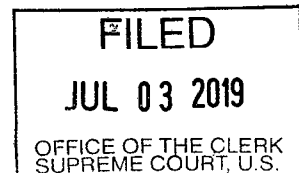


No. \_\_\_\_\_

19-6098

IN THE

SUPREME COURT OF THE UNITED STATES



Pablo Enrique Rosado Sánchez

— PETITIONER

vs.

Puerto Rico Department of Education, et. als

— RESPONDENT(S)

ORIGINAL

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals for the First Circuit

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

PETITION FOR WRIT OF CERTIORARI

Pablo Enrique Rosado Sánchez

(Your Name)

Urb. Levittown, 1093 Paseo Damasco

(Address)

Toa Baja PR 00949

(City, State, Zip Code)

787 902-7153

(Phone Number)

**QUESTION(S) PRESENTED:** with the content of the order(s) for which  
I am seeking review

1. On a letter dated September 18, 2019, the Clerk of the Court for the First Circuit, certified the Appeal 17-2105 status, and I quote:

**"In sum, your appeal remains pending before the court, but it is stayed pursuant to the January 29, 2018 order. You will be advised promptly when the court issues any orders or makes any determinations regarding your appeal."**

**This Appeal was certified as having a double status, pending and stayed; because, Appeals that are pending, are not necessarily appeals that are stayed, and the meaning of the words pending and stayed is not the same;**

**A stayed order from the Appellate Judges is a discretionary order suspending the Appeal review; that is not allowed at a U.S. Court of Appeals; We have the Right to Appeal: unlike at the Supreme Court, where it is a Petition.**

2. The Order from the Court of Appeals from January 29, 2018 Order, was an exact Order as the one from December 14 2017;  
But, last July 3, 2019, that same Order of Court of January 29, 2018, was amplified, with more specific details of what is going to happen and I quote the July 3, 2019 Order:

**"We are in receipt of multiple filings by plaintiff-appellant purporting to seek various forms of relief in this appeal. On January 29, 2018 the appeal was stayed pursuant to the automatic stay of the provisions of PROMESA 48 U.S.C. 2161 (a). On Oct. 10, 2018 this court declined to reconsider the stay order. If plaintiff wishes to seek relief from the automatic stay to pursue this appeal, he may do pursuant to the Title III court's procedures. In the absence of relief granted by that court, the case will remain stayed."**

**If the Bankruptcy Court decides not to grant a relief, my Right to Appeal will be cancelled, and the Supreme Court will not have an Order and Mandate to decide ?**

**The Appellate Judges are cancelling the Supreme Court intervention possibility, against Rule 10 and Rule 11 Supreme Court Rules Requirements.**

3. My Appeal 17-2105 is for Unsupported findings or conclusion, and the correct Court to challenge the final judgment of the District Court is the Court of Appeals; Is not the Bankruptcy Court, where they are incorrectly ordering me to go.

**4. This will happen more specifically, with Appeal 17-2105 at the Bankruptcy Court:**

- First, I will be going there because an Order of the Court of Appeals, the highest court that had the chance to review this Appeal as my Right clearly establishes, but with a final judgment and opinion from a Magistrate Judge who dismissed my Case at the U.S. District Court for the District of Puerto Rico, against the evidence;**
- Then, the Bankruptcy Court may grant or deny a relief in this Appeal, but the Bankruptcy Procedures, does not specifically include anything about the plaintiff-appellant having an Appeal pending at the correct Court of Appeals, for Unsupported findings or conclusion;**
- The Bankruptcy Court will not review my Appeal 17-2105 for Unsupported findings or conclusion at all; Even the letters asking me to file at the Bankruptcy Court, clearly say the Case is going to be disputed; not reviewed for Unsupported findings or conclusion; anywhere**
- Appellate Judges are making the Bankruptcy Court the final court, and they can't; the final court is the Supreme Court, but if the relief is denied, that will not cancel the automatic stay of my Appeal and there will be no Mandate or Final Order from the First Circuit Court of Appeal, cancelling the possibility of a Supreme Court Review by Petition, and all that is against Rule 10, from the Supreme Court, specifically.**

**5. Chief Judge Howard, from the First Circuit, dismissed my Judicial Misconduct complaints, but without specifically including all the details of what took place; Chief judge Howard decided not to weigh the evidence, and just impose his opinion against the evidence, by means of their Guide to Judiciary Policy, updated last March 2019;**

**Also, he ignored the exact meaning of the words defining Judicial Misconduct, the examples included as Judicial Misconduct in the same Guide to Judiciary Policy, and more than that, that it does not have to be included in their Guide to Judiciary Policy to be Judicial Misconduct, because it is a Guide.**

**If the Judicial Council does not recognize it, that is also Judicial Misconduct; the definitions of the words within the Law and the events that took place are proof of this.**

## LIST OF PARTIES

[ ] All parties appear in the caption of the case on the cover page.

[X] 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:

Puerto Rico Department of Education;  
Puerto Rico Department of the Family;  
Puerto Rico Department of Labor and Human Resources

## RELATED CASES

### 1. United States District Court, District of Puerto Rico (San Juan)

#### CIVIL DOCKET FOR CASE #: 3:16-cv-03182-RAM

Narvaez et al v. Christian Family Academy Inc. Assigned to: Judge Raul M. Arias-Marxuach

Cause: 28:1331 Fed. Question: Employment Discrimination

Date Filed: 12/22/2016

Jury Demand: Plaintiff

Nature of Suit: 790 Labor: Other

Jurisdiction: Federal Question

Plaintiff: Erica Narvaez-de Jesus

**This Case has not ended as of August 6, 2019**

|            |           |  |
|------------|-----------|--|
| 07/23/2019 | 96        | ORDER. The parties have failed to comply with the deadline set at the Settlement Conference held before the undersigned. (Docket No. 95). <b>The parties are granted until 7/26/2019 at noon to comply. If the case is not settled, the matter will be referred to the presiding District Judge for trial setting.</b> Signed by US Magistrate Judge Camille L. Velez-Rive on 7/23/2019. (cvr) (Entered: 07/23/2019) |
| 07/29/2019 | <u>97</u> | INFORMATIVE Motion filed by Arnaldo Rivera-Seda on behalf of Christian Family Academy Inc. Responses due by 8/12/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Rivera-Seda, Arnaldo) (Entered: 07/29/2019)  |
| 07/29/2019 | 98        | ORDER noted <u>97</u> Informative motion. Settlement documents due on 8/5/2019 for the presiding judge's consideration. Signed by US Magistrate Judge Camille L. Velez-Rive on 7/29/2019. (cvr) (Entered: 07/29/2019)  |

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08/06/2019 08:43:07

2. United States District Court

District of Puerto Rico (San Juan)

**CIVIL DOCKET FOR CASE #: 3:16-cv-02952-GAG-BJM****Reyes-Caballero v. Oriental Bank****Assigned to: Judge Gustavo A. Gelpi****Referred to: US Magistrate Judge Bruce J. McGiverin****Cause: 29:621 Job Discrimination (Age)****Date Filed: 11/09/2016****Jury Demand: Plaintiff****Nature of Suit: 790 Labor: Other****Jurisdiction: Federal Question****This Case has not ended as of August 6, 2019****Plaintiff****Wilbert Reyes-Caballero:**

represented by Guillermo J. Ramos-Luina

|            |           |  |
|------------|-----------|--|
| 07/12/2019 | <u>63</u> | REPLY to Response in Opposition to Motion < Re: <u>46</u> Motion for Summary Judgment, <u>60</u> Response in Opposition to Motion filed by Oriental Bank. (Attachments: # <u>1</u> Affidavit Exhibit A, # <u>2</u> Affidavit Exhibit B)(Voltaggio-Figueroa, Cassandra) Modified on 7/15/2019 to correct title and docket relationship (gmm). (Entered: 07/12/2019) |
| 07/16/2019 | <u>64</u> | MOTION Submitting Document filed by Alfredo Fernandez-Martinez on behalf of Oriental Bank Responses due by 7/30/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Attachments: # <u>1</u> Exhibit Exhibit A)(Fernandez-Martinez, Alfredo) (Entered: 07/16/2019)   |
| 07/17/2019 | 65        | ORDER: Noted <u>64</u> Motion submitting. Signed by Judge Gustavo A. Gelpi on 7/17/2019. (AGF) (Entered: 07/17/2019)   |

**PACER Service Center****Transaction Receipt**

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**3. United States District Court District of Puerto Rico (San Juan)****CIVIL DOCKET FOR CASE #: 3:18-cv-01672-CCC****Robles-Figueroa v. Municipality of San Juan****Assigned to: Judge Carmen C. Cerezo****Cause: 28:1331 Fed. Question: Employment Discrimination****Date Filed: 09/12/2018****Jury Demand: Plaintiff****Nature of Suit: 790 Labor: Other****Jurisdiction: Federal Question****Plaintiff****This Case has not ended as of August 6, 2019****Astrid Robles-Figueroa**

represented by Guillermo J. Ramos-Luina

|            |           |   |
|------------|-----------|---|
| 04/05/2019 | <u>20</u> | OPINION AND ORDER denied <u>6</u> Motion to Dismiss/Lack of Jurisdiction Under FRCP 12(b)(1) and Request to Decline Supplemental Jurisdiction; denied <u>16</u> Alternative Motion to Dismiss; denied <u>19</u> Motion for Leave to File Limited Response to <u>18</u> Sur-Reply. Signed by Judge Carmen C. Cerezo on 4/5/2019. (mld) (Entered: 04/09/2019) |
| 04/10/2019 | <u>21</u> | SCHEDULING ORDER/CASE MANAGEMENT ORDER: All "Doe" defendants shall be identified with their true names by 5/10/2019; Rule 26(a)(1) mandatory disclosures shall be made by 5/7/2019; Discovery due   |

|            |           |   |
|------------|-----------|---|
|            |           | by 9/5/2019; Pretrial/Settlement Conference SET for 10/21/2019 at 1:30 PM in Judge Carmen C. Cerezo's Chambers; Jury Trial SET for 12/6/2019 at 9:30 AM in Courtroom 4. Signed by Judge Carmen C. Cerezo on 4/10/2019. (bgl) Modified type of setting on 4/15/2019 (idg). (Entered: 04/10/2019) |
| 04/23/2019 | <u>22</u> | ANSWER to <u>1</u> Complaint, filed by Angel A. Valencia-Aponte on behalf of Defendant Municipality of San Juan.(Valencia-Aponte, Angel) (Entered: 04/23/2019)  |

|                             |
|-----------------------------|
| <b>PACER Service Center</b> |
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| 08/06/2019 09:16:41         |

**4. United States District Court District of Puerto Rico (San Juan)**

**CIVIL DOCKET FOR CASE #: 3:18-cv-01666-RAM**

**De Leon v. First Transit, Inc. et al**  
**Cause: 29:621 Job Discrimination (Age)**

Assigned to: Judge Raul M. Arias-Marxuach

**Date Filed: 09/08/2018**

Jury Demand: Plaintiff

Nature of Suit: 790 Labor: Other

Jurisdiction: Federal Question

**This Case has not ended as of August 6, 2019**

**Plaintiff**

**Benjamin De Leon**

**represented by Manuel Duran-Rodriguez**  
**Manuel Duran Law Office**

|            |           |  |
|------------|-----------|--|
| 06/28/2019 | <u>46</u> | SCHEDULING ORDER/CASE MANAGEMENT ORDER: Jury Trial set for 9/18/2020 09:00 AM in Courtroom 7 before Judge Raul M. Arias-Marxuach. Initial Scheduling Conference set for 8/28/2019 11:30 AM in Courtroom 7 before Judge Raul M. Arias-Marxuach. Pretrial/Settlement Conference set for 9/11/2020 09:00 AM in Courtroom 7 before Judge Raul M. Arias-Marxuach. Amended Pleadings due by 7/26/2019. Discovery due by 12/30/2019. Motions due by 5/28/2020. Proposed Pretrial Order due by 8/28/2020. Rule 26 Meeting Report due by 8/21/2019. Signed by Judge Raul M. Arias-Marxuach on 6/28/19.(mrr) (Entered: 06/28/2019) |
| 07/12/2019 | <u>47</u> | Motion In Compliance with Court Order regarding Consent to Proceed before Magistrate Judge filed by Shiara L. Dilone-Fernandez on behalf of All Defendants Responses due by 7/26/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Dilone-Fernandez, Shiara) (Entered: 07/12/2019)  |
| 07/12/2019 | <u>48</u> | Motion In Compliance as to <u>46</u> Scheduling Order/Case Management Order,, filed by Manuel Duran-Rodriguez on behalf of Benjamin De Leon Responses due by 7/26/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Related document(s) <u>46</u> ) (Duran-Rodriguez, Manuel) (Entered: 07/12/2019)   |

|            |    |  |
|------------|----|--|
| 07/29/2019 | 49 | ORDER RE: <u>47</u> Motion In Compliance: Noted. Signed by Judge Raul M. Arias-Marxuach on 7/29/2019. (Arias-Marxuach, Raul) (Entered: 07/29/2019) |
| 07/29/2019 | 50 | ORDER Re: <u>48</u> Motion In Compliance: Noted. Signed by Judge Raul M. Arias-Marxuach on 7/29/2019. (Arias-Marxuach, Raul) (Entered: 07/29/2019) |

|                             |
|-----------------------------|
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**5. Court of Appeals Docket #: 18-1131**

Docketed: 02/15/2018

**Nature of Suit: 3442 Employment**

**Falcon-Andino v. Departamento de Transportacion, et al**

**Appeal From: District Court of Puerto Rico, San Juan**

**Fee Status: in forma pauperis**

**Case Type Information: 1) civil 2) private 3) civil rights**

**Originating Court Information**

**District: 0104-3 : 3:17-cv-01990-DRD Lead: 3:17-cv-01990-DRD**

**Ordering Judge: Daniel R. Dominguez, U.S. District Judge**

**Date Filed: 07/21/2017 This Case has not ended as of Aug. 6 2019**

**Date Order/Judgment:**  
**10/26/2017**

**Date Order/Judgment EOD:**  
**10/26/2017**

**Date NOA Filed:**  
**02/01/2018**

**Date Rec'd COA:**  
**02/12/2018**

03/20/2018



1 pg, 83.25 KB

ORDER entered by Juan R. Torruella, Appellate Judge: The order on appeal confirmed that the plaintiff's action is automatically stayed in light of the Commonwealth of Puerto Rico's PROMESA Title III case, and that "[a]ny motion for relief of stay shall be filed in Bankruptcy Case No. 17-bk-03283 (LTS)." This appeal shall be held in abeyance pending further stay-related proceedings in the Title III case. Any such proceedings will be conducted according to Judge Taylor Swain's case management and administrative procedures for "Stay Relief Motions." The plaintiff's motion to expedite a decision in her appeal is denied. The motion seeking to continue in forma pauperis on appeal is moot. The parties shall file status reports with this court every 90 days from the date of this order. [18-1131] (KC) [Entered: 03/20/2018 04:33 PM]

06/17/2019



2 pg, 42.62 KB

STATUS report filed by Appellees Departamento de Transportacion y Obras Publicas and Miguel Torres-Diaz. Certificate of service dated 06/17/2019. [18-1131] (CL) [Entered: 06/17/2019 11:38 AM]

07/22/2019



3 pg, 976.46 KB

LETTER filed by Appellant Betzaida Falcon-Andino, requesting a hearing. Certificate of service was not included. [18-1131] (MH) [Entered: 07/23/2019 01:40 PM]

**This last Case I included, in addition of been an Age Discrimination Case, it also shows the same suspension of the Appellant Right to have the Case reviewed in full here at the First Circuit;**

**In fact, her Case was never seen at the U.S. District Court for the District of Puerto Rico either, because the District Court also imposed the same criteria, as the Appellate Judge Juan Torruella:**

**So she was ordered to go to another Court, a 3<sup>rd</sup> Court, the Bankruptcy Court, without her evidence evaluated and without any decision from any Judge, first of all, about her Age Discrimination Lawsuit:**

**Also, Appellant is suing the Puerto Rico Government in this Case but the Department of Transportation, a different agency, where her Case took place.**

**There are more Cases, but in order to arrive faster to the Supreme Court is impossible for me to include them all, without creating another delay.**



## **TABLE OF AUTHORITIES CITED STATUTES AND RULES**

### **Age Discrimination & Harassment**

**It is unlawful to harass a person because of his or her age.**

**Quote, U.S. Equal Employment Opportunity Commission Website**

**<https://www.eeoc.gov/laws/types/age.cfm>**

**Sexual Harassment: "Harassment is when is so frequent or severe, it creates a hostile or offensive work environment, or when it leads to an adverse employment decision (such as when the victim is fired or demoted.)"**

**The harasser can be the victim's supervisor, .."**

**Quoted from the E.E.O.C. web site:**

**[https://www.eeoc.gov/laws/types/sexual\\_harassment.cfm](https://www.eeoc.gov/laws/types/sexual_harassment.cfm)**

**Sex-Based Discrimination: "Sex discrimination involves treating someone (an applicant or employee) unfavorably because of that person's sex." Quote from**

**<https://www.eeoc.gov/laws/types/sex.cfm>**

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## INDEX TO APPENDICES

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| <b>APPENDIX A: ORDER OF COURT Document: 00117459671</b> | July 3, 2019  |
| A 3: Judge Barron suspended my Right to Appeal Again    | Jan. 29 2018  |
| B 9: Document: 00117233284 from Judge Barron            | Dec. 14, 2017 |
| B 10: Order of Court: Reconsideration Motion Denied     | Oct. 10, 2018 |

B 11: Clerk of the Court of Appeals for the First Circuit Letter: Sept. 18, 2019  
2 pages letter, plus related letter  
requesting First Circuit Letter: 3 pages

B 12: Clerk of Supreme Court Letter: Sept. 16, 2019  
It clearly shows Court of Appeals  
must review Case first: 1 page

**APPENDIX C - Letter of March 2, 2018 with instructions**  
including modified proof of claim  
required for me to fill, against my will      **Pages 5-19**

**APPENDIX D: Definitions of the words stay and others;**

D 1: Page 1, Guide to Prospective Indigent Petitioners  
for Writs of Certiorary: nature of Supreme Court Review

D 2: Definition of the word Misconduct; *Merriam Webster Dictionary*

Not sent<sup>x</sup> D 3: My Misconduct Complaint against Judicial Council      July 5, 2019

Not sent<sup>x</sup> D 4: Judicial Council denied my Petition for Review

not sent<sup>x</sup> D 5: Judicial Misconduct: Chief Judge and Judicial Council  
ignored the evidence      June 28, 2019

x: unable  
to include on time  
P.E.R.S. 9-19-2019

1

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**: Case 17-2105

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

☐ reported at \_\_\_\_\_; or,

☐ has been designated for publication but is not yet reported; or,

☒ is unpublished.

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

☐ reported at \_\_\_\_\_; or,

☒ has been designated for publication but is not yet reported; or,

☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix \_\_\_\_\_ 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 July 3, 2019,

as well as my Rule 2 Suspension of Rules Request, simply sending me to another Court, the Bankruptcy Court.

☐ 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: July 3, 2019, and a copy of the  
order denying rehearing appears at Appendix A, A 2.

☐ 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

Sexual Harassment: "Harassment is when is so frequent or severe, it creates a hostile or offensive work environment or when it leads to an adverse employment decision, (such as when the victim is fired or demoted.)

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer."

**Quoted from the E.E.O.C. web site:**

[https://www.eeoc.gov/laws/types/sexual\\_harassment.cfm](https://www.eeoc.gov/laws/types/sexual_harassment.cfm)

### Sex-Based Discrimination:

"Sex discrimination involves treating someone (an applicant or employee) unfavorably because of that person's sex."

Quote from <https://www.eeoc.gov/laws/types/sex.cfm>

### Age Discrimination:

Age discrimination involves treating an applicant or employee less favorably because of his or her age.

### Age Discrimination & Work

The law prohibits discrimination in any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, benefits, and any other term or con Age Discrimination & Harassment It is unlawful to harass a person because of his or her age.

<https://www.eeoc.gov/laws/types/age.cfm>

### Age Discrimination & Harassment

It is unlawful to harass a person because of his or her age.

Harassment can include, for example, offensive or derogatory remarks about a person's age. Although the law doesn't prohibit simple teasing, offhand comments, or isolated incidents that aren't very serious, **harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).**

**The harasser can be the victim's supervisor,** a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

<https://www.eeoc.gov/laws/types/age.cfm>, quote from E.E.O.C web

**STATEMENT OF THE CASE: Appendixes included support all this**

**Taking this Case to the Bankruptcy Court, without a full review of my Appeal 17-2105 is like re-starting the same case all over again, and that is also an Unnecessary Delay.**

**The Questions Presented are now specifically directed to the content of the Orders for which I am seeking review, as clearly stated on the letter from the Clerk of the Supreme Court, dated September 16, 2019, but received on September 19, 2019.**

**Now, in just 5 questions, I precisely address the main problem with this Appeal, now under Petition for Review here at the Supreme Court:**

**The Appellate Judges are reinforcing the Bankruptcy Procedures called Title 3 PROMESA, or PROMISE in English, but the July 3 2019 Order of Court, which is the last one issued by the Appellate Judges, not only is repeating the same order from January 29, 2018, and December 14, 2017:**

**That final Order of the Court from July 3 2019, clearly says the Appellate Judges will not cancel the automatic stay or suspension of this Appeal, in the Case a relief is not granted at the Bankruptcy Court, and that automatically, eliminates any kind of review for Unsupported findings or conclusion, which is what my Appeal 17-2105 is all about;**

**Without the final review of the Appeal, and a Mandate from the First Circuit Court of Appeals in this Case, technically the Supreme Court will not have the final review specifically for Unsupported findings or conclusion, leaving this Appeal cancelled?**

**That is not only impossible, but also against Rule 10 from the Supreme Court:**

**The Court of Appeals is cancelling the possibility of a Petition at the Supreme Court, as my 5 Questions specifically show, and that is against the usual course of judicial proceedings, and they are making the Bankruptcy Court a Supreme Court?**

**Impossible. There is nothing specifically included under the so called bankruptcy Procedures, clearly showing this Appeal will be evaluated for Unsupported findings or conclusion at all; that is the job of the correct Court of Appeals, precisely where this Appeal is correctly located, but suspended or stayed, against the Right we have to have it fully reviewed, and with a clear statement on the last Order of Court from July 3, 2019, that says the automatic stay will remain in effect, even if a relief is denied at the Bankruptcy Court, denying me the possibility in that case, to a file a Petition for Review at the Supreme Court.**

**Appellate Judges are acting like a Supreme Court, and giving the Bankruptcy Court Supreme Court faculties, against Rule 10 from the Supreme Court, and also, against Rule 11: Everybody will know about this, because the Court are changed by unfair internal rules and policies.**

## REASONS FOR GRANTING THE PETITION

**Reasons: "(a) or (a United States court of appeals) has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;**

**" (c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.**

**Quote from [https://www.law.cornell.edu/rules/supct/rule\\_10](https://www.law.cornell.edu/rules/supct/rule_10),  
Rule 10. Considerations Governing Review on Writ of Certiorari**

**As clearly stated in this Rule 10, letter a, the United States Court of Appeals for the First Circuit departed from the accepted and usual course of judicial proceedings, by rejecting our right to have our Appeals reviewed in full as a matter of right; *Rule 10: (a)(c)***

**Appellate Judges are using like a judicial discretion to suspend our Appeals arguing the Bankruptcy Procedures approved by Judge Taylor Swain for the Bankruptcy Case the Appellee initiated at the Bankruptcy Court, against our right; *See Rule 10: (a)(c)***

**Is also against the Judicial Misconduct Act, to deny any of us our right to bring our Appeals here at the correct Appeals Court for a Full review in my Case, for Unsupported Findings or Conclusion, and Bad Faith and or Unnecessary Delays, against Rule 56, letter h, of the Federal Rules of Civil Procedure of this Court. *See Rule 10: (a)(c)***

**As stated on letter c, the U.S. Court of Appeals has decided an important question, by simply re-affirming the Title 3 Promesa Bankruptcy Procedures allowed at the U.S. District Court for the District of Puerto Rico, but denying our right to have a full review of our Appeals, and because this is a Case of 3 Types of Discrimination, the Courts are sponsoring Discrimination and Retaliation, delaying Cases without any need; *See Rule 10: (a)(c)***

**Sending us to re-start the Case at a Court we don't have to go, The correctness of a Judge decision at the District Court, is challenged at Court of Appeals, not at the Bankruptcy Court; *See Rule 10: (a)(c)***

**But is the Appellee/Defendant in this Cases against the Government of Puerto Rico who applied for Bankruptcy the one who needs to be there *See Rule 10: (a)(c)* at the Bankruptcy Court;**

**They have that right; we have the right to have our Appeals fully reviewed at the First Circuit in the Case of Puerto Rico, *See Rule 10: (a)(c)***

**By means of their updated Guide to Judiciary Policy, updated last March 2019, Judges minimize importance of their own delays, putting their policy above the Laws of Discrimination, Retaliation, Judicial Misconduct, above Rule 2, and Rule 56 letter h, against Rule 10, letters a and c;**

**because delays are not cognizable misconduct from a Judge, See Rule 10:  
(a)(c)**

**This is more than enough to grant my Petition  
for Review at this Supreme Court of the United States.**

### **Additional Reasons to Grant Review on a Writ of Certiorari: National Importance**

My decision to bring this Case to the Supreme Court, is important for all of us, either working at the local government of Puerto Rico, or at any private corporation in this Island, as well as within the Continental United States as other could easily say.

I brought evidence, not opinions or arguments, that an internal rule of no investigation or verification is required, and that it was unfairly promoted by the back then supervisor of that closed school as of today, Pedro López Canino Intermediate School also located in Dorado, Puerto Rico;

Is against the Laws of Discrimination, and against the Laws of Retaliation, that a government, and the Puerto Rico Department of Education, as well as the Department of the Family, and the Department of Labor and Human Resources also from Puerto Rico, are using internal rules, placing them above the fair Laws against Discrimination and Retaliation, and that this is sponsored by investigators, supervisors, and arbitrators from the 3 Appellees who were sued because precisely, this is evidence of a fabricated Case.

A previous school director, daughter of an influential member of one of main political parties in this Island, was trying not only to use her connections to try to be considered for the highly paid position of Secretary of Education in Puerto Rico, but also she was trying to find a single man in order to have a personal relationship with him, in this Case myself, over the wrong premise that I had money:

**Because I was not willing to accept that, events then were misrepresented with the aid of that unfair internal rule of no investigation or verification required, before proceeding any further with accusations, and the local Judicial Order of Puerto Rico, is allowing that. Rule 10: Reasons (a) (c)**

**No one should be pressured at work to have a relationship with someone in order to be able to keep a job, or pressured to be married if single, much less on an Education System.**

**Also, is well known that on Wednesday July 10 2019, the former Puerto Rico Secretary of Education Mrs. Julia Kelleher was arrested by the authorities for a corruption scheme during her work as Secretary, until recent weeks. Corruption is not education.**

**And as for the rest of the United States:**

**The whole U.S faces a problem, where discrimination could easily be promoted, within the same government, in order to unfairly advance discriminatory agendas in favor of the wealthy minority and fanatic groups.**



To end, my Retaliation Evidence, sent the same day it started, April 23 2019 through Express Mail was also rejected, along with several requests for Rule 2 Suspension of Rules due to good cause, because the Retaliation Evidence reinforce even more my evidence, but there is lots of Judicial Misconduct in handling this Appeal I brought, no matter called with other names to hide it, at the First Circuit. See Rule 10, Reasons a and c

The Appellate Judges have all the evidence. They are deciding without counting the evidence.

The Appellate Judges are also imposing their Judicial Discretion to issue Orders not only denying my Right to Appeal, but if I go to the Bankruptcy Court as they Order, this Appeal will not be evaluated at all for Unsupported findings or conclusion, and precisely, that has to be clarified before deciding any kind of relief; or simply it will be dead end, with no possibility of having this Appeal reviewed for what it came to the Court of Appeals:

Judicial discretion is not used to deny or grant an Appeal review at the Court of Appeals:

And worse: the Appellate Judges will not cancel the automatic stay of this Appeal, no matter it is still pending, so is useless to go to the Bankruptcy Court without the full review of this Appeal at the First Circuit.

The first thing is no to decide to grant a relief or not:

First of all, it has to be clearly established if there are 3 types of discrimination in this Appeal or not, my Appeal 17-2105 is about that, and the First Circuit has a job to do, but they are trying to impose a way, against Rule 10, and also Rule 11 of the Supreme Court, to skip this.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Pablo Enrique Rosado Sánchez

Date: September 19, 2019