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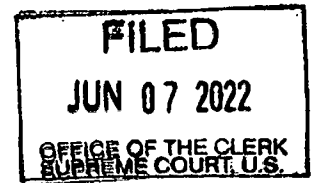
No. _____

IN THE
Supreme Court of the United States

CAROLINE ALASAGAS,
Petitioner,

v.

ANTHONY J. BLINKEN, SECRETARY OF STATE
Respondent,

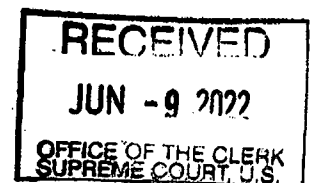


PETITION FOR
WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE 4TH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

BRIEF FOR COMPLAINT
FOR A CIVIL CASE IN VIOLATION
OF "PETITIONER'S" CIVIL RIGHTS
Title VII Civil Rights Act of 1964

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QUESTION PRESENTED

With respect to the Laws of the United States of America under the U.S. Constitution of 1776, the Petitioner filed a Complaint for a Civil Case, comprehensively followed the Court Policies and Procedures and submitted the required evidence to be heard at the U.S. Court of Appeals for the Fourth Circuit – contrary to the Respondent’s (U.S. Department of State, a Federal Agency) submission. Petitioner’s request to find justice under the law currently left unanswered on the basis of the denial for petition for rehearing asserted by the U.S. Court of Appeals for the Fourth Circuit.

Petitioner is citing the Unpublished Opinion by the U.S. Court of Appeals for the Fourth Circuit to inform the U.S. Supreme Court that the decision against the Petitioner undeniably challenges the Local Court Rules & Court Procedures. The law explicitly articulated, **“All Litigants without exception must follow the full governance of the court statutory rules pursuant to Federal Rules of Civil Procedure – 26 U.S.C. 7402(b) & 7604(a).”** The Respondent failed to comply with the court jurisdiction thus forfeited its legal rights to defend in court, with no legal standing and without legal authority? *Appendix B1-B2, Unpublished Opinion, 22JUL2021.*

I. Did the U.S. Court of Appeals for the Fourth Circuit err in “Denying the Petitioner for a Rehearing,” when the firmness of the facts remain; Respondent deliberately violated the Local Rules & Court Procedures and “Enforcement of the Court Proceedings” was not factored into the decision? *Appendix E & F, Civil Rule 1 Scope of Rules (A) Application & (B) Statutory Rules, The Rules Enabling Act, 28 U.S.C. § 2071-2077.*

II. Did the Petitioner's request for a Protective Order due to the recent retaliatory action (latest unsupported allegation) by the Respondent influenced the decision to "Deny the Petitioner for a Rehearing" at the U.S. Court of Appeals for the Fourth Circuit? *Appendix C, U.S. Department of State, Email, 05NOV2021.*

III. By what Standard of the Law is the Respondent allowed to submit the "*Wrong Docket Number*" and at the same time failed to provide a "*Notice to Strike*" in rectifying the major error the at Eastern District Court of Virginia, Alexandria Division?

IV. By what Standard of the Law is the Respondent allowed to continue to argue its defense on the "*Wrong Docket Number*" with a massive failure to comply with the Court Summon Jurisdiction at Eastern District Court of Virginia, Alexandria Division and at the U.S. Court of Appeals for the Fourth Circuit?

V. By what Standard of the Law is the Respondent furtively indict the Petitioner of a "Misconduct Charge" and covertly submit the dubious charges to the State of Virginia, Virginia Employment Commission – "Without the Petitioner's complete knowledge, Without Legal Due Process, and Without Material Evidence?"

Petitioner's Civil Rights Lawfully Advocated: Title VII of Civil Rights Violations, Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. and the Age Discrimination in Employment Act of 1967 (ADEA), as amended, 29 U.S.C. § 621 et seq.; 31 U.S. Code § 6711. Prohibited discrimination – Age, Racial, and Gender Discrimination; 29 U.S.C. § 206?" *Appendix K1-K7, U.S. EEOC Office of Federal Operation, 25FEB2020,*

LIST OF PARTIES

All parties appear in the caption of the case, as articulated by the Clerk of the Supreme Court of the United States. All parties are being served on June 4, 2022.

Note:

The Secretary of State position formerly held by Hon. Michael R. Pompeo during the initial submission of the “Complaint for a Civil Case at U.S. District Court for the Eastern District of Virginia, Alexandria Division – Civil Action No. 1:20-CV-00581-RDA-IDD.”

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<i>Prohibited Discrimination – Age, Racial, and Gender</i> <i>Discrimination, 31 U.S. Code § 6711.....</i>	<i>passim</i>
<i>Equal Pay Act (EPA) & EEOC Statutes,</i> 29 U.S.C. § 206	<i>passim</i>
<i>Social Security Act §1176, 42 U.S.C. 1320d–5 (A).....</i>	<i>passim</i>

PETITION FOR WRIT OF CERTIORARI

Petitioner, Caroline S. Alasagas respectfully request the issuance of Writ of Certiorari to review the judgment of the United States Court of Appeals for the Fourth Circuit.

DECISION & UNPUBLISHED DOCUMENT

The recent decision of the U.S. Court of Appeals for the Fourth Circuit is a single page Published Opinion dated 30 November 2021 and Unpublished Opinion dated 22 July 2021, are attached hereto. *Appendix A1-A3 & Appendix B1-B2, Unpublished Opinion.*

JURISDICTION

The opinion and judgment of the Fourth Circuit was issued on 30 November 2021. Petitioner timely filed a Petition for Rehearing En Banc, on 20 August 2021 which was denied by the Fourth Circuit. This Court's jurisdiction is invoked under 28 U.S.C. § 1254 as stated.

RELEVANT JURISDICTION

Petitioner's Complaint for a Civil Case

- United States District Court for the Eastern District of Virginia at Alexandria. Dates of the order or orders for which review is sought: 03/31/2021.
- U.S. Equal Employment Opportunity Commission, Office of Federal Operations Appeal No. 2019005830 dated 25 February 2020.
- Virginia Employment Commission (VEC) first notification of the Misconduct Charge filed – the charges filed was submitted without the Petitioner's knowledge, without legal due process, and with no legal Material Evidence to support its claim since 23 January 2019.

FEDERAL LAWS INVOLVED

List of specific federal statutes, Civil Rights Act Violations, U.S. Labor Laws, Social Security Act, and/or

provisions of the United States Constitution that are at issue in this Complaint for a Civil Case reviewed and noted by the U.S. Equal Employment Opportunity Commission of the Right to File a Civil Action against the Respondent, a representative of State Department.

- a) Dept of Labor EEOC: Title VII of Civil Rights Violations, Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq.
- b) Age Discrimination in Employment Act of 1967 (ADEA), as amended, 29 U.S.C. § 621 et seq.
- c) 31 U.S. Code § 6711. Prohibited Age, Racial, & Gender Discrimination.
- d) 29 U.S.C. § 206. Equal Pay Act (EPA) & EEOC Statutes.
- e) Social Security Act §1176 42 U.S.C. 1320d-5, Coerced to violate the Social Security Code.

FEDERAL, STATE & LOCAL COURT RULE

Infringement and violation of the gate-keeping standard of the Federal, State & Local Court Rule Policies and Procedures:

- a) Local Civil Rule 1 Scope of Rules (A) Application: These Local Rules, made pursuant to the authority granted by Fed. R. Civ. P. 83 for the United States District Courts, as prescribed by the Supreme Court of the United States, so far as not inconsistent therewith, shall apply in all civil actions and civil proceedings in the U.S. District Court for the Eastern District of Virginia.
- b) Local Civil Rule 1 Scope of Rules (B) Statutory Rules: 1 U.S.C. §§ 1-5.
- c) U.S.C. Court Procedures under the Rules Enabling Act, 28 U.S.C. § 2071-2077.
- d) Federal Rules of Civil Procedure – 26 U.S.C. 7402(b) & 7604(a)

STATEMENT OF THE CASE

Petitioner, Caroline S. Alasagas, a United States Citizen and a Taxpayer residing in the State of Virginia, continually pleading to the U.S. Supreme Court to provide the justly and legal remedy of the Complaint for a Civil case since the immediate employment dismissal on December 14, 2018 – of a Misconduct Charge filed against the Petitioner at the Virginia Employment Commission without the Petitioner's complete knowledge, without proper legal process, without legal material evidence to support its claim. On November 30, 2021, the U.S. Court Appeals for the Fourth Circuit issued an order denying the petition for rehearing with no published opinion accompanying the Order and Judgment in Case No. 21-1435. *Appendix A1-A3*.

The Petitioner's is seeking justice and fairness at the U.S. Supreme Court that the decision made by the U.S. Court Appeals for the Fourth Circuit against the Petitioner undeniably challenges the Local Court Rules & Court Procedures. The law explicitly articulated, **"All Litigants without exception must follow the full governance of the court statutory rules pursuant to Federal Rules of Civil Procedure – 26 U.S.C. 7402(b) & 7604(a).** *Appendix B1-B2, Unpublished Opinion, 22JUL2021.*

Petitioner's Argument in this Case justifiably informed the U.S. Supreme Court, that Respondent totally failed its obligation to follow the court jurisdiction under the Local Rules & Court Procedures thus **"Forfeited its rights to defend in Court."**

- 1) Respondent submitted the Wrong Docket Number.
- 2) Respondent failed to submit a Notice to Strike to correct the Wrong Docket Number
- 3) Respondent knowingly argued and pleaded its defense on the Wrong Docket Number

CASE BRIEF:

In this request for Writ of Certiorari, the U.S. Court of Appeals for the Fourth Circuit decision to deny the Petitioner for a rehearing totally contradicts Local Court Policies and Procedures. As promulgated, all Litigants engaged in a lawsuit are bound by the Court Rules in any Federal Judicial Proceedings as set forth in the Federal Rules of Civil Procedure.

“The Federal Rules of Civil Procedure govern civil procedure in United States district courts. The FRCP are promulgated by the United States Supreme Court pursuant to the Rules Enabling Act.”

It should be noted, that the Respondent’s position to plead its defense and argument in the Courtroom is “Null and Void.” Respondent **“did not conform”** to the Court Rule Practices sanctioned by Local Court Rules that completely infringes the court pleading system based on common law under Federal Rules of Civil Procedure.

“Respondent knowingly submitted the Wrong Docket Number and continually argued on the Wrong Docket Number.”

Petitioner hereby legally contends that the Respondent made erroneous legal actions throughout this hearing and intentionally violated the court proceedings at the District Court of Virginia while continuously failed to provide the “Material Evidence of the Misconduct Charge” consistently requested by the Petitioner since December 14, 2018.

A) Violation of Court Proceeding while failing to Rectify the Wrong Docket and failed to provide the “Notice to Strike” the errors.

Respondent erroneously submitted and filed its arguments on the wrong docket: **Civil Action No. 1:20cv408** in August 17, 2020 – failed to rectify the

error throughout the entire court process and continuously argued on the “Wrong Docket No.” during the court hearing in this Complaint for a Civil Case at Eastern District Court of Virginia, Alexandria Division.

Judicial Facts: The exact Local Court Rule was invoked and/or applied against the Petitioner during its initial filing of the case at the EEOC Office of Federal Operation uncorroborated claimed by the Respondent that the Petitioner’s submission was untimely.

The Respondent failed to comply with the Court Jurisdiction under the Local Court Rule and Court Proceedings and U.S. Court of Appeals for the Fourth Circuit was silent about the major violation exhibited by the Respondent. *Appendix D1-D3.*

B) Material Facts” is Non-Existent:

Time and time again, the Respondent failed to provide the “Materials Facts and/or Legal Evidence of the Misconduct Charge” supposedly and legally authenticated by the State Dept. EEO – instead the Respondent’s only response is to consistently claim to dismiss the Petitioner’s case.

“Material Evidence” – still unaccounted for to this day is the crucial piece of information critically and legally requested by the Petitioner since its filing of the Notice of Appeal (Appeal No. 2019005830) at the EEOC Office of Federal Operations – February 25, 2020. Petitioner’s pleading to acquire the “Material Evidence” in court continually echoed by the following entities: State of Virginia VEC Fact Finding Review Board, Dept of State EEO Fact Finding Review Board, at EEOC Federal appeals Discovery Review. *Appendix J1-J14.*

As legally noted: Misconduct Charge was "Initiated & Filed by the Respondent's FSI Sr. Managers" at Virginia Employment Commission" without any legal records and without legitimate authentication by State Dept. EEO.

Petitioner was not legally informed nor was notified during the initial firing of the Petitioner on December 14, 2018.

Under Title VII of Civil Rights Violations, Civil Rights Act of 1964, the of Petitioner's civil rights was violated with no Legal Due Process provided by the Respondents, State Dept. EEO review board filing evidence – "No State Dept. EEO Recorded Evidence was presented and even today Material Evidence of the Misconduct Charge is Non-Existent."

C) Compensatory Relief based under EEOC Policy:

The Petitioner's pleading for the relief sought and/or compensatory damages are legitimately compounded based on the EEOC Policy & Limitations of \$41.4M – endorsed and legally accounted for by Sr. Legal Counsels in 2019 due to the complexity of the violations that the Petitioner presented in Complaint for a Civil Case: Title VII of Civil Rights Violations, Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. and the Age Discrimination in Employment Act of 1967 (ADEA), as amended, 29 U.S.C. § 621 et seq.

REASONS FOR GRANTING THE WRIT OF CERTIORARI

The Petitioner is respectfully requesting that the U.S. Supreme Court will review and adjudicate this case under the U.S. Constitution of 1776 – Bill of Rights for complete restoration of Petitioner Civil Rights. As a United States Citizen residing in the State of Virginia, the Petitioner's Civil Rights was violated and prejudicially taken away and hereby request that U.S. Supreme Court “**overturns**” the U.S. Court of Appeals for the Fourth Circuit unfair and unjust decision.

- I. Petitioner's request to review the illegal action of the Respondent for submitting and arguing on the Wrong Docket Number was denied. Enforcement of the court proceeding is needed and as imposed by the Local Court Rules; the Respondent has “No Legal Authority” in this Complaint for a Civil Case. *Wrong Docket Number Appendix G.*
- II. Violation of Court Proceeding and Failure to Rectify the Wrong Docket Number.
 - *Supporting Fact 1:*
Respondent erroneously submitted and filed its arguments on the wrong docket: **Civil Action No. 1:20cv408**” in August 17, 2020 – failed to rectify the error throughout the entire court process in this Complaint for a Civil case at Eastern District Court of Virginia, Alexandria Division.
 - *Supporting Fact 2:*
Respondent failed to provide the “Notice to Strike” to correct the Docket number error it responded to since its initial response to the Petitioner's service on August 17, 2020, while flagrantly requesting a case dismissal on “technical merits” on the Wrong Docket throughout the entire hearing process.
 - *Supporting Fact 3:*
Respondent violated the Court Process & Local

Rules as set forth by the U.S. District Court for the Eastern District of Virginia at Alexandria completely unacceptable by any Courtroom in any State within the United States of America.

III. Illegal Filing of Misconduct Charge | “Material Evidence” Non—Existent.

- *Supporting Fact 1:*
Respondent failed to provide the materials facts and/or legal evidence of the Misconduct Charge authenticated by the State Dept. EEO when the Petitioner filed a Notice of Appeal (Appeal No. 2019005830) to EEOC Office of Federal Operations – February 25, 2020. Failed to provide the most critical document as material evidence requested by the State of Virginia VEC Fact Finding Review Board, Dept of State EEO Fact Finding Review Board and EEOC Federal appeals Discovery Review – Misconduct Charge was not “legally authorized, documented, and authenticated” by the Dept of State EEO Complaint Office.
- *Supporting Fact 2:*
Misconduct Charge was “initiated and filed” by State Dept FSI Sr. Managers and should have ample of records with specificity of the charges made – Petitioner was not legally informed nor notified during the initial firing of the Petitioner and was completely denied of its Civil Rights to defend under the law. Additionally, the Petitioner was not provided with the proper and legal due process as prescribe under State and Federal Employment Laws, rather the Respondent filed the Misconduct Charge without the Petitioner’s knowledge on December 14, 2018. As legally documented during the Dept. of State Fact Finding Review, the Respondent’s FSI Sr. Managers failed to provide the supposedly well-documented emails when requested by the Dept. State Fact Finding Review Counselor – even the “post-dated emails

after December 14, 2018, surfaced during the EEO Inquiry” and only when it was requested by the Petitioner.

Post-dated emails were not legally validated nor submitted in Court and did not exist at the Virginia Employment Commission. Instead of resolving this simple issue, the Respondent continued the barrage of discriminatory comments against the Petitioner of which were totally unsubstantiated.

- *Supporting Fact 3:*

The Respondent coerced the Petitioner to violate a Federally Regulated Policy and egregiously discharge the Petitioner’s employment for refusing to breach the Dept. of State policy, Office of Personnel Management policy, and Social Security Law. Per the Dept. of State EEO Ms. Ilona Aleksandrova (DOS EEO Counselor) Fact Finding Reports, the evidence clearly shows that the Petitioner was terminated for refusing to violate the unapproved internal policy created by the Respondent’s FSI Sr. Managers.

- *Supporting Fact 4:*

In fact, the Respondent admitted in Court that the regulation to collect the “*Last Four*” was just an “*Internal Office Policy*” inside the FSI Registrar’s Office – a complete violation of Department of State Policy demonstrated by the Respondent’s FSI Sr. Managers who completely contradicted its own policy at Dept of State and Office of Personnel Management regulations which is now a “*National Security Issue*” of which the Petitioner was fired for – simply following the proper and legal procedures. In fact, the Petitioner repeatedly commented to the Supervisor that the newly instituted policy at FSI Registrar’s Office completely and illegally undermines of what the Petitioner was trained to do – “*To Collect the Full Social Security of the Enrollees or Students*” – and for incoming students

must be fully measured under the Dept. of State Policy in conjunction with the Office of Personnel Management policy – Form SF-182, a major requirement during the enrollment process. Petitioner should have been given an accolade for bringing the discrepancy to the Respondent for following the proper and legal procedures as delineated by the Dept. of State policy, Office of Personnel Management policy, and Social Security Law and for Petitioner's continued support and consistency in safeguarding the U.S. National Security. *Appendix I.*

IV. Age and Gender Discrimination – Petitioner's legal status: Protected Class (Minority Pacific Islander)

- *Supporting Fact 1:*
The Respondent knowingly placed the Petitioner in a complete "hostile work environment at a Federal Government Facility" without providing any corrective measures whatsoever while the Petitioner was derogatorily maltreated and continually harassed at the workplace.
- *Supporting Fact 2:*
The Respondent deliberately demonstrated its preferential treatment of a younger male employee over the Petitioner – an older female nearly reaching on its retirement age. Under the Protected Class, the Petitioner is a Pacific Islander older female born in 1966, who was completely subjected with adverse employment conduct, faced with office hostility, and was terminated without cause with baseless charges. Respondent's action completely violated the Petitioner's Civil Rights of Federal Age Discrimination in Employment Act (ADEA) & Title VII Civil Rights Act 1964.
- *Supporting Fact 3:*
Declaration of Statement: As stated by Ms. Jolene A. Munoz – Supervisory Management Analyst

- (Former supervisor), the “prime witness” in this Complaint for a Civil Case. The proof of statement was recorded during the Dept. of State EEO Fact Finding Review by Ms. Ilona Aleksandrova (DOS EEO Counselor) April 17, 2019.

“...Caroline was a “star employee” who “went over and above and beyond to get her job done.” Also noted that, “in this office they take care of the men.” Said that her male counterpart Solomon Hotaki (over 6-Foot-Tall/over 200+ lbs. colossal individual).

And Ms. Alasagas were having issues, but believes management sided with Mr. Hotaki, and management then put a younger man in her job.”

“Ms. Munoz complained about the two men in particular (unnamed) who she said are on the internet all day, abuse privileges, but these issues are not addressed. Said that this office has management problems in terms of gender issues.”

As presented, the Petitioner thoroughly followed the Legal Court Procedures and should have legally prevailed in the Complaint for a Civil Case at Eastern District Court of Virginia, Alexandria Division.

Even with the lack of Court Ethics showed by Respondent, the Petitioner is pleased with the Magistrate’s adroitness for allowing the Petitioner’s court pleading to be heard at Eastern District Court of Virginia, Alexandria Div.

Respondent forfeited its right to defend its argument in Court; All all Litigants engaged in a lawsuit are bound by the Court Rules in any Local and Federal Judicial Proceedings as set forth in the Federal Rules of Civil Procedure. Appendix E & Appendix F.

“Respondent has No Legal Authority and No Legal Standing in any Courtroom in the Country.”

The U.S. Supreme Court must fully understand that the action of the Respondent is illegal and unethical in any Courtroom Hearing – a complete disrespect and contempt of the Court Process for submitting the Wrong Docket Number, Failure to Provide a Notice to Strike, and persist to argue on the Wrong Docket Number.

RELIEF & REMEDIES

Petitioner’s pleading for the relief sought and/or compensatory damages: legitimately compounded based on the Dept. of Labor, EEOC Policy & Limitations of \$41.4M – appropriately endorsed and legally accounted for by private Sr. Legal Counsels in 2019 in violations that the Petitioner pin Complaint for a Civil Case.

EEOC Appeal No. 2019005830 February 25, 2020, Designations: Title VII of Civil Rights Violations, Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. and the Age Discrimination in Employment Act of 1967 (ADEA), as amended, 29 U.S.C. § 621 et seq.; 31 U.S. Code § 6711. Prohibited discrimination – Age, Racial, and Gender Discrimination; 29 U.S.C. § 206. Equal Pay Act (EPA) & EEOC Statutes; Social Security Act §1176 42 U.S.C. 1320d–5) - Coerced to violate the Social Security Code. *Appendix K1-K7.*

- Letter of Good Standing as an Employee from the Secretary of State.
- Dept. of Labor EEOC Limitations: Compensatory & Punitive Damages Relief of \$41.4Million. Basis: Calculus of compensatory and punitive damages per person for employers with more than 500 employees, the limit is \$300,000. Dept of State – 69,000 Strong.

CONCLUSION

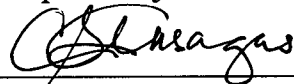
Despite the difficulties and hardships in seeking the justice that the Petitioner deserves, Ms. Caroline S. Alasagas respectfully requesting that the U.S. Supreme Court will grant a Writ of Certiorari while allowing the finality of the judgment be granted in favor of the Petitioner.

With the explicit articulation of the law, **“All Litigants without exception must follow the full governance of the court statutory rules pursuant to Federal Rules of Civil Procedure – 26 U.S.C. 7402(b) & 7604(a).** The Misconduct Charge is Meritless and should be removed from the Petitioner's employment record.

Petitioner's argument is fully justified, the Respondent failed to comply with the court jurisdiction under the Local Rules & Court Procedures thus **“Forfeited its rights to defend in Court, failed to provide the Material Evidence, No Legal Standing and No Legal Authority in any courtroom in the country.”**

As a United States Citizen residing in the State of Virginia, the Petitioner's Civil Rights was prejudicially taken away and hereby request that U.S. Supreme Court will review and adjudicate this case under the U.S. Constitution of 1776 – Bill of Rights for complete restoration of Petitioner's Civil Rights.

Respectfully submitted,



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June 4, 2022