

No. 20-7836

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

Supreme Court, U.S.  
FILED

APR 12 2021

OFFICE OF THE CLERK

DERRICK ZU. ALLEN SR. PETITIONER  
(Your Name)

vs.

TED ZWIRE ET. AL. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. COURT OF APPEALS FOR THE 4<sup>TH</sup> CIRCUIT  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

DERRICK ZU. ALLEN SR.  
(Your Name)

P.O. Box 1675

(Address)

RALEIGH, NORTH CAROLINA

(City, State, Zip Code)

27602

(919) 564-8881

(Phone Number)

RECEIVED  
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SUPREME COURT, U.S.

QUESTION(S) PRESENTED

3 WHETHER THE U.S. COURT OF APPEALS ERRED  
IN ADOPTING THE ORDER OF DISTRICT COURT  
JUDGE THOMAS D. SCHROEDER, IN DISMISSING  
THE TITLE VII CIVIL RIGHTS ACT OF 1964, THE  
AGE DISCRIMINATION EMPLOYMENT ACT, PETITIONER'S  
FOURTEENTH AMENDMENT CLAIM, AND  
TOO DENIAL OF ~~THE~~ APPOINTMENT OF COUNSEL;  
THE FEDERAL QUESTION IS WHETHER PETITIONER'S  
CONSTITUTIONAL RIGHT(S) HAS BEEN INFRINGED?

## **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:

ERIK BUCONIE, General Manager, 3Will  
Austin, Kitchen Manager, DAVE SIGUNUND,  
Kitchen Manager, CASEY HUMPHRIES

## **RELATED CASES**

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## TABLE OF AUTHORITIES CITED

### CASES

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KIMEL V. FLORIDA BD. OF REGENTS 139 F.3d 1426.

### STATUTES AND RULES

14TH AMENDMENT OF THE UNITED STATES CONSTITUTION.

42 USC 2000C-5(b); 29 U.S.C. 211; 29 U.S.C. 626, 42 U.S.C. 2000ff-6

SECTION 704(a) OF TITLE VII; SECTION 4(d) OF THE ADEA; SECTION 503(a) OF THE ADEA, AND SECTION 207(f) OF GINA.

29 U.S.C. 631(a)

### 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**

For cases from **federal courts**:

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

reported at 20-7439; 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 is unpublished.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 B to the petition and is

reported at 1:19-cv-00689; 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 02/26/2001.

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: APRIL 6, and a copy of the order denying rehearing appears at Appendix A.

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

THE FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION PROVIDES, [SECTION I] --

"ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES, AND SUBJECT TO THE JURISDICTION THEREOF, ARE CITIZEN(S) 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 CITIZEN(S) 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 LAWS.

STATEMENT OF THE CASE

PETITIONER PETITIONED THE DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA IN RE EMPLOYMENT DISCRIMINATION.

DISTRICT COURT JUDGE THOMAS D. SCHROEDER ADOPTED THE RECOMMENDATION OF THE MAG. JUDGE.

PETITION APPEALED TO THE U.S. COURT OF APPEALS FOR THE FOURTH CIRCUIT.

PETITIONER PETITIONED THE U.S. COURT OF APPEALS FOR THE 4<sup>TH</sup> CIRCUIT FOR AN REHEARING AND REHEARING EN BANC.

**REASONS FOR GRANTING THE PETITION**

Citizen(s) of the United States are  
guaranteed the equal protection of laws,  
in accordance with the 14th Amendment...  
of the United States Constitution.

## **CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Derrick M. Allen Jr.

Date: 04/12/2021