY SCHEDULED MOTION, WILL BOTH PARTIES APPEAL?

SO IF THE U.S. COURT OF APPEALS FOR THE D.C. CIRCUIT DID NOT RESPOND TO THE MOTION SEEKING MONETARY DAMAGES, IS THE PLAINTIFF ASKING FOR HIS JOB BACK?

DC LAW STATES THAT IF THE COURT IGNORES THE MOTION, IT MUST PLACE A STAY ON ANY SCHEDULED MOTION, IS THE PLAINTIFF ENTITLED TO BACK PAY AND HIS JOB BACK?

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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STATUTES AND RULES

TITLE VII OF THE CIVIL RIGHTS ACT
DC DISTRICT COURT, ECF docket 5 AMENDED PLEADING TO
REOPEN CASE TO SUPREME COURT ON GENDER STEREOTYPE

OTHER

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 B to the petition and is

reported at PACER; 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[] is unpublished.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 C to the petition and is

reported at PACER; 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[] is unpublished.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 _____ 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 appears at Appendix _____ 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 APRIL 17, 2018.

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: JUNE 7, 2018, and a copy of the order denying rehearing appears at Appendix A.

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 _____. A copy of that decision appears at Appendix _____.

A timely petition for rehearing was thereafter denied 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. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

WILL A JURY FIND IN FAVOR OF PLAINTIFF
THAT SEX (MALE) DISCRIMINATION THAT PREVENTS
A POLICE OFFICER BETWEEN PERSONS SOLELY ON
THE BASIS OF SEXUAL ORIENTATION VIOLATES THE
SEVENTH AMENDMENT AND EQUAL PROTECTION
CLAUSE OF THE FOURTEENTH AMENDMENTS.

SEX IS A PROTECTED CLASS FOR USC 4200 I WAS
TERMINATED.

THERE IS A VIOLATION OF THE FIFTH AMENDMENT
SINCE THE BLACK CHIEF OF POLICE LEFT AND
THE WHITE CHIEF CAME OUT AND DID NOT
LIKE ME BECAUSE I WAS FROM NEW YORK
I WAS CALLED GAY AND FAGGOT. I BELIEVE
A JURY WOULD LIKE TO ADDRESS THIS CLAIM
AND PROVIDE AND CLAIM EQUAL PROTECTION
UNDER THE FOURTEENTH AMENDMENT.

THE SUPREME COURT RULED 3-1 THAT SEX DISCRIMINATION
IS SEXUAL ORIENTATION DISCRIMINATION,

STATEMENT OF THE CASE

PLAINTIFF CLIFTON STANLEY DIAZ FILED SUIT AGAINST DEFENDANT WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY ("WMATA") ALLEGING VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 AFTER HE WAS TERMINATED FROM HIS EMPLOYMENT AS A PROBATIONARY OFFICER WITH WMATA'S METRO TRANSIT POLICE DEPARTMENT ("MTPD"). PLAINTIFF ALLEGES THAT DEFENDANT DISCRIMINATED AGAINST HIM ON THE BASIS OF HIS NATIONAL ORIGIN AND SEXUAL ORIENTATION.

REASONS FOR GRANTING THE PETITION

THE METRO TRANSIT POLICE DEPARTMENT'S
BLACK CHIEF LEFT AND THE NEW CHIEF
DID NOT LIKE ME BECAUSE I WAS FROM
NEW YORK. I COME FROM A FAMILY
OF LAW ENFORCEMENT. I AM NOT A
CRIMINAL. I WAS GIVEN MY JOB BACK AS
A PROFESSIONAL BUS OPERATOR FOR WMATA.

THE SUPREME COURT RULED 3-1 THAT SEX
DISCRIMINATION IS SEXUAL ORIENTATION DISCRIMINATION.
I BELIEVE I AM ENTITLED TO MY BACKPAY.

THE MTPD DEPUTY CHIEF JEFFREY DELINSKI MADE
FUN OF ME CALLING ME A FAGBOT BECAUSE HE
STATED HE DID NOT HAVE "GIRLFRIENDS."

MR. DIAZ AMENDED HIS COMPLAINT TO INCLUDE
A CLAIM OF INTENTIONAL INFILTRATION OF
EMOTIONAL DISTRESS.

HE WANTS HIS JOB BACK. IF HE DOESN'T GET HIS
JOB BACK, HE FEELS HE IS ENTITLED TO BACKPAY.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Cleffta Stanley Davis Jr

Date: SEPTEMBER 8, 2018