

In the  
Supreme Court of the United States  
Lom Domingo Sr Petitioner  
vs  
Department of the Army et. al.  
Respondents

Motion For Leave to Proceed in  
Forma Pauperis and as a Disabled  
American Veteran.

Your Honors.

I, Lom Domingo Sr being a Disabled  
American Veteran wish to make a motion  
under rule 40.1 of the court to have the  
filing fee waived. As for proof of my  
DAV status a letter from the VAC  
dated April 24, 2019 shows the effective  
dates of my DAV and Military Service.  
This letter is the second document in the  
petition following my letter of introduction to  
the court.

Respectfully submitted  
Lom Domingo Sr.

July 11, 2019

To: the U.S. Supreme Court of the United States.

From: Tom Domingo Sr. Disabled American  
Veteran Pro Se Plaintiff.

Subject: Letter of Introduction

Your Honors,

I would like to introduce myself to this court since I am not a member of the bar or allowed so far to give testimony to this court as of yet.

My name is Tom Domingo SR I am a Disabled American Veteran (and let me say thank you for letting me file this writ of certiorari at no cost due to being a veteran) who served as a United States Marine Corps for 12 years during the Vietnam Era and later for 16 years as an Flight Service Air Traffic Controller for the FAA. I have worked for 7 presidents and protected 4 by keeping the air-space over the white house safe as part of my air traffic duties. I have had 4 top Secret Clearances and left my 28 year career honorably with a current secret clearance.

I hope this will help the court know somewhat of my integrity and love for this country as you look into this case. Again thank you for remembering our Veterans and God Bless this court and our nation

Tom Domingo Sr.

RECEIVED

JUL 1 - 2019

OFFICE OF THE CLERK  
SUPREME COURT, U.S.



**Department Of Veterans Affairs**  
6437 Garners Ferry Road  
Columbia, SC 29209

April 24, 2019

THOMAS DOMINGO  
1004 GILMAN RD  
ELKINS WV 26241

In Reply Refer To: 319/NCC/GAB  
C XXXXXX460  
DOMINGO T

Dear Thomas Domingo,

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

**Personal Claim Information**

Your VA claim number is: XXXXXX460  
You are the Veteran.

**Military Information**

The character(s) of discharge and service date(s) of the veteran include:  
Honorable, Marine Corps, 04/22/1981-04/19/1988  
Honorable, Marine Corps, 10/01/1975-09/28/1979

(There may be additional periods of service not listed above)

**VA Benefits Information**

Service-connected disability: Yes  
Your combined service-connected evaluation is: 90%  
Your current monthly award amount is: \$3,227.58  
Are you entitled to a higher level of disability due to being unemployable: Yes  
Are you considered to be totally and permanently disabled due to your service-connected disabilities:  
Yes, Effective Date: 05/19/2011

You should contact your state or local office of veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of veterans' affairs are available at <http://www.va.gov/statedva.htm>.

## Do You Have Questions or Need Assistance?

If you have any questions, you may contact us by telephone, e-mail, or letter.

If you	Here is what to do.
Telephone	For Compensation, call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 711. For Pension, call us at 1-877-294-6380.
Use the Internet	Send electronic inquiries through the Internet at <a href="https://iris.va.gov">https://iris.va.gov</a> .
Write	Put your full name and VA file number on the letter. Please send all correspondence to the address below: Department of Veterans Affairs Intake Center PO Box 4444 Janesville, WI 53547-4444 Toll Free Fax: 1-844-531-7818 DID : 248-524-4260

With sincere regard for the Veteran's service,

RO Director  
VA Regional Office

To email us visit <https://iris.va.gov>

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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**No. 18-2062**

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TOM DOMINGO, SR.,

Plaintiff - Appellant,

v.

DEPARTMENT OF THE ARMY, SAMR-EO-CCR Spurgeon A. Moore; US  
EEOC, Office of Federal Operations,

Defendant - Appellees.

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Appeal from the United States District Court for the Northern District of West Virginia,  
at Elkins. John Preston Bailey, District Judge. (2:18-cv-00004-JPB-MJA)

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Submitted: January 17, 2019

Decided: January 22, 2019

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Before WILKINSON and DUNCAN, Circuit Judges, and HAMILTON, Senior Circuit  
Judge.

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Affirmed by unpublished per curiam opinion.

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Tom Domingo, Sr., Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Tom Domingo, Sr., appeals from the district court's order dismissing for lack of jurisdiction his civil action challenging an employment decision under the Veterans' Preference Act and Veterans Employment Opportunity Act and referencing an employment discrimination claim filed with the Equal Employment Opportunity Commission. We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. *Domingo v. Dep't of the Army*, No. 2:18-cv-00004-JPB-MJA (N.D.W. Va. Aug. 28, 2018). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED*

FILED: March 18, 2019

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 18-2062  
(2:18-cv-00004-JPB-MJA)

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TOM DOMINGO, SR.

Plaintiff - Appellant

v.

DEPARTMENT OF THE ARMY, SAMR-EO-CCR Spurgeon A. Moore; US  
EEOC, Office of Federal Operations

Defendants - Appellees

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O R D E R

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The court denies the petition for rehearing and rehearing en banc. No judge requested a poll under Fed. R. App. P. 35 on the petition for rehearing en banc.

Entered at the direction of the panel: Judge Wilkinson, Judge Duncan, and Senior Judge Hamilton.

For the Court

/s/ Patricia S. Connor, Clerk

**Additional material  
from this filing is  
available in the  
Clerk's Office.**