

SCOTUS APPEAL NO. _____

22-65880 ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

Original Jurisdiction Division


Ms. Jenkins, Beverly A.  [Pro se]


Petitioner/Appellant/Plaintiff

vs.

Signature Healthcare, LLC, 7919, d/b/a Signature Healthcare of
Brookwood Gardens a/k/a LP Homestead, LLC, 9333,
BRANCH "et al"

Respondents.

On Petition for Writ of Mandamus to the U.S. court of Appeals
for the 11th Circuit, brought Pursuant to 28 U.S. Codes: 1651(a),
1254(1), , and U.S. Const., Amendments 5 and 14.

(e) Cover Page: In re: [Ms. Jenkins, Beverly A] Petition for
Writ of Mandamus .Nature of the Proceeding: federal question:
Illegal violation of Petitioner's 5th and 14th Amendment
Constitutional Due Process Rights, etc. x  Pro se Ms.

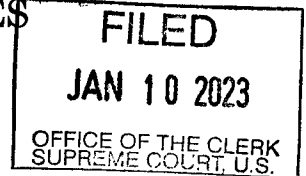
Jenkins, Beverly A. ,

Homestead, FL. 33030 ,

PH: (xxx) xxx - xxxx .

Appeal No. 22-90019 (22-12727)

Case No. 22-20241-Civ-Scola-Goodman



SCOTUS No. _____

Ms. Jenkins, Beverly A. vs. Signature Healthcare, LLC, 7919,
BRANCH “et al”

Appeal No. 22-12727 Case No. 1:22-20241-CIV-SCOLA-GOODMAN

[Action Brought pursuant to U.S. Codes: 1651(a), 1254(1), [REDACTED]

[REDACTED] and Amendments 5 and 14]

The Questions Presented for Review:

1. Is it herein shown that the LT deviated from **Sufficient Instructions/ required sufficient Notice for non-counsel litigants?** 2. Is it herein shown that the LT (and Respondent-Defendant) deviated from (abridged and rendered invalid) **Equal protections of the Law, and Due Process Procedurally and substantively against the petitioner’s Constitutional Rights?** 3. Is it herein shown that the LT withheld Lawful orders (and caused undue delay) against factors showing the establishment of Prima Facie in this case? And Against factors shown to Not support a Lawsuit Dismissal?

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[verifiable in Petition the 1st unpaginated Pgs. 1-15 and 2nd
paginated pgs. 1-15 herein, and Appendix A all referenced pages
and all lines. [Completed strictly by required rule 14.1(b)(1)].

Listed Parties: All Parties do not appear in the caption of the
case on the cover page. (Hon. Elizabeth L. Branch), Luck (Hon.
Robert J. Luck). "Hon. Robert N. Scola, Jr." Hon. Jonathan
Goodman.

Related Cases

Ms. Jenkins, Beverly A. vs. Signature Healthcare, LLC,

BRANCH "et al" : 1.and 2. "ECF" 22-90019??? (22-12727)

USCA11 11/4/22, and 12/4/22 pages 1-2 of 2. Mandamus Petition
Denial Order, without compelling justification (informal), served
on 12/9/22 by Respondent. 3 ."ECF" 22-90019 USCA11 12/1/22
pages 1-2 of 2. Denial Order without required Controlling or
compelling justification (informal), served on 12/9/22 by
Respondent.

[Handwritten signature]

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4. Ms. Jenkins, Beverly A. vs. Signature Healthcare, LLC,

BRANCH "et al" "ECF" case No. 1:22-cv-20241-RNS,

Document 53 FLSD, said Judgement (insufficient)

Entered July 19, 2022. [Pg.1 of 1].

5. Ms. Jenkins, Beverly A. vs. Signature Healthcare, LLC,

BRANCH "et al": "ECF" Appeal No.22-90019 (22-12727) case

No. 1:22-cv-20241-RNS, Document 48 FLSD, U.S. Court of

Appeals for the 11th Circuit 12/01/22, Order granting dismissal


with prejudice without required Controlling justification or

Compelling Justification [Pg.1-2 of 2]. I note: Strangely the

instructions in general often unlawfully deviate from a lot of

the required relevant information? I've Completed this strictly

as directed via the observed pro se litigant's instructions].

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herein is inconsistent with and insufficient from
required jurisdiction information?] (2nd) 1

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Signature

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by certificate of service and certificate

of compliance

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[In maintaining my competency, Discrepant instructions and restrictions causes my compliance to appear insufficient ?

Beyond my control. While These pages will not be counted against page limitations, The rules unfair text restrictions requires all the contents herein to be counted as factual assertions for me to not fall short of required information in the text beyond my control].

For to not be Redundant:

A(federal courts) and then see No. 1-5 on unpaginated pages 2-3 of 15.

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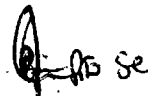
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Defendant (see all info. Above and below)

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#2 shown unlawful false Statement of "HIPAA violation"
made on the company's record books f.s. 817.15. and the
showing of how Defendant's False statements made against
petitioner/Plaintiff, are False [18 U.S. Code: 1001 (a)(2)(3)]
Petitioner/Plaintiff never filed any Protected Health
Information or Patient specific information

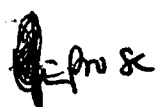
in any record.

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for me

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OPINIONS BELOW This case is on-going whereby, it has only been shown to be published as shown in the dockets at this time. For to not be redundant, please See 1st set of unpaginated (as required by pro se litigant instructions) unpaginated pgs. 2 - 3 for Jurisdiction below also, which precedes the table of contents? As the pro se litigant's rules has it , for the specific indication as to where in the Appendix (1st section) each decision, reported or unreported, appears. **JURISDICTION** [As per the pro se litigant's instructions despite it appears redirecting from required information?, I'm to provide only the dates of the lower court's decisions, that establish the timeliness of the petition for a Writ of Mandamus. An extension of 60 days according to the SCOTUS rule 14(i)(vi)(5) is permitted from the date (11/4/22) of the clerk's letter] see underlined above. **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED** [unlawfully violated and rendered invalid by  ^{12/22} Paginated 1 of 15

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LT, and the Respondent-Defendant against the Petitioner's
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[As per the pro se litigant's instructions, I'm to provide their
citation and indicate where in the Appendix to the petition the
text to the provisions appears.]

SECTIONS IN THE APPENDIX

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The U.S SUPREME COURT IN
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f.s. 817.031 making false statements or entries [79 of 139 and
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f.s. 768.72 (2)(a) Intentional misconduct / Pleading in a civil action
for .punitive damages [80 of 139 and see pg. 43G, 19 U.S. code
1592(a)(1) .(A) (i), (2)(c)(1)and (3) see Pgs. 37G-40G, 15 U.S. code
6604 (a)(b) (3) see Pgs. 41G-42G].

f.s. 400.0237(2)(a) Intentional Misconduct

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f.s. 400.0238 Punitive Damages

[15 U.S. code 6604 (a)(b) (3) back 41G- 42G.

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USCA11 11/23/21

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ABUSE OF DISCRETION STANDARD OF REVIEW

1ST SECTION

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for se

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Statement of the Case Paginated 5 of 15

[summarize the relevant facts in the case and the proceedings
that took place in the lower courts.]

In this Civil Action, Ms. Jenkins (petitioner) an employee
for her employer SIGNATUREHEALTHCARE, LLC.

(Respondent/Defendant) with all satisfactory and exceed
satisfactory evaluations, Objected to, refused to

participate in, and did properly report incidents of Pt.

Abuse on Approx. 11/18/12 in accordance with

Defendant's proper reporting policies, When on 12/28/12

in the defendant's effort to avoid corporate review of the

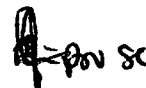
reported incidents, the Defendant abruptly breached its

equal employment opportunity contract and discharged

Ms. Jenkins's employment from with the company on

false statement that Ms. Jenkins had said "HIPAA

VIOLATION" ? Which is shown in

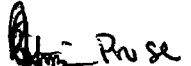
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Ms. Jenkins, Beverly A. vs. The Geogroup, Inc., BRANCH "et al"

Appeal No. 21-12651 Case No. 1:21-cv-21630-JLK

accordance to its summary of findings Ms. Jenkins [an Authorized employee in the BWG building at that time] was completing her assignment and directive from management This false allegation is shown to have been Pretextual reasoning, to cover up management's DON's failure to come in (as was required) for a patient's broken clavicle fall. Its action was intentional and a direct and proximate cause, of petitioner's abrupt loss of employment, loss of income, Embarrassment in front of staff, loss of Foundation / home foreclosure, New car repossessed, SUV was a forced sell, and other property losses occurred in unpaid storage. Pain, Suffering, Mental Anguish, Stress, and damaged reputability for new employers concerning Ms. Jenkins moving forward . Ms. Jenkins never committed a "HIPAA violation" Ms. Jenkins's life has been left in limbo ever since. This constitutes a showing of Defendant's Unlawfully Abridging

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Signature

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of Ms. Jenkins's Life, Liberty, and Property and Equal Prot
-ections of the Law, without required Due Process. This sho
-ws an unlawful violation of Due Process (Procedurally:
legality and fair procedure, and Substantively re: Fraud
and Breach of Equal Opportunity Employment Contract it
owed to petitioner) ; unlawful violations of the 5TH and
14TH Amendments to the U.S. Constitution. These are the
shown facts along with the evidence of proof , and applic -
able Law provided here in the record . This invoked the
Territorial and federal question / (Constitutional) Subject-
matter Jurisdiction of the federal court in the 1st instance.
The Federal court as is shown : unpag. pages herein: pages
2-3 of 15 [FLSD Doc 48 "ECF" 7/15/21, USCA11 "ECF" 12/01
/ 22 and FLSD Doc 59 "ECF" 8/3/22 pgs.1-2 of 2 both], to
have hereby further abridged petitioner's equal protections
of the Law, Life, Liberty, and property without due process.

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The U.S. Court of Appeals 11th Circuit as is shown in the 1st set of pages herein: pages 2-3 [USCA11 "ECF" said 6/8/22 accessible 7/25/22 pgs. 1-3 of 3 entered an order For Authorized parties only, for viewing for correction considerations], The U.S. Court of Appeals 11th Circuit as is shown in the 1st unpaginated set of pages herein: pages 2-3 of 16 [USCA11 "ECF" 7/25/22 Pgs. 1-2 of 2 entered 1st notice of judgement said entered 6/8/22 noted entered 7/25/22], is hereby shown to have further Abridged Petitioner's Equal Protections of the Law, Life, Liberty, and Property without Due Process rendering these herein listed Florida statutes and parts of the Constitution, rules and other applicable precedent Authorities, invalid, without required Controlling or "compelling justification"; violation of Authority of NAACP v.

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Patterson 357 U.S. 449(1958) citing: *American Communications Assn. v. Douds*, *supra*, at 339 U.S. 400; *Schneider v. State*, 308 U.S. 147, 308 U.S.161. Such a "... subordinating interest of the State must be compelling," *Sweezy v. New Hampshire*, 354 U.S. 234, 354 U.S. 265 (concurring opinion) like so as it applies herein. In these ways it is shown how the LT(s) deviated from these listed ministerial duties and how it withheld lawful orders and caused undue delay in this case, hereby constitutes a showing of district courts vitiating its obligation to follow precedent, a usurpation of judicial power [Vol. 90, No.2 February 2016 Pg. 10; Appendix A back section Rule 14 (i) (vi) Pg. 26G herein in *Litman v. Mass. Mut. Life Ins. Co.*, 825 F. 2d 1506, 1509(11th Cir. 1987) suggests Mandamus Authority can be exercised when District courts vitiate their "Obligation to follow precedent" which the 11th circuit defined as an

A. Rose

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essential factor in the proper operation of the judiciary.

Critically the U.S. Supreme court's position is that

mandamus is appropriate.] The LT committed a plain

Illegal discretionary error (in a mandatory jurisdiction

matter), where there's to be no element of discretion where

there's precedent Authority see Appendix A back section Pg.

26G) and thereby committing an abuse of Discretion which is

the standard of review in this case, for an action against

required factors shown to support the establishment of

prima facie in this case? against defendant's own written

testimony, and against other factors shown to not

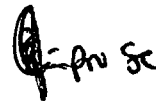
legitimately support a lawsuit dismissal. The above

underlined showing of the Evidence of proof to petitioner's

claims and damages and to all the relevant facts and

applicable precedent Authority, are verifiable as follows:

Petition All Pages

 A handwritten signature in black ink, appearing to read "J. P. Se".

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(1st set and 2nd set of pages) All Lines. Appendix A Front ,

Middle, Back sections, All pages All lines.

REASONS FOR GRANTING THE WRIT

This civil matter is shown to be one of exceptional circumstances (Employer breached EOE contract on unlawful false statements) of peculiar Emergency (with damages leaving petitioner's life in limbo) or public importance (involving violations of Guaranteed Constitutional Protections) see Cheney v. United States Dist. Court for D.C. (03-475) 542 U.S. 367(2004)334 F.3d 1096].

We hold that the immunity from state scrutiny of membership lists which the Association claims on behalf of its members is here so related to the right of the members to pursue their lawful private interests privately and to associate freely with others in so doing as to come within the protection of the Fourteenth Amendment, And

A. J. Scola

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we conclude that Alabama has fallen short of showing a
controlling justification for the deterrent effect on the free
enjoyment of the right to associate which disclosure of
membership lists is likely to have. Accordingly, the
judgment of civil contempt and the \$100,000 fine which
resulted from petitioner's refusal to comply with the
production order in this respect must fall. IV Page 357
U.S. 467 For the reasons stated, the judgment of the
Supreme Court of Alabama must be reversed, and the case
remanded for proceedings not inconsistent with this
opinion. Reversed. In addition to all the reasons in all the
information provided above herein this petition, SCOTUS
rule 10(c) a United States Court of Appeals has decided an
important federal question in a way that conflicts with
relevant decisions of both the LT

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and this Court, and has so far departed from the accepted and usual course of judicial proceedings. In aid of the LT's jurisdiction, the Writ will enhance the public views of the court's Integrity, and will enable trust in the justice system. An extraordinary Writ will redress exceptional circumstances of peculiar Emergency and of public importance. Conclusion : For reasons provided throughout this petition, All unpaginated and paginated pages All Lines, and in Appendix A All pages all Lines (see especially preservation affidavit back section pages 1-13), and for good cause and sufficient justification shown, the court should grant proposed order to petition for Writ of Mandamus and Grant Issuance of Writ as a matter of Law, for to prevent a manifest injustice, and adequate relief cannot be obtained in any other form or from any other court.

Q. Pro se

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AFFIDAVIT OF TRUTH MADE IN GOOD FAITH
IN COMPLIANCE WITH 28 U.S.C : 1746 I, ATTEST
TRUTHFULLY, UNDER PENALTIES FOR PERJURY (IF SO
FOUND/EXPLANATION WILL BE PROVIDED) THAT I'M
AAOX3 COMPETENT U.S. CITIZEN. LPN IN THE STATE OF
FLORIDA. THE INFORMATION SHOWN, PROVEN, AND FILED
HEREIN THIS RECORD IS COMPLETED AS BEST AS
REASONABLY POSSIBLE, (AGAINST DISCREPANCIES), AND
ARE TRUE TO THE BEST OF MY KNOWLEDGE AND GOOD
FAITH BELIEF, AND THIS AFFIDAVIT MAY REQUIRE
COPYING [REDACTED] TODAY , AND HERE
AFTER _____ , AND SHALL BE USED FOR THAT PURPOSE.

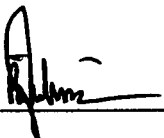
x *[Signature]* Prose

FOR AN ACKNOWLEDGEMENT IN AN INDIVIDUAL CAPACITY	
STATE OF FLORIDA	COUNTY OF <u>Miami Dade</u>
The foregoing instrument was acknowledged before me	
this <u>6th</u> day of <u>January</u> , <u>2023</u> , by	
<u>Beverly Ann Jenkins</u>	
(name of person acknowledging)	
 NOTARY SEAL	 Signature of Notary Public
Produced Identification <input checked="" type="checkbox"/> OR Produced Identification	
Type of Identification <u>Driver License</u>	
Produced <u>842-0</u>	

Appeal No. 22-90019 (22-12727)

Ms. Jenkins, Beverly vs. Signature Healthcare, LLC, 7919,
BRANCH "et al" Case No. 22-20241-Civ-Scola-Goodman

**[Respectfully, Petitioner's signatures with or without
text, should not be used as Authorization for removal of
petitioner/plaintiff out of the state or country. No
infringing. No unlawful activity. Constitutional
Protections Apply].**

X  Pro se **Ms. Jenkins, Beverly A.**

Homestead, Fl.

Ph: (xxx) xxx-xxxx

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Ms. Jenkins, Beverly vs. Signature Healthcare, LLC, 7919,
BRANCH “et al”

CERTIFICATE OF SERVICE

I CERTIFY THAT ON THIS 5-10 DAY OF JANUARY, 2023

I SENT THIS DOCUMENT BY U.S. MAIL COURTESY
COPY TO THE FOLLOWING:

Mrs. Flynn Dowdy/ Mr. Mark Peters: @wallerlaw.com

511 Union St. suite 2700 Nashville, TN, 37219

U.S. Court of Appeals 11th Cir., Atlanta, GA.

Solicitor General of the United States Rm 5614, Dept.
of Justice 950 Pennsylvania Ave., Washington D.C.

20530-0001. The U.S. District Court for the Southern
District of Florida, Miami, Fl.

x  **Ms. Jenkins, Beverly A.**

Homestead, Fl.

PH:xxx xxx-xxxx

SCOTUS NO. _____

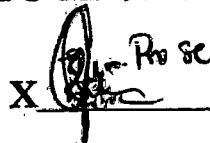
Appeal No. 22-90019 (22-12727)

Ms. Jenkins, Beverly vs. Signature Healthcare, LLC, 7919,
BRANCH "et al"

Case No. 22-20241-Civ-Scola-Goodman

CERTIFICATE OF COMPLIANCE

I CERTIFY THAT THIS DOCUMENT COMPLIES WITH
THE TYPE FACE REQUIREMENTS OF FED.R.APP.P. 32(a)
(A) THIS BRIEF / MOTION/ OTHER (AS IT MAY APPLY)
HAS BEEN PREPARED USING CENTURY SCHOOL BOOK
[IN ACCORDANCE TO SCOTUS RULES 33 AND 34 IN ALL
RESPECTS AS IS REFERENCED IN RULE 20 VIA RULE
14], WHICH IS A PROPORTIONALLY SPACED FACE THAT
INCLUDES SERIFS, IN 14-POINT TYPE. THIS DOCUMENT
CONTAINS APPROX. 4565 WORDS
ACCORDING TO MICROSOFT WORD.

X  Ms. Jenkins, Beverly A.

Homestead, Fl.

Ph: xxx xxx-xxxx