

No.: 18-8841

IN THE SUPREME COURT OF THE UNITED STATES

Record No. 18-1894 : Civil Action Case No. : 3:17-cv-00748-HEH

**ORIGINAL**

In The Matter Of

**FRIZZELL CARRELL WOODSON,**  
Appellant / Petitioner, *Pro se* Litigant

Supreme Court, U.S.  
FILED

**APR 15 2019**

OFFICE OF THE CLERK

v.

**MEGAN J. BRENNAN, POSTMASTER GENERAL**  
**UNITED STATES POSTAL SERVICE, AGENCY.**  
Defendant / Respondent

**THE APPELLANT / PETITIONER, *PRO SE LITIGANT* IN WANT OF A  
PETITION FOR A WRIT OF CERTIORARI TO REVIEW THE UNITED  
STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT *PER*  
*CURIAM* UNPUBLISHED OPINION AND RELEVANT APPENDICES**

The U.S. Department of Justice  
The Honorable William P. Barr  
The Attorney General of the United States  
Department of Justice  
10<sup>th</sup> & Constitution Ave., NW  
Washington, DC 20530

The Honorable Rod J. Rosenstein, *U.S. Deputy Attorney General*  
The Honorable Jesse Panuccio, *U.S. Associate Attorney General*  
The Honorable Noel J. Francisco, *U.S. Solicitor General*  
The Honorable Zachary Terwilliger *U.S. Attorney Eastern District of  
Virginia*

## QUESTIONS PRESENTED

Whether or not the Due Process Clause also includes a substantive component that provides heightened protection for a property right of action vested upon the filing of a *informa pauperis* complaint, for a matter alleged to be a federal employment violation of discrimination / retaliation with certain constitutional requisites holding the property right of access to the courts is Constitutionally Protected, the right of an aggrieved individual to the courts access is Fundamental, and the right of that purposed access Cannot be Denied, most pointedly, the constitutional recourse for liberty interests, privileges, and immunities, to the extent equivalence to an effected affidavit, a *pro se* complaint, even when the formatted context and content is inartfully pleaded, should be held to less stringent standards than formal pleadings drafted by lawyers, that any plaintiff of unlearned jurisprudence, without regard to any minor structural technicalities, should not be judicially dismissed *sua sponte* for failure to state a claim, if it appears the Court failed to obtain the prerequisite constituted personal jurisdiction over the legal defendant, and sustain a nexus subject - matter jurisdiction over the federal question, which would negatively affect the orderly government procedural justice, entitlement of some aspects of an actionable statutory claim remedial adjudicative relief sought, attributed to a definable moral and legal wrong, a Title VII Litigation.

## PARTIES TO THE COMMENCED CIVIL ACTION

The Appellant / Petitioner to this civil cause Frizzell Carrell Woodson acting as the self - resented litigant of whom was employed by the United States Postal Service as an employee as that term is defined at 42 U.S.C. § 2000e (f).

The Defendant, Postmaster General Megan J. Brennan, of the United States Postal Service, wherefore this quasi - governmental agency is an employer as that term is defined at 42 U.S.C. § 2000e(b).

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## PETITION FOR WRIT OF CERTIORARI

In this case now here, I am Frizzell Carrell Woodson, a natural person in truth and in law, the original *in forma pauperis* plaintiff *pro se litigant*, of clear tangible or intangible rights afforded, given the urgency as such citizenry immutable liberties, privileges and immunities, for which no other legal avenues constitutionally means exists, within a inherent forum of redressability and immediacy, having appealed the unfavorable original court nullity ruling.

In furtherance, as well as the *in forma pauperis* Appellant *pro se litigant*, save effortfully in a manner as such prescribed therefor, do effect, in jurisprudential spirit and in jurisdictional fact heretofore, respectfully petition this U. S. Supreme Court, in want of a Supreme Court intervention to correct the inferior Courts of record, in the home circuit of the Chief Justice set forth by affirmed unpublished *per curiam* opinion, rendered decision decided on November 19, 2018, without constituted jurisdiction and the nexus blind reliance of the Rehearing and En Banc Rehearing decision November 29, 2018, by The Honorable Diana Gribbon Motz, The Honorable Stephanie D. Thacker, and The Honorable Pamela A. Harris, Federal Circuit Judges.

Whereas, expressions afforded raising this transgressive concernment, herein voicing my immutable meritorious position zone of interests immediacy, set forth an irreparable Constitutional Injury Presented

hereinafter, definitely falls within the legal measurable concept of liberty interests, for their knowingly statutory departure of the applicable Federal Rules and willful Judiciary unconstitutional oversight to circumvent the submitted on motion to challengeable constitutionally of the jurisdictional district court *sua sponte* dismissal of the *Informa Pauperis* commenced civil action brought forth thereagainst the non-statutory participation by the proper Defendant, Megan J. Brennan, Postmaster General the United States Agency.

Whereupon, for want by a valid federal plea of equitable colloquy to prove myself truthful in legal character in this constituted forum for this plausible litigation resolution involves legitimate reasons perceivable and eventful occurrence of both a direct and indirect negative impact on the Agency's contractual terms and conditions, in whole and or in fraction, as complained of discrimination treatment, retaliation perpetrated and wrongful termination of Plaintiff's Federal Civilian Service employment, in violation of Title VII of Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and the Age Discrimination in Employment Act, 29 U.S.C.A. § 621, *et seq.* ("ADEA").

#### OPINIONS BELOW

The Notice of Judgment rendered by the Fourth Circuit was entered on November 19, 2018. The *unpublished per curiam* opinion

of the Fourth Circuit Judges This Order appears in Pet. App. A [41a] - [46a].

The Notice of Rehearing and *En Banc* Rehearing Order rendered by the Fourth Circuit Article III Appellate Judges was entered on November 29, 2018, This Order appears in Pet. App. B [47b] - [48b].

The District Court Granted Plaintiff's Application to Proceed *In Forma Pauperis* Dismissed Complaint; Order to Show Cause filed on November 6 2017, and appears in Pet. App. C [49c] - [56c]. Dismissed Civil Action by the Judicial *Sua Sponte* Memorandum Order on December 12, 2017. This Order appears in Pet. App. D [57d] - [59d].

### JURISDICTION

The U. S. District Court had original jurisdiction pursuant to 42 U.S.C. § 2000e-5 (f) (3).

The Fourth Circuit had jurisdiction pursuant to 28 U.S.C. § 1291.

This Court jurisdiction is invoked under 28 U. S. C. § 1254 (1).

### CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U. S. Constitution compulsory provisions First Amendment; Fifth Amendment; and Fourteenth Amendment. Title VII of Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and the Age Discrimination in Employment Act, 29 U.S.C.A. § 621, *et seq.* ("ADEA"). 5 U.S.C. § 7151 (1970); 28 U. S. C. 453 Oath of Justices and Judges; 28 U.S.C. § 455 (a), (b) (1); 28 U.S.C. § 1292 (2012); 28

U.S.C. § 1915 (a) et seq.; 42 U.S.C. § 2000e-5 (f) (3); Fed. R. Civ. P. 4 (c) (2) (B) (ii); Fed. R. Civ. P. 15 (a); Fed. R. Civ. P. 54 (b);

### STATEMENTS OF FACTS

Pursuance to Memorandum of Understanding Between the United States Postal Service and the American Postal Workers Union, AFL - CIO. Subject: Maintenance Craft Jobs.

Appellant / Plaintiff was at all times relevant herein, a Postal Support Employee (PSE) as that term is defined at 42 U.S.C. § 2000e (f). Selected for the titled USPS employment position posting Richmond VA NB68312224 External, NC68312480 employed as (PSE) Custodial Maintenance Craft employee.

Particularly, to fill the immediate custodial vacancy for a daily tour duty (8 hour service day, a weekly tour duty (5 day service week), a 40 hour work week on a regular recurring basis as the (unquestioned and or union debatable) Supervisory decisional Implied designated Floating Custodian for the Richmond District pertaining to secondary scheduling, with the clear primary duty station Postal Facility Operations Complex at 1801 Brook Road, Richmond, Virginia (23232 - 9998) to include the daily business operations of the Richmond District Corporate Offices, the Postal Service Customer's Retail and Rental Mail Box Section, Postal Carrier's Annex Mail Floor and designated outside postal grounds.

The Defendant, Postmaster General Megan J. Brennan, of the United States Postal Service, wherefore this quasi-governmental agency is an employer as that term is defined at 42 U.S.C. § 2000e (b).

The Judicial Record demonstrates the appearance of Appellant / Petitioner, *Pro se* to commence the cause of action thereupon the submitted Complaint for a matter alleged to be Discrimination and pursuant to constitutionality the original Plaintiff requested a trial by jury in this civil action pursuant to 42 U.S.C. § 2000e 16 (c).

The Judicial Record in memory by law does not demonstrate the appearance of the Defendant / Respondent to statutorily submit any requisite responsive answer, purposed to assert or claim any legal defense, or otherwise cognizance to the open matter in the original court's jurisdiction therefrom this appeal to this appellate jurisdiction.

The Judicial Record civil activity docket demonstrates to this open civil matter for the statutory to show cause for the On Motion To Challenge The Alleged Jurisdiction for the above captioned civil action for proof in the Court Record Permanency to the Questioned constituted jurisdiction in True Constitutionality and in full Procedural Due Process of Law.

Whereas, in a manner constituted provenly upon the Court's record before appellate jurisdictional standard of review fairly indicates to be submitted on November 15, 2018 and decided on November 19, 2018,

dismissed by unpublished *per curiam* opinion.

Before Article III Circuit Judge Diana Gribbon Motz, Article III Circuit Judge Pamela A. Harris and Article III Senior Judge Clyde H. Hamilton. The Appealability *Final Fiat Decree* /Order Directing The Clerk To Close Case rendered and entered therein the judicial record on July 5, 2018.

The Statement Of Appealability raised for appellate review the interlocutory decree Therefrom district court instructional *sua sponte* rendered decrees for Civil Action No. 3:17cv00748-HEH the Memorandum Order ~ Granting Motion To Proceed *In Forma Pauperis* ~ Dismissing Complaint And Ordering Plaintiff To Show Cause rendered and entered therein the judicial record on November 6, 2017.

Secondly, raised for appellate review the fiat Order (Directing the Clerk to Close Case) was filed on the date 07 / 05 / 2018 under the judicial hand of Article III Senior Judge Henry Edward Hudson.

#### PROCEDURAL BACKGROUND

The U.S. District Court civil activity docket appears at Pet. App. E [60e] - [61e].

The U.S. Court of Appeals civil activity docket appears in Pet. App. F [62f] - [63f].

The Nature Of The Controversy arose in the U.S. District Court asserting a jury trial for Plaintiff's legitimate reasons perceivable and

eventful occurrence of both a direct and indirect negative impact on the Agency's contractual terms and conditions, in whole and or in fraction, as complained of herein, the discrimination treatment, retaliation perpetrated indefinite suspension of non-duty / non-pay status and wrongful termination of Plaintiff's Federal Civilian Service employment, clearly two tangible employment actions imposed without due process in the federal employer's installation administrative criterion, in violation of Title VII of Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and the Age Discrimination in Employment Act, 29 U.S.C.A. § 621, *et seq.* ("ADEA").

The Statutory Framework created in 1972, Congress amended Title VII to extend its prohibitions of discrimination based on race, color, religion, sex, and or nation origin to personnel actions affecting most federal employees. 42 USC § 2000e-16 (1988 & Supp. III 1991) ("section 2000e-16").

Whereas, Section 2000e-16 authorizes a party who has exhausted his administrative remedies and who is aggrieved "by the final disposition of his complaint, or failure to take final action on his complaint," to file a civil action in district court. 42 U.S.C § 2000e-5 (f) (3) & 2000e16 (c) (1988 & Supp. III 1991).

#### **History Of This Case Exhaustion Of Administration Remedies**

Formal EEO Complaint was filed on the date of August 30, 2013



against Patrick R. Donahoe Postmaster General resulting in an analyzation on the date of November 6, 2013 by Gil Grim EEO Services Analyst in complete.

The Notice of Final Agency Action was issued on 11 / 20 / 2014 by Stephanie D. Johnson EEO Services Analyst with options stated as the Right to file Civil Action and or a statutory appeal to the Office of Federal Operations (OFO) EEOC.

Pursuance to the EEOC provisions, I file a requisite Appeal Form 573 with sufficient documentation relevant therefor, to the Office of Federal Operations EEOC for an entitled *de novo* appellate review.

On December 19, 2014, Complainant filed an appeal, pursuant to 29 C.F.R. § 1614.403 (a), from the Agency's November 20, 2014 final order concerning his equal employment opportunity (EEO) complaint claiming employment discrimination in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U. S. C. § 2000e et. seq., and the Age Discrimination in Employment Act of 1967 (ADEA), as amended. 29 U. S. C. § 621 et. seq.”

The appellate decision was rendered on the date of March 10, 2017, by signatory Carlton M. Hadden, Director OFO for the assigned appeal number 0120150746.

The Request for Reconsideration filing correspondence dated April 14, 2013, Re: Woodson v. U.S. Postal Service U.S. Capital Metro Area

Docket #: 0520170281; Assoc #: 0120150746; Filed date : 04 / 05 / 2017  
and Agency Number : 4K230014013, signatory Robert J. Barnhart,  
Director Compliance and Control Division OFO.

Decision on Request for Reconsideration rendered was on the date  
of August 9, 2017, by signatory Carlton M. Hadden, Director OFO for  
the Request for Reconsideration assigned case number 0520170281.

Therefore based on information and belief, and pursuance to the  
foregoing Request for Reconsideration decision denial in favor of the  
Agency thence, indeed establishes Complainant's Right To File Civil  
Action (P0610).

#### **REASONS FOR GRANTING WRIT**

Wherefore, I convey this primary concernment in this requisite writ  
of certiorari, for a given inherent supervisory prerogative, herein raises  
genuine federal issues for this Court's instant exercise of supervisory  
controlling law interpretation and constitutional application to correct  
the inferior judiciary accessory to federal violations that squarely  
impinged the vested equality administration of pure justice as such  
important preserved and protected public trust of constitutional  
expectations of entitled rights, liberties, immunities, and privileges  
thereof.

This case presents a unique and compelling opportunity to right an  
injustice to a completely innocent citizen / petitioner, indeed my protected

liberty interest infringement made transparent through the Doctrine of Justiciability reviewability structure having been appealed to The Fourth Circuit Appellate quorum review for dualistic rendered judgments resulting in an *unpublished per curiam* decision and denial of the *en banc* rehearing, shall set forth threshold cause for sufficient intersecting reasoning herein, entitlement therefor, this compelling supervisory intervention necessitate, enabled through this purposeful informative writ of certiorari petition.

Wherefore, in want of an exclusive jurisdictional grant endorsement to answer the pertinent Questions of a well established statutory requisite, upon the Congressional intendment of 28 U.S.C. § 1915 payment ascribed benefit afforded and thusly commenced in the U.S. District Court effectual cause of action by the pleaded affidavit factual federal employment civil controversy and legally plausible evidentiary in the record development given the relevant compilation of cognizable facts are settled to demonstrate convergence of Standing and Ripeness determinative elements considered factors in this Title VII civil matter particular, with the only way that Congress has provided to right the wrongs caused by overt / discriminatory actions of governmental official decimated retaliation through the palpable departure of substantive due process omissions recurring in whole and or in fraction and the dereliction of ministerial duties, under well - settled principles that is

clearly at odds with our system of Government and effects of the judiciary ultra - vires acts, constitutes deprivation of Constitution amendments protections in continuum.

Wherefore, the U.S. Supreme Court Justices forum duly established by Congress and authorized under the Constitution as such judicial branch unelected appointments given imposts to the conferred orthodox supervisory rule of law supremacy interpretation, ordained in the constitutional forum necessarily with defined congressional terms and powers, to set out the application of federal laws, administered within the accepted interpretive constitutional jurisprudence, a vested impartial decision - making to define necessary and proper justice and the constituted value measurability thereof, thereupon exercising all due course incumbent duties invested by law with the requisite functions mandated as such existence and contours for the advancement of, and jurisprudential constituted uniformity for the federal judicatory concept equality under the law, thereupon, distributive administration of substantial justice regulated and limited by constitution, statute and judicial decision.

Wherefore, the petitioner comes now, requesting this Court's discretionary jurisdiction attentiveness in permissible urgency selection thereof, in and for the interest of justice to overlook not, this instant legal judicial purposed mission conflict of high policy departure

ascertainment deemed a jurisdictional federal imperative maturational controversial issues pertaining to an evidenced claim of a constitutional matter, (2) for an evidenced claim of a statutory matter, and, (3) the blatant disregard for the highest Federal Court in the United States Territorial jurisdictions thereof, including conflicts with precedents from co - equal circuits and even contrary to its own similar published or unpublished case law ruling particular.

The invoked appellate judiciary ministerial ethical obligations binding under 28 U.S.C. § 453 Oath of Justices and Judges and adjudicative duty pursuant to 28 U.S.C. § 1292 (2012), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2012); Fed. R. Civ. P. 54 (b); *Cohen v. Beneficial Indus. Loan Corp.*, 33 U. S. 541, 545 - 46 (1949), is to interpret and apply law to specific situations and not define law which is the responsibility of the legislature.

This civil matter by inspection of the Record civil activity docket material entries to the open civil controversy and examination in terms of perfect legality, raises several unprincipled decisions and unethical standards in regards to demonstrate the engaged appellate jurisdiction, in accordance with Local Rule 34 (b) Informal Briefing Order, having overriding independent duty, challenge not, any constituted jurisdiction in True Constitutionality provenly, to ensure the existence in full Procedural Due Process of Law, or questioned the district court's legal

errors in entertaining the suit to proceed without an intelligible constitutional opportunity to be heard denial by a *sua sponte* dismissal of the federal complaint, that urgently vouches for the unlawful obstruction of justice and gave extended insurmountable imagined immunity for the moral hazard to foundational legitimate expectations of the legal system.

Wherefore substantial purposed in an effortful prescriptive manner that certiorari jurisdiction exists, for a there is confusion in the case law dealing with the same issue of law, a contrary interpretation and application of a statute, a reckless disregard of a procedural rule, and the blatant circumvention of a well established constitutional law provision for the primary concernment to enable the Court's prerogative in this requisite writ formatted establishes that the (1) trial court has departed from the essential requirements of the law; (2) the departure resulted in abuse of discretion procedural injury that will affect the remainder of the proceedings below; and (3) the departure cannot be corrected through any other means the basis for a compelling judicial review in whole and or in fraction, the extreme unsettling questions set before The Supreme Justices, for good cause judicial contingency intervention, an utmost substantiated benefit for the citizenry uniformity of significant federal issues of operational law.

This case perfect posture given to the conferred consideration of

reviewability of departure by the appellate court panel dual decisions set out in substantial error, offers an ideal vehicle to resolve the Constitutional Injuries at issue in connection with this case a constituted limited jurisdiction question is left open, to the extent of perceivable Judicial Discriminatory Intent Embraced fully, the district court judicial indifference and non-judicial functions hereunder:

(1) Circumvented the *informa pauperis* standard § 1915 (a) et seq., screening prepense procuring its passage though the § 1915 fraudulent analytical characterization by the inappropriate *sua sponte* ruling misconstruing the nature of the Title VII litigation statute of limitation tolling asserting the Plaintiff's filing of nine discrimination civil actions in the record, to give a frivolous show cause decree tangent with dismissing the granted prepayment afforded benefit commenced civil complaint, and in the same fiat decree without constituted jurisdiction in the judicial record contrarily effecting a negative formatted summary judgment dismissal, legally characterized and deemed under law as void.

Clearly with no judicial authority to make the instant findings raised therein acting in an inquisitorial role as such intrusive substitution for the non-appearing legal defendant, that evidences instrumental fraudulence towards abstract and hypothetical discriminatory / retaliatory questions emphasizing the judge's own personal non-

jurisdictional proffered reasons which attended the obstructionism delay, in contradiction to Federal Rule 12 (B) (6) by acts, omissions, concealments which involves a breach of a legal or equitable duty, trust, or confidence justly reposed, and are injurious to another, or by which an undue and unconscientiously advantage to the governmental defense.

(2) Disregarded the nexus statutory procedure, issuance and service of process on the governmental defendant to sustain mandated personal jurisdiction and sustainability of subject matter jurisdiction to the above federal employment discrimination cause in accordance with Federal Rule 4 (c) (2) (B) (ii) and § 1915 (c). In this instance, willfully proceeded unjustifiable as to be violative of due process to render this adverse ruling without statutory responsive answer from the named government defendant in accordance necessarily with provisions of the applicable Federal Rule.

(3) Clearly under judicial administrative instruction entered into the judicial record without procedural due process to afford the Plaintiff the requisite statutory maintenance of first pleading affidavit cause to action in accordance with Federal Rule 15 (a). This in itself constitutes the judicial non-judicial acts interference / departure from normal procedural jurisdictional sequence engaged overt acts without any preceding mandatory notification of judicial *sua sponte* intent in



accordance with the Federal Rules of Civil Procedure, for a meaningful response from the named legal parties.

(4) And further judicially noticeable for a material legal facts, entered into the record knowingly the particular execution of the decree involved without (1) jurisdiction over the parties, (2) jurisdiction over the subject matter, or (3) jurisdictional power to pronounce particular judgment that was rendered demonstrated usurpation of authority through the unconstitutional inquisitorial Show Cause interlocutory decree, yielded instrumental evidence of judicial discrimination intent similar in format to an Alford Plea to give evidence of the departure from the neutrality of the expectation of the judiciary constituting a violation of professional conduct applicable to judges requisite clear and ethical standard.

(5) Then unreasonable dismissal of the civil action without full ethical compliance of assigned matters considering the ministerial duty to acknowledge and consider the Plaintiff's submitted responsive answer to the improper Show Cause interlocutory decree Failed to respect and comply with the law and promote public confidence in the integrity of the judiciary.

(6) Abused its discretion when disposing of a pending litigation foreclosure and thusly transferred unconstitutional inquisitorial Show Cause interlocutory decree to another entirely separate civil action

commenced for a different legal right of a cause to be adjudicated in federal court causing a public disrepute to adversely affect the administration of justice.

(7) A series of legal wrongs appears therein the combined adverse effect of the all prior the presiding judge rulings below affronts the integrity of the judicial system through the Practice and Pattern to seize and dismissal all the Plaintiff's following civil actions in the initial pleading stage without the discovery phase compilation of substantial factual materiality refusal for personal motive. Whereas, as such appearance of impropriety strongly suggests an illegal purpose to circumvent the adjudication is an injustice and gives threshold grounds for recusal and or disqualification of the presiding judge.

Substantial *per se* violation of Ethics of Canon that requires a judge to dispose of all judicial matters promptly efficiently and fairly administer justice to perform duties with impartiality and diligence in all aspects of the Plaintiff's independent civil actions, evidence in the judicial record constitutional infringements to the extent of the denial of Freedom of Expression, the deprivation of Due Process, and total disregard of Equal Protection.

Whereas, the court erroneously assumes jurisdiction and subjects Plaintiff in litigation continuum to deprivation of a fundamental due process right and in connection to equal protection component of the

Fifth Amendment a right to access the courts with a meaningful opportunity at a meaningful time, before rendering the irreconcilable rulings / judgments.

The record relied upon fairly demonstrates at the time the entry grave miscarriage of justice the decisions without adversary juxtaposition consideration was procured on fraud that is deemed inconsistent with sound discretion and or common sense as well as a jettison of precedent constitutional law for the decisions below clearly adds to the confusion in the lower courts.

Whereas, over an exceptionally important question of disqualification invoked under the law that requires this intervention to clarify the an appearance of impropriety of the presiding judge non rescual of himself having prior knowledge of Plaintiff's dismissed reiterated civil actions statutorily raised and offered in this open civil matter.

Whereas, at this point of entitled jurisprudence a matter of law, to Challenge Jurisdiction Constitutionality Plaintiff / Petitioner asserts his Rights as such requirement for proof of jurisdiction facts existence, factual materiality statement, by an officer of the court wet signature facially upon the instrument, which in both operative fact and applied law, Reopen And Rejuvenate prior civil actions voluntarily and knowingly in the documented judicial *Ad Testificandum* as so entered and preserve in the record for an examination by an appellate court

reviewability.

What appears to be a formatted summary judgment of the sorts revealing threshold criminality of engaged Officers of the Court working in concert demonstrating conspiratorial perjuries and suppression of the truth evidences based on the directional context and content of a negative impacting instrument entered in the Record to give illegal influence by fraudulent dishonesty conducive to an adverse ruling in continuum civil actions hereunder:

\*Woodson v. United States of America, 28 U.S.C. § 2679 (d) (2) Civil Action No. 3:14CV862-HEH ~ Original Defendant Lanard J. Shelton, Defamation *per se* Libel & Slander ~ Richmond General District Case No.: GV-14041823-00. Dismissal of civil actions in both jurisdictional courts by Presiding Article III Judge Henry Edward Hudson.

\*Woodson v. United States of America, 28 U.S.C. § 2679 (d) (2) Civil Action No. 3:15CV001-HEH ~ Original Defendant ~ Ulysses G. Otey, Defamation *per se* Libel & Slander ~ Richmond General District Case No.: GV-14041855-00. Dismissal of civil actions in both jurisdictional courts by Presiding Article III Judge Henry Edward Hudson.

\*Woodson v. United States of America, 28 U.S.C. § 2679 (d) (2) Civil Action No. 3:15CV002-HEH ~ Original Defendant ~ Earle E. Fraser, Defamation *per se* Libel & Slander ~ Richmond General District Case No.: GV-14041854-00. Dismissal of civil actions in both jurisdictional

courts by Presiding Article III Judge Henry Edward Hudson.

\*Woodson v. United States of America, 28 U.S.C. § 2679 (d) (2) Civil Action No. 3:15CV003-HEH ~ Original Defendant ~ Larry S. Palmer, Defamation *per se* Libel & Slander ~ Richmond General District Case No.: GV-14041856-00. Dismissal of civil actions in both jurisdictional courts by Presiding Article III Judge Henry Edward Hudson.

\*Woodson v. United States of America, 28 U.S.C. § 2679 (d) (2) Civil Action No. 3:15CV004-HEH ~ Original Defendant William A. Smith Defamation *per se* Libel & Slander ~ Richmond General District Case No.: GV-14041857-00. Dismissal of civil actions in both jurisdictional courts by Presiding Article III Judge Henry Edward Hudson.

\*Woodson v. United States of America, 28 U.S.C. § 1346 (b) Civil Action No. 3:16CV233-HEH Compliant filed on 04 / 25 / 2016; ~ Granted *In Forma Pauperis* status, asserted Plaintiff failed to state a claim upon which relief can be granted cited Statute 28 U.S.C. § 1915 (e) (2) (B) (ii) and Fed. R. Civ. P. Rule 12 (b) (6) Dismissal of Unamended Complaint and simultaneously Terminated Civil Action. Executed by Presiding Article III Judge Henry Edward Hudson. Filed 05 / 20 / 2016.

\*Woodson v. United States of America, 28 U.S.C. § 1346 (b) Civil Action No. 3:16CV234-HEH Compliant filed on 04 / 25 / 2016; ~ Granted *In Forma Pauperis* status, asserted Plaintiff failed to state a claim upon which relief can be granted cited Statute 28 U.S.C. § 1915 (e)

(2) (B) (ii) and Fed. R. Civ. P. Rule 12 (b) (6) Dismissal of Unamended Complaint and simultaneously Terminated Civil Action. Executed by Presiding Article III Judge Henry E. Hudson. Filed 05 / 20 / 2016.

\*Woodson v. United States of America, 28 U.S.C. § 1346 (b) Civil Action No. 3:16CV235-HEH Compliant filed on 04 / 25 / 2016; ~ Granted *In Forma Pauperis* status, asserted Plaintiff failed to state a claim upon which relief can be granted cited Statute 28 U.S.C. § 1915 (e) (2) (B) (ii) and Fed. R. Civ. P. Rule 12 (b) (6) Dismissal of Unamended Complaint and simultaneously Terminated Civil Action. Executed by Presiding Article III Judge Henry E. Hudson. Filed 05 / 20 / 2016.

\*Woodson v. United States of America, 28 U.S.C. § 1346 (b) Civil Action No. 3:16CV236-HEH Compliant filed on 04 / 25 / 2016; ~ Granted *In Forma Pauperis* status, asserted Plaintiff failed to state a claim upon which relief can be granted cited Statute 28 U.S.C. § 1915 (e) (2) (B) (ii) and Fed. R. Civ. P. Rule 12 (b) (6) Dismissal of Unamended Complaint and simultaneously Terminated Civil Action. Executed by Presiding Article III Judge Henry E. Hudson. Filed 05 / 20 / 2016.

Statutorily speaking, at the outset intelligible jurisdictional facts in the developed record fairly demonstrates, that the prescribed administrative remedies exhaustion full procedural completion, established the federal right cause, authorized by 42 U.S.C. § 2000e-5 (f) (3) & 2000e-16 (c) (1988 & Supp. III 1991), instituted origin in the

U.S. District Court, commenced under the provisions of The Act of July 20, 1892, ch. 209, 27 Stat. 252, codified as amended at 289 U.S.C. § 1915 (1994) having the Article III standing, sufficient within the terms of Injury - In - Fact, Causation and Redressability. request trial by jury in this civil action pursuant to 42 U.S.C. § 2000e-16 (c).

Whencesoever, set forth through the first affidavit pleading on the Matter Alleged to be Federal Civilian Service Employment Discrimination, in violation of Title VII of Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and the Age Discrimination in Employment Act, 29 U.S.C.A. § 621, *et seq.* ("ADEA")

Whereas, at this stage is brought here by the interested petitioner, a self - represent litigant, whereupon, at all times relevant given the true cognizance of an Afro - American Native Citizen Beneficiary thence, seeking the demands of justice warrantable in this civil cause, pursuance to a statutory cause arising under 42 U.S.C. § 2000e-16 (1988 & Supp. III 1991). The prohibitions of Title VII federal employment discrimination based on race, color, religion, sex, and nation origin.

#### **I. The Question Presented Is Exceptionally Important For Three Overarching Reasons.**

Pursuant to a matter of constitutional jurisprudence, an issue of statutory compliance and constitutional law Governance. it is critical

that this Court swiftly resolve the conflict whether Title VII claim is untenable, due to the inferior courts transgressive behavior.

In accord with all due respect, Petitioner in legal character submits that established principles of jurisprudence solidly rooted in the constitutional structure of our Government requires an invoked appellate court to make an independent examination of the whole record in order to make sure that the judgment does not constitute forbidden intrusion on Procedural Due Process and or a erroneous decision purposed to deny any plaintiff of their constitutional entitlements, civil rights, federal rights, substantive rights, and procedural rights under statutory law and constitutional settled boundaries.

The Equal Protection Clause which prohibits the government from denying to any person within its jurisdiction the equal protection of laws. U. S. Const. Amend. XIV Sect. 1. *Adarand Construction, Inc v. Pena* 515 U. S. 200, 224 (1995) noting that equal protection analysis is the same under the Fifth Amendment as it is under the Fourteenth Amendment.

The Court's appellate jurisdiction under Article III gives it an independent institutional power. Congress may by statute limit this jurisdiction. US Const. art. III sec. 2. The power of limitation extends only to the appellate jurisdiction. A legislature restraint on district



court jurisdiction may limit the Court's appellate jurisdiction from those courts *Sheldon v Sill*, 49 US (8 How) 441 (1850), but will not limit the Court's appellate jurisdiction over subject matter, which still may come up from the states courts.

Whereas, any wholesale attempt to limit Supreme Court review of constitutional questions would itself be unconstitutional. Hart the Power of Congress to Limit the Jurisdiction of Federal Courts: An Exercise In Dialectic, 66 Harv. L. Rev. 1362 (1953); a *Ratner*, Congressional Power Over the Appellate Jurisdiction of the Supreme Court, 109 U. PA L. Rev. 157, 201-02 (1960); cf. R. Berger, Congress V. The Supreme Court 285-96 (1969). But see *Wechsler*, The Courts and the Constitution, 65 Colum. L. Rev. 1001, 1005-06 (1965).

If Congress cannot undercut the Court's power to decide constitutional questions, neither may the Court itself refuse to do its job of constitutional adjudication. It may not decline to exercise the jurisdiction conferred upon it by the Constitution US Const. art. III and Congress 28 U.S.C. sec. 1252-58 (1970).

As Chief Justice Marshall voiced in *Cohens v. Virginia*, 19 US (6 Wheat.) 264 (1821). It is most true that this Court will not take jurisdiction if it should not; but it is equally true that it must take jurisdiction if it should. The judiciary cannot, as the legislature may, avoid a measure, because it approached the confines of the constitution

... We have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the constitution. *Id.* at 404.

Therefrom Article III and *Marbury v. Madison* 5 US (1 Cranch) 137 (1803), it is mandatory within the scope of authority the power or manner of the federal courts adjudicators exercise of a conferred corollary duty to provide a constitutional adjudicative forum competence to dispose of all judicial matters fairly, promptly, and efficiently, in administering of relevant laws nexus to the cognizable facts of the interested legal litigants equal under the law sustained by constituted Plea Adjudicative jurisdiction, that must be decided at its earliest opportunity and before allowing the litigation to proceed to impose juxtaposition of a attendant claim brought forth by statutory authority and its due process maintenance is essential to the impartial and equal administration of justice.

The Doctrine of Precedence have ruled that when jurisdiction is challenged, it must be proven, on the record, and once jurisdiction has been challenged, the court cannot proceed when it clearly appears that the court lacks subject - matter jurisdiction.

Jurisdictional grounds lies within the zone of interests addressed by the statutory cause of action. A doctrine that jurisdictional in the eyes of the court. See e. g. *Wright v. BankAmerica Corp.*, 219 F.3d 79, 89

(2<sup>nd</sup> Cir. 2000) (“The concept of standing, which in both its constitutional and prudential dimensions, is a prerequisite to federal subject - matter jurisdiction.”); see *Cnty. First Bank v. Nat’l Credit Union Admin.*, 41 F.3d 1050, 1053 (6<sup>th</sup> Cir. 1994) (“If plaintiffs have standing, we have jurisdiction over this appeal from a final order of the district court pursuant to 28 U.S.C. § 1291.”)

Here the Fourth Circuit silence addressability to the trial court’s overt refusal to rule on the constituted Plea to the Adjudicative Jurisdiction prerequisite, by itself, justifies automatic disqualification, regardless of the amount of time the motion as pending --- because judges have a ministerial duty to decide matters assigned to their court appointment deemed competent to decide Article III cases and controversy whenever it has proper jurisdiction.

The Doctrine of Precedence clarifies clearly a judge cannot claim jurisdiction by fiat. All orders and judgments issued by a judge in a court of limited jurisdiction must contain the findings of the court showing that the court has subject - matter, not allegations that the court has. ”In a special statutory proceeding an order must contain the jurisdictional findings prescribed by statute.” *In re Jennings*, 68 Ill. 2d 125, 368 N. E. 862 (1977). A judge’s allegation that he has subject matter jurisdiction is only an allegation. *Lombard v. Elmore*, 134 Ill. App. 3d 202, 204, 328 N. E.2d 142 (1975).

In furtherance, subject - matter jurisdiction fails: if a judge does not follow statutory procedure, and where the judge does not act impartially. *Armstrong v. Obucino*, 300 Ill. 140, 143 (1921), *Bracy v. Warden*, U. S. No. 96 - 6133 (June 9, 1997) (underline emphasis).

Notably, Lack of subject - matter jurisdiction is a non - waivable defect which may be raised at any stage of the proceeding.” *State v. LaPier*, 961 P.2d 1274, 289 Mont. 392, 1998 MT 174 (1998).

Holding any Ruling made in absence of subject - matter jurisdiction is a nullity.” *State v. Dvorak*, 574 N.W.2d 492, 254 Neb. 87 (1998).

Further, judgments entered where court lacked either subject matter or personal jurisdiction, or that were otherwise entered in violation of due process of law, must be set aside”. *Jaffe and Asher v. Van Brunt*, SDNY 1994 158 F. R. D. 278.

Personal jurisdiction the manifest right to control individual within the territorial boundaries clearly established by constitutional law. The purpose of notice to assert constitutional power and give statutorial notice of pendency of a legitimate action exercising jurisdictional analysis must be provenly a reasonable minimum precedential contact existence as a threshold matter by preponderant evidence and not by making nonfrivolous allegations.

A Decision is void on the face of judgment roll when from four corners of that roll, it may be determined that at least one of three

elements of jurisdiction is absent: (1) jurisdiction over the parties, (2) jurisdiction over the subject matter, or (3) jurisdictional power to pronounce particular judgment that was rendered". *B & C Investments, Inc., v. T & M Nat. Bank & Trust*, 903 P.2d 339 (Okla. App. Div. 3, 1995). Settled in *Anastoff v. United States* ( 8<sup>th</sup> Cir. 2000) "The judicial power of the United States is limited by the doctrine of precedence.")

A trial court has a ministerial duty to consider and decide pleading, motions and other instruments properly filed and brought to its attention to accord to every person who has a legal interest in a proceeding . . . the right to be heard according to law and to act at all times in a manner that promotes public confidence in the integrity and the impartiality of the judiciary.

This ministerial duty is reflected in relevant case law and the Judicial Code of Conduct which provides a judge shall hear and decide matters assigned to the judge except those in which disqualification is required or recusal is appropriate.

In these circumstances the overt refusal of a mandated duty, clearly without discretion or choice, is by itself a violation of the court's ministerial duty sufficient to warrant disqualification of any judicial officer knowingly and willful discriminatory manner deemed unjustifiable as to be violative of due process.

Judges in their judicial capacity and individual capacity, are in

continuum bound by 28 U. S. C. 453 Oath of Justices and Judges.

Hence, judges are at all times accountable to the people in due course of the administration of pure justice for judicial labor at end shall perform the duties of judicial office impartially, competently and diligently.

Pursuant to under the provisions of 28 U.S.C. § 455 (a), (b) (1), Federal law requires the automatic disqualification of a Federal judge even if there is no motion asking for his disqualification. Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse himself/herself *sua sponte* under the stated circumstances. None of the orders issued by any judge who has been disqualified by law would appear to be valid as a matter of law, and are of no legal force or effect.

It appears the Fourth Circuit is contrarily in consistent harmony with the trial court *sua sponte fiat* ruling without personal jurisdiction over the governmental defendant and even moreso sustainable subject-matter jurisdiction which in all constitutional aspects of proscribed discriminatory pattern and practices illuminates a total tyrannical affront the Fundamental Rights that are to create a uniform standard common interpretation of the substantial Constitutional Amendments written to prohibit disenfranchisement.

## II. The Petition Identifies The Lower Courts Unreasonable Conflict

With Settled Doctrine Of Precedence Assertions That Is Appropriate For Review In Connection With This Case A Question Is Left Open Concerning Sua Sponte Dismissals.

The First Amendment's free speech clause is violated if a official act put of a desire to prevent . . . First amendment activity. *Heffernan v. City of Paterson*, 136 S. Ct. 1412, 1418 (2016).

First, the leading court case on pleadings is *Conley v. Gibson* which contains the oft - quoted standard that "all the Rules require is 'a short and plain statement of the claim' that will give the defendant fair notice of what the plaintiff's claim is and the grounds upon which it rests." *Conley v. Gibson*, 355 U.S. 41, 47 (1957) (quoting Fed. R. Civ. P. 8 (a)).

Indeed, it may appear on the face of the pleading that a recovery is very remote and unlikely but this is not the test. "*Gant v. Wallingford Board of Education*, 69 F.3d 699, 673 (2<sup>nd</sup> Cir. 1995) (quoting *Weisman v. LeLanda*, 532 F.2d 308, 311 (2<sup>nd</sup> Cir. 1976) (per curiam.)

Even more so it is not even necessary that a plaintiff request appropriate relief, properly categorize legal theories, or point to any legal theory at all. *Tool v. Carroll Touch, Inc.*, 977 F.2d 1129, 1134 (7<sup>th</sup> Cir. 1992) (complaint sufficiently states a claim even if it points to no legal theory or even if it points to wrong legal theory, as long as

“relief is possible under any set of facts that could be established consistent with the allegations”) (emphasis supplied).

Furthermore, this factual inquiry should be a threshold inquiry and not a fact - finding process for resolution of the disputed facts. *Franklin v. Murphy*, 745 F.3d 1221, 1228 (9<sup>th</sup> Cir. 1984). And to the extent of procedural fairness requiring the issuance of process. *See Wartman v. Branch 7, Civil Div., County Court*, 510 F.2d 130, 134 (7<sup>th</sup> Cir. 1975); see also *Catz & Guyer*, (arguing that *in forma pauperis* plaintiffs should be treated the same way as paying plaintiffs under the Federal Rules of Civil Procedure).

Once the application to proceed *informa pauperis* ascribed benefit payment is made upon order of the Court administrative instruction to the Court Clerk to engaged the ministerial duty commencing the civil action filing, Pursuant to the mandated by Rule 4 (c) (2) (B) (i) and § 1915 (c) the issuance of the formal writ and Order Directing Service By the United States Marshal without Prepayment of Costs for service of Order from the above U. S. District Court of competent jurisdiction, must, promptly set forth to the jurisdiction of the U. S. Marshal Service, to promptly effect and officially execute the instruments of civil authority, to include the service of process Form USM - 285 Process Receipt and Return, the completed summons, copies of the initial complaint in full and otherwise for effected service on the said



defendant's statutory litigation counsels and or otherwise.

Whereupon, all Federal Rules of Civil Procedure has to be followed, and Neither the "Rule" nor the "*IFP* Statute" vests a judge with discretion to intervene at this stage of the pleading to determine whether the clerk may issue a summons. *See Catz & Guyer, supra* note 15, at 672 n. 109; *Playing by the Rules, supra* note 49, at 147 -49.

Further precedence in *Tingler v. Marshall*, 716 F.2d 1109 (6<sup>th</sup> Cir 1983) the Sixth Circuit ruled that before a complaint may be dismissed *sua sponte*, the court must require Federal Rules of Civil Procedures Benefits: (1) service of complaints on the defendants in accordance to Rule 4 (c) (2) (B) (i) including issuing of a summons pursuant to § 1915 (c); (2) prior notice of court's intent to dismiss the filed complaint; (3) a statutory maintenance opportunity for Plaintiff to amend his complaint Fed R. Civ. P. 15 (a), or respond to the reasons stated by the district court in its notice of intended *sua sponte* dismissal; (4) an opportunity for defendant to respond or file an answer or motions, and (5) a statement of reasons for dismissal.

Whereas, the Fourth Circuit vacates *Sua Sponte* Dismissal due to Non - exhaustion *Cutis v. Davis*, 851 F.3d 358 (4<sup>th</sup> Cir. 2017). The appellate court executed the reversal on March 23, 2017, holding that the dismissal was improper. Noting that the Supreme Court held in *Jones v. Bock*, 549 US 199 (2007) [PLN, May 2007, p.36] that failure

to exhaust is an affirmative defense that must be raised by the defendant, the appellate court found the district court erred when it *sua sponte* examined *Cutis's* exhaustion of available administrative remedies.”

When a court dismisses complaint *sua sponte*, it is required to give the plaintiff notice of its intent to do so and an opportunity to respond. *Stewart Title Guar. Co. v. Cadle Co.*, 74 F.3d \*35, 836 (7<sup>th</sup> Cir. 1996). A failure to follow these steps deprives the litigant of his day in court, denies the judge the benefit of the litigant’s analysis, and , tends to transform the district court into a proponent rather than an independent entity. (quoting *Horn v City of Chicago*, 860 F.2d 700, 703 n.6 (7<sup>th</sup> Cir. 1988).

Finally, in this open civil matter, it is important for this Court to address the review of the complaint sufficiency cleaning presenting a clear cut question of law, at the intersection of judicial impeachable conduct, rising above the judicial *bias* misconduct and the judicial *prejudice* disability at the district court interception and the appellate judiciary level *impairment*, knowingly engaged judicial oppression without any sustainable requisite constituted adjudicative jurisdiction, gave the appearance to ventilated the construct to limit petitioner’s statutory maintenance ability to plead initial facts, and in due course obtain discovery relevance in the record and prove that the

discriminatory cause and retaliatory motive imposed underlying stigmatization against Plaintiff's occupational interests, led to the complained of adverse federal employment tangible action in violation of Title VII of Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and the Age Discrimination in Employment Act, 29 U.S.C.A. § 621, *et seq.* ("ADEA").

The key to enforcing equal employment opportunities in the federal government must be the right to invoke the jurisdiction of the federal courts to ensure that discriminatory practices are ended.

Moreover, the Executive Order have banned invidious discrimination in federal employment. *see e.g.*, Exec. Order No. 11478, 34 Fed. Reg. 12985 (1969), as amended by Exec. Order No. 11590, 36 Fed. Reg. 7831 (1971).

Furthermore, Congress has declared that such discrimination is against federal policy 5 U.S.C. § 7151 (1970) provides: "It is the policy of the United States to insure equal employment opportunities for employees without discrimination because of race, color, religion, sex, or national origin." The policy is grounded in the anti-discrimination provisions of the Constitution itself.

The Supreme Court has found such nondiscrimination principles to be implicit in our government system. Racial discrimination was declared by the Court to be against federal policy in *Hurd v. Hodge*,

334 US 24 (1948), and the ban in federal racial discrimination has since 1954 been read into the Fifth Amendment's Due Process Clause. See *Bolling v. Sharpe*, 347 US 497 (1954).

While *Bolling*, and later cases used language that suggested that perhaps only egregious cases of discrimination were covered by the Fifth Amendment's Due Process Clause, see e g., *Schneider v. Rusk*, 377 US 163, 168 (1964) (discrimination "so unjustifiable" as to violate due process covered), in practice the Court's mode of analysis has been identical in both federal and state discrimination cases. See e g., *Shapiro v. Thompson*, 394 US 618, 614-42 (1969) (claims arising in the District of Columbia under due process clause and in several states subject to the equal protection clause disposed of in same manner). *Frontiero v. Richardson*, 411 US 677 (1973), with *Reed v. Reed* 404 US 71 (1971).

Notably, the anti - discrimination principles of the Fifth Amendment apply to the full range of federal governmental activities, including employment discrimination by federal departments and agencies. See *Schlesinger v. Ballard*, 95 S. Ct. 572 (1975); *Morton v. Mancari*, 417 US 535, 551-55 (1974); *Frontier v. Richardson*, 411 US 677 (1973).

Nonetheless, the Constitution contained no equal protection clause applicable to the federal government as the Fourteenth Amendment's clause applied to the states. See e g., *LaBelle Iron Works v. United*

*States*, 256 U.S. 377, 392 (1921). The Clause of The Fourteenth Amendment is summarized as a means of protection individual from the harm of categorization by race . . . court deployed version of an anti classificatory lens in present equal protection law in respect to race equality.

Wherefore, Petitioner holds these certain unalienable Rights that all Men are created equal to effect the Assent of Laws most wholesome and necessary, the U.S. Constitution legalism bans relevant discrimination, and to secure these inestimable Rights Congress deriving their just powers from consent of the governed, shall have the inherent authority to constrain these Articles principled jurisprudence by appropriate legislation, in the following legislative enactments through enforceability of the vested Supreme Court Justices supremacy decisions affirmed settled principled constitutional law pursuant to substantial amendments hereunder:

The First Amendment establishes that an individual shall not be denied or abridged the freedom of speech and the right to petition.

The Fifth Amendment establishes that an individual shall not be denied due process of the law.

The Thirteenth Amendment prohibited oppressive resurrection of slavery and or involuntary servitude.

The Fourteenth Amendment prohibits unequal treatment under the

law in relation to rights, privileges, immunities, liberty interests.

The Fifteenth Amendment proscribes discrimination in the exercise of a constitutional right.

The Nineteenth Amendment prohibits discrimination based on sex.

The Twenty - fourth Amendment prohibits discrimination based on Indigence.

The Twenty - sixth Amendment prohibits discrimination based on age.

Now Therefore, due to the expedited nature of the litigation, the trial court refusal to rule effectively deprives Plaintiff of the constitutional due process in all aspects of the civil cause, by refusing to decide the prerequisite procedural jurisdictional issues and subjecting Afro- American petitioner to discriminatory intent rendered an unconstitutional order to show cause and the premeditated closure of the civil action demonstrates the *prima facie* denial of Freedom of Expression, the intentional deprivation of Due Process, and total disregard of Equal Protection a judicial conduct that excites impeachable grounds for the judicial intentional domestic criminal disloyalty acting in judicial capacity over all the civil actions *sua sponte* dismissals.

And the Fourth Circuit cannot pretermitt the obligated fiduciary duty, to address the perversely foreclosure of the neutral federal forum,

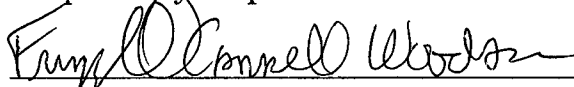
that is incompatible with the even application of decisional law to the true facts of pleaded claims and careful review meritorious matters substantial, falling within the zone of interest protected by the relevant law invoked. Never placed at issue due to the judicial delay of the officers of the court tortious interference to advantage the Governmental Defendant.

Whereas, The Supreme Court held in *Turner v. Fouché* 396 US 346 (1970) stated that any relief that failed to end discrimination would require further "corrective action by a federal court charged with the responsibility of enforcing constitutional guarantees.

#### CONCLUSION

For the foregoing reasons the petitioner, respectfully asks this ultimate Court to grant a purposed writ of certiorari in this matter for an irresistible review to consider the important federal question of whether the predictable, fair, and just adjudication of the alleged violation of Title VII Discrimination is of monumental importance.

Respectfully requested and submitted by,

 Date: 4/4/2019  
Frizzell Carrell Woodson Appellant / Petitioner, *self-represented litigant*  
Afro - American Native Citizen Beneficiary  
2432 Cumberland Road, Farmville, Virginia 23901 - 4305

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

IN THE SUPREME COURT OF THE UNITED STATES

Record No. 18-1894 : Civil Action Case No. : 3:17-cv-00748-HEH

In The Matter Of

FRIZZELL CARRELL WOODSON,  
Appellant / Petitioner, *Pro se* Litigant

v.

MEGAN J. BRENNAN, POSTMASTER GENERAL  
UNITED STATES POSTAL SERVICE, AGENCY.  
Defendant / Respondent

THE APPELLANT / PETITIONER, *PRO SE LITIGANT* IN WANT OF A  
PETITION FOR A WRIT OF CERTIORARI TO REVIEW THE UNITED  
STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT *PER*  
*CURIAM* UNPUBLISHED OPINION AND RELEVANT APPENDICES

Appendices to the Writ of Certiorari in this prescriptive manner  
herewith this petition set forth in furtherance of a reasonable theory  
for effortful jurisprudence, the discussion of material facts presentment,  
the sources of law indicating explanation in regard to legal issues and  
genuine insight to the petitioners point of view is reviewable along  
with Appendices in this civil action of citizenry importance of recurring  
determinative federal issues of serious concernment in the defined  
Circuit as such circumscribed jurisdiction.

Hence, exciting the conscious purposeful discretionary supervisory  
power intervention of this court, the perceivable unavoidable  
constitutional determination factor in the certification of a writ of



certiorari, thereby the statutory jurisdiction under 28 U. S. C., Section 1254 effectual issuance necessitate, therefrom to uphold the integrity and judicial independence support of the United States Constitution to serve the ends of pure justice.

Wherefore to invoke the concerted officers of this court in full unity Jurisdiction and the plurality of judicature certifiable legal minds, adjudicative obligations to apply clearly established principles of settled law necessary to accomplish substantial justice in this case particular

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Petition Appendix B *En Banc Rehearing* Order from Appellate Court:  
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Petition Appendix C District Court Memorandum Order Granted Plaintiff's Application on Motions to Proceed *In Forma Pauperis*, Dismissed Complaint; Order to Show Cause: Pet. App. C [49c] - [56c].

Petition Appendix D The District Court rendered Foreclosure Order by Memorandum filed July 5, 2018, Pet. App. D [57d] - [59d].

Petition Appendix E Civil Activity Instruments from U. S. District Court: Pet. App. E [60e] - [61e].

Petition Appendix F Civil Activity Instruments from Appellate Court:  
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