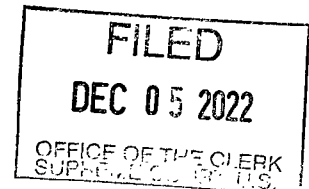


No. 22-6287

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Ashley Y. (Yoo Hyang) KIM — PETITIONER
(Your Name)

PUBLIC SCHOOLS OF BROOKLINE^{VS},
TOWN OF BROOKLINE — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO
United States Court of Appeals
For the First Circuit in Boston, Massachusetts

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Ashley Y. (Yoo Hyang) KIM
(Your Name)

53 LAWN STREET APT. #4
(Address)

CAMBRIDGE, MA 02138
(City, State, Zip Code)

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QUESTION(S) PRESENTED

I, Ashley Y. (Yoo Hyang) KIM, the Pro Se Petitioner, never wanted to bring this lawsuit to any courts but I have been informed numerous times, it is the right route, when nobody at Brookline HIGH SCHOOL AND BROOKLINE PUBLIC SCHOOLS, NEVER SHOWED ME ANY VIDEO CAPTIONS and other evidences, why I WAS fired all of sudden, for somethings I have not said or do.

My elderly family member have been severely ill, however, when getting all of sudden fired on April 6, 2017, I could not feed and get any acupuncture herb ingredients to cure those severe health symptoms, therefore, this case, not only destroyed my life but I am heavily cursed and punished as my elderly family is going through that life and deadly cancer.

It is that M.C.A.P. location that informed me, when my discrimination and wrongfully fired case, (based on my nationality, age, gender, status, not having a house of my own, and not having a car...) filing date has been expired then only the Honorable and respectable Court will determine this case of mine, Therefore... I sincerely pray, as your most Honorable and genuine Supreme Court of the United States, is my very last and the final belief...

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

N/A

TABLE OF AUTHORITIES CITED

CASES	PAGE NUMBER
21-418 Kennedy v. Bremerton School District	9
GERALD ALSTON, PLAINTIFF, V. TOWN OF BROOKLINE, MASSACHUSETTS, BROOKLINE BOARD OF SELECTMEN, BETSY DEWITT, KENNETH GOLDSTEIN, NANCY DALY, JESSE MERMELL, NEIL WISHINSKY, BERNARD GREENE, BEN FRANCO, NANCY HELLER, SANDRA DEBOW, JOSLIN MURPHY, each of them in his or her individual and official capacity, and LOCAL 950, INTERNATIONAL and official capacity, and LOCAL 950, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, Defendants. CIVIL ACTION NO. 15-13981-GAD	9
Kansas teacher wins \$95K in preferred prothon lawsuit https://www.kansascity.com	9
Supreme Court Sides With Cheerleader in First Amendment.....	7
OTHER	
California ex-principal facing charges after video shows him pushing special needs student, NYPOST.COM, 9-11-2022	6
"Substitute Teacher Fired for Allegedly Smoking Marijuana in MASS. ENorth Attleborough High School Classroom" https://www.nbcboston.com by Melissa Butja on Dec. 11, 2019	7
"Substitute Teacher Fired After student beating goes viral" https://abcnews.go.com/US/wirestory/substitute-teacher-fired-student-beating-viral-66926892 , By The Associated Press, November 11, 2019, 11:46 PM	7

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- APPENDIX A - A letter saying that the Pro Se Petitioner, Ashley Y. (Yoo Hyang) Kim is Fired dated April 12, 2019
- APPENDIX B - E-mail dated August 13, 2019 addressing how the Pro Se Petitioner had faced life threats, while this case on.
- APPENDIX C - JUDGEMENT from the Middlesex Superior Court 9-3-2020 and during previous Court Hearing, I was informed that I don't have to submit Second Amended Complaint in May 2019.
- APPENDIX D - MEMORANDUM AND ORDER PURSUANT TO RULE 1-28 JUNE 11, 2020 (Appeals Court in Boston)
- APPENDIX E - MEMORANDUM & ORDER from the United States District Court - District of Massachusetts, August 18, 2020
- APPENDIX F - JUDGEMENT, from The United States Court of Appeals For the First Circuit, No. 20-1891, September 7, 2022
- A CERTIFICATE THAT COMPLIES WITH THE WORD LIMITATIONS
- A CERTIFICATE OF COUNSEL
- A PROOF OF SERVICE

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 F to the petition and is ruled on September 7, 2022

[] 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 E to the petition and is ruled on August 18, 2020

[] 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 E to the petition and is ruled on August 18, 2020

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

The opinion of the middle superior (On May 2019, I, Ashley Y. (Yoonhyang) Kim,
was informed that I don't need to court
appears at Appendix C to the petition and is file the 2nd Amended Complaint)

[] 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 September 07, 2022.

☐ 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: September 7, 2022, and a copy of the order denying rehearing appears at Appendix F.

☐ 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 June 11, 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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Please take a look at APPENDIX A, which is my all of sudden firing letter from the Brookline Public Schools, Director of Human Resources, ELAINE M. O'SULLIVAN, as everything that's written there, are full of lies and untrue statements. I, as the Pro Se Petitioner, Ashley Y. (Yoo Hyang) Kim, never admitted to anything on this firing letter... and my 1st Amendment right and my freedom of my speech were violated all the way, as during that Japanese I session, on Thursday, April 6, 2017... because this session was performed, just like how I've covered other Japanese classes that day, including other 13 different classes, except... During this session, not all, but one or two students, including the Brookline High School's student TA (Teaching Assistant) bullied me,

almost the whole time, as the class started as
to 2 students, I, as the pro se petitioner,
Ashley Y. (Yoo Hyang) Kim, is NOT their
typical teachers of theirs = I don't have
blue/green eyes, and some blond or orange
auburn hair that they're used to seeing
at these locations of Brookline...
Therefore, to these 2 students, I was
nothing figure that looked funny with my
shrimpy small eyes and so they kept
bullying and more importantly, that
Student Teacher, who was suppose to control
these 2 students whom were bullying me,
repeating all words after me, and just continuous-
ly cracking up, the student TA, never
controlled or stopped them, rather, as this
Japanese class's student leader, she too bullied
me along with 2 other students... why?

Because... The Student T.A. of this Japanese Class wanted to rule but seeing me, Asian substitute Teacher covering this, as the student T.A., along with other 2 students, they looked down on me heavily, and instead of correcting their incorrect bullying gestures, the Brookline High School's Principal, Anthony Meyer, Brookline High School World Language Department's Agnes Alberola, and the Director of the Brookline Public School Human Resource's Director, Elaine M. O'Sullivan, got rid of me!

In addition, when almost all Brookline High school students filmed me on their Cellphone of how one female student just came up, making bike horn sounds, 50 times or more on my left ear and another 50 times or more on my right ear, students were saying how what they filmed me will be posted on SnapChat social media, but no

officials and Brookline High School Administration staff aimed to take care of these bullying incidents, as I was on my own, alone on these matters.

I wish the most Honorable and respectable Supreme Court would ask to respondents, what or how I've said things on one session, during, April 6, 2017, made them fire me as, I've covered this session, like all other 13 classes, therefore --- where would be my rights to have freedom of speech as NO video captions of how I've miscondacted their session was NEVER shown with proof and evidences --- When looking at most teachers, Principals, and other Substitute Teachers being fired, there are more than enough evidences, such as =

- A Principal had pushed and punched a disabled student in Cafeteria and this

was caught on their school's camera segments and he was fired... Therefore where is my video caption of what or how I've conducted this session on April 7, 2017?

A Substitute Teacher was fired for bringing Marijuana and showing students how to smoke, was fired... Another "Substitute teacher fired after student beating goes viral," as this incident was captured on video, therefore, as the fired Substitute Teacher myself, as the Pro Se Petitioner, I too want to see my video caption that displayed all...

When it comes to defending the freedom of speech, nobody else, but the most Honorable and the respectable, Supreme Court, took the side of a high school cheerleader, who wrote the following on this Snapchat post after not being picked for her Varsity Cheering Team:

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"F--- school f--- softball f--- cheer f---
everything." As the Supreme Court ruled,

"Students do have free speech rights under the
Constitution, as the speech is not disruptive to
to the school..." Likewise, I very much
pray that your most Honorable Supreme Court, would
allow for the respondents to show how and
what I said on that Japanese I session, on
April 7, 2017, based on their Video Captions of
me...

STATEMENT OF THE CASE

I, as the Pro Se Petitioner, Ashley Y. (Yoo Hyang) Kim, sincerely apologize for shawing my issue, during this holiday season and I bow in this motion, like that High School Football Coach, Joe Kennedy, when he was praying at midfield, for all wishes and for the better future. As far as the football coach, Joe Kennedy's case, it really was the most Honorable and respectable Supreme Court, that made the coach, win his case.

Not too long ago, a middle school female teacher got in trouble for refusing to use that "preferred pronouns policy." When this teacher put out a lawsuit, her Kansas school District had settled this case, by paying her \$95,000.

Moreover, here at Brookline Town or the City in Massachusetts, this African-American looking, firefighter, GERALD ALSTON... His Supervisor, left a voice message, on his

cellphone, stating... "You F----- N----?"
and that's how the Firefighter, GERALD ALSTON's
lawsuit got started, where, he won 6 million...

However, with my all of sudden getting
fired case here, it's much more hurtful and
my painful suffering, where I could not support
myself and my elderly family... I was too
overwhelmed and stuck with my harsh
life, when I was just immediately fired,
all of sudden, without any cues or
warnings, after covering 14 different
classes from (Pre-K to Kindergarten),
to Brookline High School, for things I
didn't say or do... and more importantly,
the respondent(s), have not shown me
their video captions of how I've
conducted one session, before they

accused me, the Pro Se Petitioner, Ashley Y. (Yoo Hyang) Kim, saying things that they were not even sure of, claiming, I've cried in front of the class...

I very much wish that the respondent(s) could show me that video of how I've conducted that one session, because it is not proper to just get rid of me, who was relying to my substitute teacher job to pay bills... For instance, again I have been taking care of my elderly family, whom I have been giving my both physical and economic support as they have been suffering enormous health conditions, since April 2017, when I could no longer feed my elderly family: such as

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Very fresh fruits, vegetables, lean meats... and most importantly oriental Acupuncture herbs and more, as my elderly member has severe allergy and can't tolerate most over the counter and prescribed medications... So, as I've been very inhumanely fired on April 11, 2017, and since then, for the year 2018, 2019, 2020, and the year 2021... my elderly family member's health deteriorated more with being extremely nervous, stressful, and always sweating, while this case started in this Middlesex Superior Court in Woburn, MA... Then to Appeals Court in Boston, MA... Moreover, the next two Courts were John Moakley Federal Court in Boston, MA, and at the United States Court of Appeals For the First Circuit... And every time our case didn't do well my elderly

family member tripped over some bumpy floor
at this Mother's Church, when I was seeking a
job position as a nursery and church touring
guide person... Then, her, my elderly family's
upper ribs were heavily bruised with fractures...
and more severely, her legs got all purple
bruises, when she was thinking about this
all of sudden firing incident of mine, while
taking the escalator, as she just failed down
while being at the middle portion of this
MBTA escalator... And really, because of what
occurred to me, all of sudden firing and being
in these previous Court Cases... My elderly
family member now is going through life
and death, miserable and scary Cancer...
Nothing feels worse as everything in my life,
have failed, all the way... 13

REASONS FOR GRANTING THE WRIT

For the very first time in the Pro Se Petitioner, Ashley Y. (Yoo Hyang) Kim's life, I went to the Middlesex Superior Court to submit my very painful misery Journal, that were 798 pages, as exhibit, but it was rejected for filing at the Clerk's office.

This lead the Appeal Court in Boston to also NOT accept and NOT consider my tearful 798 pages of personal Journals, since being fired! When the M.C. A. D. says my filing date has expired, then my 798 pages of Journals becomes much more thorough and realistic as I've spent 15 months, writing what occurred on those previous 74 classes, which would have been excellent source of exhibit of mine ... Therefore, from the very beginning of this case, as the Pro Se, things weren't clearly processed from the Middlesex Superior

Court. I, as the Pro Se Petitioner, never been to a Court, therefore, I wasn't aware that in most cases, very unfortunately, Courts and all affiliates are with institutions side! In other words, almost all Courts were not like those who stood by people like myself, being this unwanted Asian race who is also a powerless.

When my case moved on to Appeals Court in Boston, there were more interruptive situations that would keep occur even now... It was too tragic, when the Middlesex Superior's Court, Assistant Clerk, Maria Santos, kept on treating me as a sinner, being aggressive, when I was just very calm and patient... as these both the Middlesex Superior and the Appeals Court in Boston would portray as they were part of the Brookline Public Schools and the Town of Brookline. They all clearly presented that they

were with big building's side, not mine...

One Appendix B, I've attached some sheets as what kind of urgent situations I was under and there are things and happening that still occurs, everytime, when my Court write ups are due...

Because the respondent(s) are fully aware of how my all of sudden firing situations will be treated by all Courts, therefore, similar situation like mine will continue; that is why your most Honorable and respectable Supreme Court should reverse my current Court rulings. You see, I wished that both the Brookline Public Schools and the Town of Brookline would have posted a sign that: Asians should not apply for their job positions. There is a quite large Korean Boston church, which

is right by the Brookline Town or the City Hall,
so I thought the Brookline Public Schools
were familiar with people looking like me...
But I was wrong...

Not too long ago was 9/11 Commemoration
Day and as I was watching my own 9/11 Commem-
oration Day Project, when being a student, many
years back in the year 2002, I came to see
more that this 9/11 incident was forgotten,
just like the Jewish Holocaust history!
So many are too young to know how jobs
were before and after September 11, 2001. I
recall working right before September 11, 2001,
where almost all jobs required just work...
lots of labor duties with performing clerical
duties only... There was no employees to
employees being hooked up, and date and

changing Partners or that were some hidden requirements, in order to maintain jobs! But after September 11, 2001, jobs were no longer just working jobs but it required more of things that my grandparents or my parents weren't introduced to. For example, when I just choose to do labor jobs, some will want me to hook up and date co-workers, but when I say, I'll work more hours with less pay, employers will not accept and find ways to fire you and may hate you more... rather than think about how our U.S. economy, job working conditions changed since September 11, 2001... but just discriminate Asians like myself for having ugly appearance and being poor... Asians get hatred tensions more and more...

Not only fired Principal, math teacher in Kansas City, and other Substitute Teachers, whom were let go with their video caption evidences of what they did = But honestly, what the African-American firefighter, GERALD ALSTON and all other teaching staff fired cases here and all others... really are not as extreme, torturous wrongfully fired, and heart smashing situation, like mine...

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: November 28, 2022