

NOV 05 2022

OFFICE OF THE CLERK

No.

22-7228

IN THE

SUPREME COURT OF THE UNITED STATES

Sharon Hardman — PETITIONER  
(Your Name)

vs.

Kilolo Kijakazi — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Eighth Circuit Court

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

PETITION FOR WRIT OF CERTIORARI

Sharon Hardman  
(Your Name)

609 East 28th Avenue  
(Address)

Pine Bluff, Arkansas 71601  
(City, State, Zip Code)

870-575-3080  
(Phone Number)

ORIGINAL

**QUESTION(S) PRESENTED**

What does the Age Discrimination Act in Employment of 1967 state about a person seeking promotion over the age of 40?

## 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:

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

5:19- cv-00227-LPR  
5:17 -cv-00123-JLH

### STATUTES AND RULES

Title VII of the Civil Rights Act of 1964 (Title VII) as amended 42 U.S.C. § 2000 E-50

Age Discrimination Act in Employment (ADEA) of 1967 as amended, 29 U.S.C. § 621

### OTHER

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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 \_\_\_\_\_ 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☐ is unpublished.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 United States district 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☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A 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☒ is unpublished.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 Eastern District of Arkansas Pine Bluff Division court appears at Appendix A 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☒ is unpublished.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 \_\_\_\_\_.

☐ 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: \_\_\_\_\_, 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. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was 04/02/2021.  
A copy of that decision appears at Appendix A.

☐ 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**

Title VII of the Civil Rights of 1964 (Title VII) as amended 42 U.S.C. § 2000 E-5

Age Discrimination Act in Employment (ADEA) of 1967 as amended, 29 U.S. C § 621



## **STATEMENT OF THE CASE**

I, Sharon Hardman, was born March 6, 1960 and was an employee of the Social Security Administration for 40 years. I worked 9 years in Little Rock Arkansas Office and 31 years in the Pine Bluff Arkansas office.

I was 58 years old when I applied for the GS-12 Technical Expert position in February 2018 and the promotion was given to a young man between the age of 37-38 years old.

I had more experiences and more years on the job. I had served as an temporary Management Support Specialist in 2015. I also did E pad evaluations for trainees in 2015. I have a bachelors degree from the University of Arkansas at Pine Bluff in Business Administration in 1983.

## REASONS FOR GRANTING THE PETITION

I was an employee for the Social Security Administration for 40 years

I has more experiences and more years on the job.

I applied for a GS-12 Techincal Expert position and it was given to a young man between the age of 37 or 38.

Whenever I applied for a position I always made the Best Qualified List.

I was discriminated because I was over the age 40 per section 1614.407 of the Civil Rights Act of 1964 42 U.S.C. 2000 E-5 and Age Discrimination Act in Employment (ADEA) of 1967 as amended 29 U.S.C. 621

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Shawn D. Hardman

Date: November 4, 2022