

No. 20-1330

IN THE

SUPREME COURT OF THE UNITED STATES

JUNE M. DOMINO, Ph.D.-PETITIONER

FILED
MAR 18 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

—.RESPONDENT(S)

ON PETITION FOR WRIT OF CERTIORARI TO

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

JUNE M. DOMINO, Ph.D.

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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

- 1) Seven (7) government agencies failed in applying Title VII mandates as outlined in our United States Constitution; Was this a coordinated effort by government employees to undermine the Rule of Law for the purpose of attacking and/or diminishing our Democracy.
- 2) Did the United States Federal Court for the Eastern District violate Plaintiff/Petitioner's Constitutional Due Process rights by assigning and unassigning this Pro-Se litigant's case, in a deliberate effort to suppress evidence resulting in irreparable harm to this aggrieving Plaintiff?
- 3) Did AFSCME Employee Union as co-defendants in this case, violate Plaintiff's Constitutional rights of equal protection under law by a) failing to represent this Employee Steward with a licensed attorney, and b) remaining complicit for the purpose of maintaining their government contract with said Defendants?
- 4) Did the California Personnel Board breech Title VII requirements by ruling that an Employment Contract begins prior to an employee and employer ever demonstrates a meeting of the minds? Were their actions an attack on the rule of law, both in substance and in fact, that violates the basic tenants of Contract law?
- 5) Did Federal EEOC Analysts fail to issue a Subpoena to Defendants, to discover if the Employer engaged in Retaliation against this Plaintiff/Petitioner when the Employer received a Cease-and-Desist Order?
- 6) Did the United States Court of Appeals for the Ninth Circuit fail to provide this Plaintiff/Petitioner with equal protections under law, by sanctioning the lower court's ruling against this

QUESTION(S) PRESENTED Cont.

- 7) Pro-Se Litigant without applying due diligence and absent the investigation of genuine evidence?

- 8) Did Defendants, a government employer, engage in a “pattern” of racial discrimination against this Plaintiff/Petitioner for the purpose of preventing this African American Psychologist from becoming licensed in the State of California?

LIST OF PARTIES

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

All parties do not appear in the caption of the case on the cover page, A list of all parties to the proceeding in the court whose judgment is the subject of petition is as follows:

AFSCME LOCAL 2620
2550 N. Hollywood Way
Suite #209
Burbank, CA. 91505

CALIFORNIA STATE PERSONNEL BOARD
801 Capitol Mall
MS #22
Sacramento, CA. 95814

RELATED CASES

<https://www.sacbee.com/latest-news/article219809640.html> This news brief informs the Court of the Culture operating within CDCR. It is most relevant to this case because it provides historical evidence that identify government administrators who attack the rule of law daily.

Ralph Coleman, et al., v. Gavin Newsom, et al. Docket No. 90-CV-520 United States District Court Eastern District of California. This case serves as “evidence” of a history of Racial Discrimination within California Correctional Health Care Services, for which an actual Consent Decree is currently operative. It informs the Court of a “pattern” of Title VII violations against both minority staff as well as inmates.

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APPENDIX A	CASE NO.: 1:19-cv-01790 JUNE M. DOMINO PH. D., PLAINTIFF IN PRO- SE MOTION TO SET ASIDE COURT INSTRUCTION ENTERED: 12/02/2020
APPENDIX B	CASE NO-20-16328 UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT DISMISSAL ENTERED: 10/20/2020
APPENDIX C	CASE NO.: 1:19-cv-01790-SKO FIRST SCREENING ORDER RE: PLAINTIFF'S JUNE M. DOMINO, IN PRO SE ORIGINAL COMPLAINT. SIGNED BY: MAGISTRATE JUDGE SHEILA K. OBERTO. ENTERED: 03/03/2020
APPENDIX D	CASE NO.: 1:19-CV-01790-NONE-SKO COURT ORDER UNASSIGNING EASTERN DISTRICT JUDGE SIGNED BY CHIEF JUDGE KIMBERLY J. MUELLER/NORTHERN DISTRICT. ENTERED: 02/03/2020

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- APPENDIX E** CASE NO.: 1:19-cv-01790
JUNE M. DOMINO, Ph. D. – PLAINTIFF IN PRO SE
v. CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES,
et al.
[ORIGINAL COMPLAINT]
- APPENDIX F** CASE NO.: 181948
CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES,
RESPONDENT'S REQUEST FOR OFFICIAL NOTICE IN
SUPPORT OF CLOSING BRIEF.
PROOF OF SERVICE DATED 6-13-2019
- APPENDIX G** U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA CIVIL DOCKET FOR CASE #: 1:19-cv-01790-NONE-
SKO As of: 02/05/2021

TABLE AUTHORITIES CITED

CASES

Conley v. Gibson, 355 U.S. 41 at 48 (1957)

Davis v. Wechler, 263 U.S. 22; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449

Elmore v. McCammon (1986) 640 F. Supp.905

Haines v. Kerner, 404 U.S. 519 (1972)

Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240; Pucket v. Fox, 456 2nd 233

Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals

STATUTES AND RULES

ABUSE OF AUTHORITY

DISCOVERY SUBPOENAS REQUIRED

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

[X] For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix B, to the petition and is

[NA] reported at _____; or, [[NA] has been designated for publication but is not yet reported; or, [X] is unpublished.

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

[N/A] _____ reported at; or, [] has been designated for publication but is not yet reported; or, [X] is unpublished.

[N/A] 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 State of California Personnel Board appears at Appendix, F, to the petition and

[] reported at _____; or, [] has been designated for publication but is not yet reported; or, [X] is unpublished.

JURISDICTION

For cases from federal courts:

The date on which the United States Court of Appeals decided my case was
October 19, 2020

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: _____, 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. 1254(1). In the instant case currently pending before all Courts the Plaintiff moved the Court for the purpose of resolving a Federal Question derived from Title VII statutes, United States Constitutional Amendments, and Equal Protection Under Law.

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

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on Race, color, religion, sex and most recently age discrimination.

14th Amendment explains that all persons born or naturalized in the United States... are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

STATEMENT OF THE CASE

This case is an examination of an attack on the Rule of Law which has emerged from within various government agencies physically located in the Central Valley of California. I regret to inform you that the citizens of the United States have been attacked from within. The purpose of said attack was, and remains a genuine threat to our Democracy. A review of the evidence demonstrates that the rule of law was desecrated by specific employees who seek to advance their personal politics for the purpose of destroying our Democracy. If they are successful in annihilating the rule of law, then the United States Democracy will fail. California has historically been considered as forerunners in establishing legal jurisprudence throughout this country. This appears to be the reason political pundits against our Democracy have begun to lay the groundwork in this part of the country. This case must be heard by the United States Supreme Court for the purpose of protecting our Democracy. Evidence will show that the rule of law is the main frontier for the dismantling of Democracy throughout the world. This case shall identify how the United States is exposed, where our vulnerabilities lie, and how to safeguard our legal system. As an educated woman, I dare not approach your Bench without "evidence". This case has been delayed since 2019 in an effort to hide the evidence. I come before you today, urging you to simply examine the e-mails, the tape recordings, witnesses who rely on Subpoena, all for the purpose of protecting the land I love and was born in, The United States of America.

STATEMENT OF THE CASE CONT...

In April 2015 I approached California Correctional Healthcare Services for a position as Staff Psychologist. Upon submitting my resume and going through an extensive credentialing process, they offered me a job, three hundred miles away from my home, as a Staff Psychologist, in Chowchilla at their Women Prison. I so longed to work in my field of specialization, I packed my bags and stayed in a hotel. I was informed that relocation compensation was unavailable. My first day of work I was assigned to a supervisor who had a master's degree. Surely the Chief of Mental Health would adjust this situation. I walked in the door with a Ph.D., all intern hours completed, and four years to obtain a license, with a firth year taken under advisement should there be extenuating circumstances. After one month on the job the racism emerged. Determined to serve a population of women who were at there lowest ebb in life, I took a deep breath and did my job. During the first year they did everything to make me quit. When they saw I was determined, by the Second year they began their set-up tactics which were later exposed. Finally, by the Third year they became desperate, they issued a Non-Punitive Termination using a manufactured Rule of Law. Defendants insist that my employment contract with CCWF did not begin on October 1, 2015, my first day of work; but rather my employment contract began in 2009 when I was accumulating student intern hours required by law for the purpose of acquiring a Ph.D. in Clinical Psychology. This was a racist and desperate attempt to interrupt my ability to become licensed in my field. The fact of the matter is they did not want me to help those inmates who were attempting to rebuild their lives. The State would

STATEMENT OF THE CASE CONT...

make far more money if they were in prison than if they were with their families.

Unfortunately, they did not realize that because of the culture we now live in, there is no shortage of offenders.

Nevertheless, Defendants terminated me in three years, publicly admitting that they made a mistake interpreting the law. That in fact my time had elapsed before they hired me. To which I reply, if you make a rule that applies to some Psychologist but not all Psychologist, the rule is unenforceable. In the end, the rule itself is rendered null and void.

Most importantly, this was an attack on the rule of law. In fact, Defendants were so proud of their victory that they petitioned the Court for a precedent. Now the hidden agenda emerges! A forensic psychologist would ask, who were these people? I did not know them. They were not from my Department. What message were they trying to send? Here we find a group of administrators who seek to attack the rule of law. They do not want to create a bill to be placed on the ballot. They seek to force all of society to see things their way. They seek to become both the Judge and the Jury. They present themselves as anti-government. They resist both Democrats and Republican policies. They do not believe in Courts, they do not believe in Science, they do not believe in Democracy. In all fairness to them I ask, what proof do we have of their position? Listen to the evidence. Hear what they say on public CD's. Look at the written evidence. Hear from the witnesses who are afraid to speak-up unless they

STATEMENT OF THE CASE CONT...

receive a written Subpoena for fear that their careers would also be ruin. Examine the e-mails then come to your own conclusion. Only then will you understand what my personal experience has shown me. Don't take my word for it, allow me to show you the evidence.

REASONS FOR GRANTING THE PETITION

The Court should grant Certiorari of this case because daily we are discovering systemic attacks on the Rule of Law. Without the rule of law our Democracy cannot exist. If we are to remain a Democracy in the United States of America it is imperative that we identify attacks from within. This is an urgent, fluid dilemma that affects all unsuspecting Americans. This case informs the United States Supreme Court, in real time, of specific vulnerabilities to our Constitution that require additional safeguards. The United States Supreme Court must stand with our Founding Fathers to declare that our Democracy is not for Sale.

A review of the “evidence” demonstrates that at no time has this Plaintiff ever petitioned the lower court for a Notice of Interlocutory Motion nor Appeal. A review of all writings created and filed by this Plaintiff/Petitioner, has never contained the words Notice of Interlocutory Appeal. Notwithstanding entries made to the Court’s Docket by the United States District Court for the Eastern District, a careful review of actual documents indicates that the Clerk of the Court inaccurately characterized Plaintiff’s Motion as such. Plaintiff has never moved the lower court for any such motion. Hence, we find that the Eastern District’s ruling was at best, misleading. However, due diligence was required to cure this defect. Moreover, should any such Motion be considered as valid, the Court itself would step into the shoes of this aggrieved Plaintiff and would become the “moving party” in this case.” Such an action by the Court would be a clear departure from the accepted and usual course of Judicial proceedings and

REASONS FOR GRANTING THE PETITION CONT...

Therefore, qualifies as a violation of due process of law. It is precisely for this reason that Petitioner now calls for an exercise of the Supreme Court's authority to hear this case.

Secondly, Plaintiff is a Litigant in Pro Se who filed her original Complaint using the Eastern District Court's forms. On December 27, 2019, the case was assigned to Magistrate Judge Sheila K. Oberto. On February 3, 2020 and without providing legal Notice, Judge Dale A. Drozd, who has never been assigned to this case, petitioned the Northern District Court for an Order to unassign Plaintiff's Case. Although said Order was dated for February 2, 2020 long after Plaintiff's case had been assigned, the Eastern District Court applied Judge Mueller's Order "retroactively" for the purpose of preventing Plaintiff from being heard and heard in a timely manner. Interestingly enough, Judge Mueller's Order stated that Plaintiff's case was "unassigned until a new district judge could be appointed".

The Court shall take notice that one of the main reasons Magistrate Judges are assigned to various cases that arrive throughout our judicial system, is to address the lack of Federal Judges required to meet the current influx of pleadings that come before the court. The fact that Judge Mueller's Order contained the words "this action is hereby unassigned until a new district judge is appointed" serves as an unnecessary delay of Plaintiffs right to be heard before the bench. Thus, the combination of assigning and unassigning this case, coupled with denying Plaintiff access to the Court,

REASONS FOR GRANTING THE PETITION CONT...

notwithstanding the jurisdictional delay set in motion by the Northern District's involvement in the Eastern District's case, serves as clear and convincing evidence of violations of this Plaintiff's/Petitioner's constitutional rights. The fact that the United States Court of Appeals for the Ninth Circuit ruled on a case that was never set-in-motion by the Plaintiff and was inaccurately characterized by the lower court is nothing less than an infringement upon the rule of law and an egregious erosion of Plaintiff's Constitutional Right to present evidence before the Court.

It is also significant to note that contained within the lower Court's pre-printed forms on Page 5, Section 3, Line 1, we find these words, "Do not make legal arguments". Despite the fact that Plaintiff clearly followed the instructions contained in the Eastern District Court's filing packet, the Eastern District's admonishment of this Plaintiff made it abundantly clear that the Court had no intention of allowing the facts of this case to come before the bench. Upon a careful review of the District Court's Docket, it is reasonable to conclude that no matter what this Pro Se litigant would set in motion, ultimately the Eastern District Court would delay and deny Plaintiff's quest for justice. Furthermore, the Appellate Court would sanction all Eastern District Court's decision. Here we find the mechanisms of Systemic Racism currently operating against African Americans sparsely located in the Central Valley of California.

From the onset of this case, we see evidence of the Eastern District Court's intention to eliminate Plaintiff's right to present her case before the bench, along with

REASONS FOR GRANTING THE PETITION CONT...

an illegal filibuster designed to protect Defendants and to create economic poverty in the Plaintiff's life.

Although Defendants originally created this problem a careful review of the file demonstrates that a perpetual amount of assistance contributed to fueling this attack on our Democracy by distorting the rule of law. More specifically, a review of the evidence supports a historical pattern of Institutional Racism throughout the Central Valley California dating as far back as 1908 with the destruction of an African American township known as Allensworth. Clearly this problem is bigger than any one person.

The fact of the matter is that anytime our rule of law is prostituted, intentionally misinterpreted, withheld, or used to accomplish an illegal act; the effects of such actions reverberate throughout all of society and serves as an open wound to our Democracy. Embedded in our modern-day culture are government employees who are afraid to apply the rule of law for fear of attacks often by their own colleagues. Still others have used their positions to enforce their own politics by deserting and often desecrating the rule of law. Under such circumstances we find the deterioration of Law and Ethics. The evidence in this case is irrefutable. There is no getting around the fact that the United States District Court for the Eastern District of California violated this Plaintiff's Civil and Constitutional Rights. Under no circumstances did the Court intend for the evidence to be presented in this case. A review of the Court's Docket certifies that this

REASONS FOR GRANTING THE PETITION CONT...

case was assigned, then unassigned in collaboration with THREE (3) Federal Justices. Consequentially it is the Court's own Docket which illuminates a hidden agenda from the onset of this case.

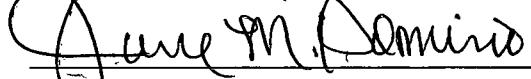
Anytime a Government Institution, a State Administrative Court, a Federal District Court, and a Court of Appeal distorts, or intentionally misinterprets the rule of law, it is a viral, systemic attack on our Democracy. The effects of which creates an economic burden on all segments of our society.

Because our Supreme Court Justices hold lifetime appointments, they cannot be tarnished by, fame, money, or power. Truly you are the cement that hold our Democracy together. It is with this understanding that I place my trust in you. Today I come before you simply requesting that you provide this litigant in Pro Se an opportunity to present the "evidence which proves that our Democracy is currently under attack. Such an opportunity would preserve others who have been forced into poverty by the destruction of our rule of law. It would inform the Court of Who, Where, What, Why and When our Democracy was attacked and how it continues to be diminished daily. For all of the reasons as described herein, Petitioner now calls for an exercise of the Supreme Court's authority to hear this case.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,


JUNE M. DOMINO
JUNE M. DOMINO, Ph.D.-Pro-Se

Date: 3/18/21