

No. 21-6783

IN THE

SUPREME COURT OF THE UNITED STATES

Broderick J. Warfield

Vs.

PeopleReady Inc. (employer) Rob Frye et. al

Trueblue Inc. (Human Resources) Ms. Hayward et. al

USAF 60th Sec. Forces M.P. Kirkland, Lt. Brinegaru, Public Affairs Travis

ON PETITION FOR WRIT OF CERTIORARAI

PETITION FOR REHEARING

To the United States Appellate Court of the 9th Circuit

Broderick Warfield

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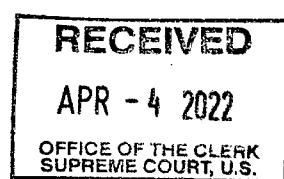


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EEOC v. Eagle United Truck Wash, LLC, Civil Action No. 4:18-cv-1856 (M.D. Pa. Oct. 29, 2019).

Kilgore v. Trussville Develop., LLC, No. 15-11850 (11th Cir. brief filed June 22, 2015).

EEOC v. Diversified Maintenance Systems, LLC, Case No. 8:17-cv-01835 (D. Md. settlement announced Nov. 25, 2019).

TABLE OF REVISED AUTHORITIES

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EEOC v. Dolgencorp LLC d/b/a Dollar General, Civil Action No. 13 C 4307 (N.D. Ill. Nov. 18, 2019).

EEOC v. Porous Materials, Inc., Civil Action No. 3:18-cv-01099 (N.D.N.Y. Mar. 3, 2020).

Price Waterhouse v. Hopkins, 490 U.S. 228 (1989) No. 87.1167

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REDACTED STATUTORY PROVISIONS INVOLVED

- #1. Article I . F Rule 101,102,103 prima facie evidence (Federal Rule 22.4 -
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- #2. US CODE 2018
- #3. Article IV (- Relevance and it's limits)
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- #5. U.S.C. 42 Civil Rights Act of 1991,1964 2000d
- #6. Title VII , 29 CFR Part 1604, 8a, 1604.11 (- Sex Discrimination, 1606, -
29 CFR Part 1607.11.Dispartae Treatment)
- #7. California labor code section 98.6
- #8. Title VII 42 U.S.C. 1991 § 109; 1981 § 2000e-3(a)
- #9. Title I § 102 (42 U.S.C. 1981) § 1977A. (- Damages In Cases Of Intentional -
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- #10. U.S.C. 5 § 522(e) (- No disclosure without Consent Defendants)

#11. U.S.C. 5 Ch. 75 (- Adverse Actions)

#12. U.S.C 5 § 2302 (b)) (- Prohibited Personnel Practices 1 on the basis of -

Race, Color, Religion, Sex, National Origin, as prohibited under section -

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#13. 5 CFR 551, (- Pay Administration Under the Fair Labor Standards Act)

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#16. U.S.C. 13 § 1341 (- Frauds and Swindles)

#17. U.S.C . 13 § 9 - 214 (- Protection of Classified Information)

#18. U.S.C 15 Ch. 1 § 1- 2 (-Commerce and Trade Monopolizing)

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#21. U.S.C. 15 § 45 (- Unfair methods of competition unlawful; prevention by

#22. U.S.C. 15 § 13a (- Discrimination in advertising service charges; – underselling in particular localities; penalties)

#23. U.S.C. 15 Chp 34 (- Antitrust Commerce and Trade § 1313, – § 1341, 1343, 1906 , 1956

#24. U.S.C. 15 § 7a-3 (- Criminal Antitrust Anti Retaliation Act)

#25. U.S.C. 18 Ch. 47 § 1030 (- Fraud and false Statements related to – Activities In connection with computers.

#26. U.S.C. 18 § 371 (- Conspiracy to commit offense or to defraud the – United States)

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#28. U.S.C 18 § 2340 – (- Definitions)

#29. U.S.C. 18 § 1905 8000 (- Miscellaneous Statutes and Regulations)

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#31. U.S.C. 28 Article IV Federal Rule 204

#32. U.S.C. 28 Ch. 31 § 520 (- Transmission of petitions in United States Court –

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#33. U.S.C. 28 § 2680 (- Federal Tort Claims act)

#34. U.S.C. 29 § 102 (- Public policy in Labor Matters)

#35. U.S.C. 29 Subchapter 1 General Provisions § 141 (- Management –

Relations ; Purpose and Policy)

#36. U.S.C. 29 § 158 (4d) (- Unfair Labor Practices)

#37. U.S.C. 29 § 201 to 209 (- Fair Labor Act)

#38. U.S.C. 29 § 206 (d)) (- Basis of sex discrimination)

#39. U.S.C. 29 Ch.8 § 211 c. (- Recordkeeping requirements, Collection of Data)

#40. U.S.C. 29 CFR 2011 part 516 (- Records To Be Kept By Employers)

#41. U.S.C. 29 § 663 (- Labor Management Relations)

#42. U.S.C. 29 § 215 (- Prohibited acts; prima facie evidence)

#43. U.S.C. 29 § 211 (- Collection of data)

#44. U.S.C 29 § 218c (- Protections for employees)

#45. U.S.C 29 § 218 (- Relation to other laws non compliance)

#46. U.S.C 15 § 1681c (- Requirements relating to information contained –
in consumer reports)

#47. U.S.C. 31 § 3730 (- False Claims Act)

#48. U.S.C. 31 § 3729 (- False Claims)

#49. Title 41 CFR § 60-4.3 (- Public Contracts Property Management)

#50. U.S.C. 41 § 6503 (- Breach or Violation of required Contract Terms upon –
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#51. U.S.C. 42 § 8-2. 212 (- Employment litigation Status)

#52. Federal Rule 5.1

#53. 38 CFR § 75.112 (- Cyber Security, Data Breach)

PETITION FOR REHEARING

Pursuant to Supreme Court 44.2 , Broderick J. Warfield respectfully petitions for rehearing of the Court's per curiam decision issued on March 7, 2022, Broderick Warfield v. USAF et.al No. 21-6783 . Mr Warfield moves this Court to grant this petition for rehearing and consider his case with merits. Pursuant to the United States Supreme Court Rule 44.2, this petition for rehearing is filed within 25 days of this Court's decision in this case.

REASONS FOR REHEARING

This petition for rehearing upon Federal Rule 44.2 now brought before the United States Supreme Court, presents intervening circumstances of a substantial and controlling effect to other substantial grounds not previously mentioned.

Upon Federal Rule 18 U.S.C. § 371 Conspiracy to commit FRAUD against the United States, by PeopleReady and Trueblue Inc. upon Executive Order 11246 and 13665, this is not a causation case of the petitioner against the United States, therefore all United States Codes, applied to the U.S.A.F. of the 60th Security Forces Military Police are to be omitted in this EEOC, FLSA petition and federal action addressed to the United States Supreme Court.

PeopleReady and Trueblue breached the contract terms of employment of its' employee at a United States Department of Defense Military Inspection post, and has subjected the petitioner to irreparable harm and disparate treatment by these severe Title VII civil right acts of violations, among additional federal United States statutes in violation of this offence (34 USC § 10272 , 10272 , 10273.).

USAF 60th Security Forces Inspecting Personnel are essentially witnesses in this action upon Federal Rule of Evidence 902 on essential self-authenticating (Prima Facie Evidence) on the account that the employer PeopleReady Inc. and Trueblue Inc. did breach the employees employment status U.S.C. 41 § 6503 upon Executive Order 13665 and Executive Order 11246 violated laws of the U.S. Government upon a gross misconduct act, of Data Cyber-Breach of the petitioners' employment background check information .

The defendant Rob Frye caused this federal cyber breach and has attempted to conceal Mr. Warfields' protected class activity that occurred directly with the USAF 60th Security Forces Military Police, acting Under Color of Authority at Travis AFB this is verified by the "Reports and Analyst" administration office of the U.S.A.F, 60th Security Forces Military Police. On the next day Mr. Warfield was retaliated and suspended from employment by the defendant Rob Frye (Military Police airmen Kirkland, as well as U.S.A.F. Lt. Brinegaru are not defendants in this action. No formal EOC complaint to the U.S. Government has been filed against either of these U.S.A.F. Military Service members of the DOD.)

The wages of labor were transferred in advance, and deposited onto the employees Visa bank card issued by the employer through [Metabank FDIC member pursuant to a license from Visa U.S.A.] The cards' name is "Global Cash Card", located at 7 Corporate park, suite 130, Irvine , CA 92606, last 4 numbers are 5735 valid through 10/20 cv code 301. Rob Frye defendant of PeopleReady Inc, on that day was at the military gate of inspection, inquiring of his gross error. U.S.C. 29 § 215 Prohibited Acts, prima facie evidence. 902.903. 1996 18 USC § 1001.

Under Federal Rule of Evidence 702 expert testimony of prima facie evidence requested upon the (Second Amended Complaint) of the U.S. Appellate Court of the 9th District. The USAF 60TH Security Forces Police, are witnesses as well as the Report and Analysis division of the U.S.AF. 60th Security Forces Police.

The physical document of the prima facie material evidence in question, the Employment Background Report wasn't discovered by the petitioner until this FLSA suit was dismissed. These are the consumer identification report numbers that the employer violated CID# 13927396, CID # 140352754, and CID # 143563810 .

Upon this breach of employment, the employee was demoted, suspended and retaliated against by the employer for participating in a protected class activity of the contract terms of the petitioners' employment under Title VII , 29 CFR Part 1604, 8a, 1604.11 Part 1606, 29 CFR Part 1607.11 Disparate Treatment U.S.C 5 § 2302 (b) Merit System Protection Board. and Sex Discrimination, within in his complaints to HR dept. Trueblue Inc. no.# LAR-10-05-0309, and LAR-19-05-0311, violating Part 1606, 29 CFR Part 1607.11

Disparate Treatment and retaliation does at this time still exist, within this claim due to none of Mr. Warfields' complaints which were submitted to the Human Resources management, were documented by a reply from defendant Ms. Hayward of Trueblues' Human Resources Dept: (U.S.C 5 § 2302 (b)). This occurred after receiving a phone call from her discussing the matter, and it violates the Title VII Civil Rights Act of 1964, 1991, U.S.C. 42

At one time Human Resources of Trueblue did reply, except it violated the statute of limitations under Title VII of the Civil rights Act. The response was that the parent company Trueblue Human Resources condemns the unwarranted violations against the employee, except Mr. Warfield is continually to this date on employment suspension by the employer PeopleReady, and there still is no remedial from HR at this time and date concerning this incident. U.S.C 5 § 2302 (b) (- Prohibited Personnel of the Merit System Protection Board) U.S.C. 13 § 1341 (- Frauds and Swindles)

The EEOC Intake Supervisor Bryan Hoss upon EEOC charge no.# 555-2020-00644 states that this FLSA action against the defendants of PeopleReady Inc., and Trublue Inc. violates the petitioners Protected Class Activity under Title VII of the civil rights act, with allegations of fraud leveled against the employer defendant PeopleReady Inc., and Trueblue Inc. Human Resources. EEOC intake supervisor Mr. Bryan Hoss states that these acts of retaliation must be reported to the FBI unit of investigations, which has done at this time by petitioner.

Also the Federal Government Accountability Office, (FWA) Fraud Waste and Abuse has been notified concerning this matter with People Inc. and Trueblue Inc upon their Non-compliance at the location of the Military gate of Inspection by the USAF 60th Military Police Security Forces at Travis AFB, Ca. the Level of this Cyber Data Breach committed by the parties of PeopleReady Inc, and Trueblue Inc with the United States Government is extremely high, due to the petitioners' origin is of the USAF Travis AFB of a protected veteran, with DOD, National Archive Records System as well as military dependent information of the petitioner.

Air Force Base, David Grant DOB 1959, and petitioner has records stored within the National Personnel Records Center, National Archives and Records Administration, (38 C.F.R. § 75.112) due to being a dependent of an enlisted retiree (DEER), also known as a protected veteran of the United States Air Force which is petitioners deceased father, John Warfield, last four of ssn # -9174, of the 22nd Air Force, 5th Bomb Wing, Beale AFB, 1966 retired Aerospace Division Strategic Airlift Command. (SAC).

CONCLUSION

For the reasons set forth I this petition, Broderick J. Warfield respectfully Requests this Honorable Court grant rehearing and his Petition for a Writ of Certiorari.

Respectfully submitted.

Broderick J. Warfield 3-26-22

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CERTIFICATE OF COUNSEL

I hereby certify that this petition for rehearing is presented in good faith and not for delay, and that it is restricted to the grounds specified in the Supreme Court of the United States Federal Rule 44.2

Respectfully submitted.

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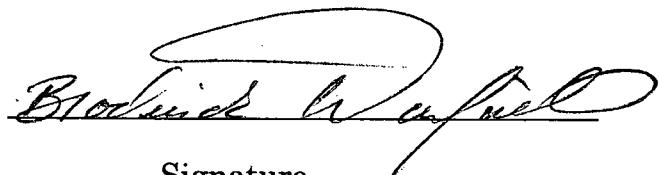
PROOF OF SERVICE

I Broderick J. Warfield petitioner in case no. # 21-6783 of the United States Supreme Court placed 10 copies of a Petition for Rehearing upon Federal Rule 44.2 of the court, in said addressed envelope of the United States Supreme Court, for mailing through the United States Postal Service.

I swear under the penalty of Perjury that the foregoing is all True and Correct.

3-26-2022

Date



Signature

