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No. 19-1705

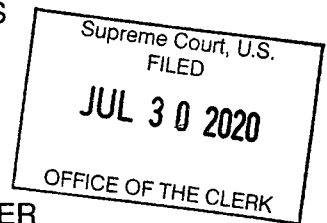
(4:16-CV-03326-RBH)

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Clara Lewis Brockington — PETITIONER
(Your Name)



VS.

S.C. Dept. of Social Services;
and Reese Palmer; — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for Fourth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

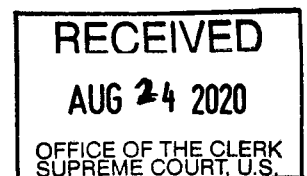
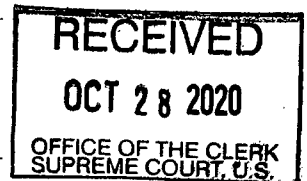
PETITION FOR WRIT OF CERTIORARI

Clara Lewis Brockington
(Your Name)

P.O. Box 3232
(Address)

Florence, SC 29502
(City, State, Zip Code)

843-616-1317
(Phone Number)



QUESTIONS PRESENTED

- 1/ Why did S. C. Department of Social Services terminate Pro Se Plaintiff from employment with S. C. Department of Social Services when it was not about passing a test?
- 2/ Why wasn't I given another chance to take the test which is protocol and fairness for not passing the test that others were given 3 to 4 times to making a passing score on the test?
- 3/ Why Mr. Reese Palmer, County Director and the two females who were contractual workers hired by the University of South Carolina (Alma Mater), who were administrating the tests for Department of Social Services, discuss this in the testing and hiring process, that this was contingent in the hiring process, that a test has to be taken with a passing score in order to complete your hiring process?
- 4/ Why S. C. Department of Social Services refused to pay Pro Se Plaintiff Workers' Compensation when my supervisor, Ms. Gooden, was with me when I left to go home and fell at S. C. Department of Social Services?
- 5/ Being a Master's Level Graduate of the Prestige University of South Carolina, I have confirmed with my Professors, that in order to teach any classes as an employee of this university, you **MUST HAVE A MASTER'S DEGREE**. I can confirm that both females informed me and several other employees of Department of Social Services that they **DID NOT HAVE MASTER'S DEGREE**.
6. Would you agree that I was wrongfully terminated for not being given the opportunity to pass a test that was not a part of the hiring process, and denied worker's compensation when I fell at S. C. Department of Social Services while walking to my car and discriminate against when I was denied taking the test 3 or 4 times like other younger employees?

LIST OF PARTIES

- ☒ All parties appear in the caption of the case on the cover page.
- ☐ All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

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TABLE OF AUTHORIZED CITED

CASES

Liggins v. Archdiocese of Los Angeles Pregnancy and Discrimination

Ortiz v. Chipotle: Worker's Compensation, FMLA and Workplace Discrimination

Nike's Class Action Litigation: Unequal Pay = Unequal Treatment

Foster v. University of Maryland – Education Shore

New Prime Inc. v. Oliveira

Henry Schein Inc. v. Varela

Mount Lemmon Fire District v. Guido

Fort Bend County, Texas v. Davis

Yovino v. Rizo

BNSF Railway Company v. Loos

Kisor v. Wilkie

Parker Drilling Management Services, Ltd. V. Newton

Altitude Express, Inc. v. Zarda.

Bostic v. Clayton County, Georgia

R. G. & G. R. Harris Funeral Home v. Equal Employment Opportunity Commission

STATUTES AND RULES

U. S. C. § 630(b)(2) ADEA

OTHER

United States Constitution Amendment V

United States Constitution Amendment XIV

Appendix B

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

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

OPINIONS BELOW

☐ For cases from federal courts:

The opinion of the United States court of appeals appears at Appendix _____ 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 D 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 _____.

☐ 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).

☒ For cases from state courts:

The date on which the highest state court decided my case was March 3, 2020.
A copy of that decision appears at Appendix D.

☐ 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).

CITATIONS OF OPINIONS

U.S.C. % 630(b)(2) ADEA

CONSTITUTIONAL PROVISIONS AND STATUTES

According to the Fifth Amendment of the Constitution, Pro Se Plaintiff has the rights to take a test given to other employees at S. C. Department of Social Services more than two times if others are given the tests three or more times.

The Due Process of the Fourteenth Amendment of the Constitution states that, "No state shall deprive any person of life, liberty or property, without due process of the law; nor deny to any person within its jurisdiction the equal protection of the laws." This statute means that S. C. Department of Social Services deprived Pro Se Plaintiff of taking the test more than twice, as others were allowed and the principles of discrimination and prejudice were presented among Pro Se Plaintiff when the test were not offered when it was requested. Pro Se Plaintiff requested to be allowed to test a third time to County Director, Testing Instructors, Supervisors, etc. (*Dennis v. United States*, 341 U.S. 494, 500. 1951).

STATEMENT OF THE BASIS FOR JURISDICTION

The Judgement of The United States Court of Appeals was entered on March 3, 2020, denying the Motion for Reconsideration.

Pro Se Plaintiff is now before the Supreme Court as an Indigent Petitioner for Writs of Certiorari to review the final judgement and grant in favor of Pro Se Plaintiff.

STATEMENT OF THE CASE

FACTUAL BACKGROUND

The Petitioner was hired by South Carolina Department of Social Services as a Foster Care Worker on a group interview. Mr. Reese Palmer was the County Director that hired everyone. There was no mention of a test contingent that you remain in your position. Paperwork for insurance, etc. was completed by the Petitioner in the Personnel Office on this date. After completing all paperwork, the Petitioner was told that Human Resources will notify by e-mail when and where to go and take the drug test, as well when to report to work at the Department of Social Services Office on Two Notch Road in Columbia, South Carolina, where all the interviews were held.

After being notified to take the drug test, Human Resource Director notified the Petitioner some weeks later that Petitioner passed the drug test and will now just wait on her to call on a start date. Mr. Reese Palmer notified several employees when and where to report for your first day of work. Again, there is still nothing said about having to pass a test and Petitioner has been given a drug test, completed all necessary paperwork for a new applicant.

After following different employees for about six weeks, my supervisor, Ms. Gooden stated to me that I will be going to the building down the street in to take a test along with other new employees. I questioned that and Ms. Gooden said, "I don't know why Human Resources did not tell you when hired because all of us had to take the test and pass the test in order to continue working as a Foster Case Manager.

This Petitioner took the test along with about 25 other new employees and was told by numerous new employees that they did not pass the test. I did not pass the test and requested to see my test so that I will know what to study next time and what how to test. I questioned my supervisor on not being able to review my test with whoever made that rule because you review your test in high school, middle school, as well as college. Ms. Gooden refused to answer or find out why I could not review my test. Ms. Gooden stated that I will be able to take the test again. I inquired when will I be able to take the test again and she stated that Human Resources set up the testers as well as the testing sites.

Approximately three or four weeks later, I was notified again that I will be taking the test over again at the same place. After taking the test again, I did not feel confident about the material I studied. I was notified again that I did not pass the test by one of test givers in the class. I informed her that I would like to see my test so that I can see what I am doing incorrectly. She informed me that I could not see the test. I then responded by saying since the University of South Carolina contract with Department of Social Services to utilize this test, I will contact the University, which is my alma mater and inquire if that is correct? Also, I stated to my Supervisor that the two women who are overseeing the tests do not have Master's Degrees and it is a requirement to have a **master's degree** before you can teach at any level. When I stated this to the White Female, she looked at me very strange. When I returned to work, Mr. Palmer, County Director, called me to his office and stated that we no longer need your service. I inquired why I was being terminated and Mr. Palmer stated that I had two tries to pass the tests and I failed on both tries. I responded that another young lady who took the test 3 or 4 times is still employed with Dept. of Social Services with the

REASONS FOR GRANTING THE WRIT

Pro Se Plaintiff is requesting compensation for the fall at S. C. Department of Social Services, medical reimbursement, time off from work and not being paid, salary for wrongful termination, workers compensation pay, discrimination pay, copies of my actual tests to show that I did NOT pass the test with the key answers to the tests, punitive damages, etc.

My reasons why the Court should grant my WRIT are because:

1/I am truthful and have no reasons to be untruthful because the Court has all the evidence.

2/I have been discriminated against in more than one category.

3/I have been wrongfully terminated due to challenges and NOT failing a test.

4/I have witnesses that other employees at Dept. of Social Services have failed the test more than twice and continued to work for Dept. of Social Services.

5/I have **never** received any verbal or written write-ups during my entire work time at Dept. of Social Services.

6/Pro Se Plaintiff's supervisor and I had a great working relationship with no complaints concerning my work ethics, tests, punctuality, assignments, job description, not following directions, failing to obey DSS orders, complaints from clients, agencies, supervisors, County Director, etc.

7/Pro Se Plaintiff had to file for disability, due to my injuries from Dept. of Social Services and was never compensated. I am walking with a cane, have a rollator when walking becomes unbearable and this will be my permanent mobility for the remainder of my lifetime.

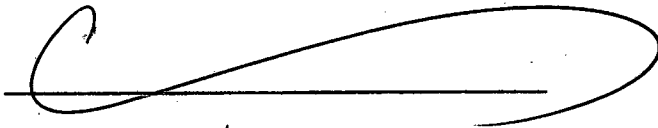
CONCLUSION

In conclusion, please review the WRIT in its entirety that includes all my documentation to rule in my favor, due to my physical damages, medical damages, psychological damages, financial damages with no income for years, discrimination, wrongfully termination, etc., that Pro Se Plaintiff is continuing to have to deal with the remainder of my lifetime. No one should have to endure this lifestyle and not be compensated when I did not contribute to the discrimination. Thanks in advance for the COURT taking the time to grant in favor of Pro Se Plaintiff.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

A large, stylized handwritten signature in black ink, written over a horizontal line.

Date:

07/24/2020

Corrected on

08-17-2020

(CLB)