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In The

Supreme Court of the United States

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OFFICE OF THE CLERK
SUPREME COURT, U.S.

HAROLD JEAN-BAPTISTE,

Petitioner,

v.

BOOZ ALLEN HAMILTON,

Respondent.

On Petition For A Writ Of Certiorari
To The United States Court Of Appeals
For The District Of Columbia Circuit

PETITION FOR WRIT OF CERTIORARI

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MAR 17 2023

OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTION PRESENTED

Whether inexcusable error by U.S. Court of Appeals for the District Court of Columbia to issue an Order that was unclear with judicial errors that is confusing to which parties the order is for, referencing petitioner instead of the defendant of the case. The Order for Summary Affirmance referencing the petitioner's claims when the petitioner never requested it, the petitioner's motion was for opposition to Summary Affirmance requested by the defendant. The Order by U.S. Court of Appeals for the District Court of Columbia is confusing and inexcusable judicial error. The inexcusable judicial error of U.S. Court of Appeals for the District Court of Columbia is a judicial mistake and created a confusion of the Order to decipher the correct judgement of U.S. Court of Appeals for the District Court of Columbia ruling for Summary Affirmance for the petitioner when the motion from the petitioner from the U.S. Court of Appeals was opposition to Summary Affirmance. The U.S. Court of Appeals made an error and also applied the law incorrectly by ignoring the fact the U.S. District Court dismissing the case without prejudice incorrectly on the time frame to file EEOC claims, because less than 90 days was passed since the 'right to sue letter' was issued on February 14, 2022 by EEOC. According to Title VII, the American Disability Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act, a person aggrieved under Title VII who seeks to file a civil action must do so within ninety days from receipt of the EEOC right-to-sue notice, the original case was

QUESTION PRESENTED – Continued

filed in the correct time frame and disregard the petitioner's rights under EEOC rule to file discrimination lawsuit against the petitioner's employer. The petitioner filed the first lawsuit within the 90 days in Superior Court for the District of Columbia (Case #2020 CA 002388 B) on May 1, 2020 at 1:22:16 PM, of the 'Right to Sue Letter' mailed on February 14, 2020, after 90 days would been after May 14, 2020. The U.S. Court of Appeals accepted the error of the U.S. District Court for the District Court of Columbia when it should have overturned the U.S. District Court error in judgment. The petitioner dismissed the first case without prejudice and the right to remand this case fall under the U.S. District Court jurisdiction of dismiss without prejudice. The Judicial System implemented dismiss without prejudice as an avenue for continuous of First Amendment Right to Petition before the Court, and to deny continuation of this case, the law was applied incorrectly. The U.S. Court of Appeals denied petitioner Right to Petition and due process because the case was properly filed and dismissed without prejudice, the inexcusable neglect of the U.S. Court of Appeals diminishing the guiding foundation for the Judicial System, to obstruct that would derail the guiding principles of foundation the Judicial System was built on. The U.S. Court of Appeals stated the petitioner forfeited all his claims by failing to raise any of them in opposition motion for Summary Affirmance, which is completely an error in judicial judgement. All the claims under Title VII and 42 U.S.C 1985(3) and 1986 was well

QUESTION PRESENTED – Continued

documented on opposition to Summary Affirmance, ignoring that fact is a judicial error, mistake and inexcusable neglect by the U.S. Court of Appeals for the District Court of Columbia. This petition is submitted to the Supreme Court as a result of the U.S. Court of Appeals for the District Court of Columbia applied the Law Incorrectly, denial of First Amendment Right to Petition, Error, Mistake, Inexcusable Neglect, denied Private Right of Action and Public Interest of U.S. Court of Appeals and hold Booz Allen Hamilton accountable for violation of Human Rights, Constitutional and Federal Laws and prevent Booz Allen Hamilton in the future from oppressing and setting people up to be arrested. Regardless if the petitioner is “Pro Se”, the First Amendment Right to Petition and fair judicial review should not be obstructed or ignore by the U.S. Court of Appeals for the District Court of Columbia and pray the Supreme Court reinstate the importance of the integrity of the Judicial System.

RELATED PROCEEDINGS

U.S. District Court for the District Court of Columbia:
Harold Jean-Baptiste v. Booz Allen Hamilton,
No. 22-CV-1499 (Sept 21, 2022)

U.S. Court of Appeals for the District Court of Columbia:
Harold Jean-Baptiste v. Booz Allen Hamilton,
No. 22-7128 (Feb. 22, 2023)

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PETITION FOR WRIT OF CERTIORARI

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OPINION BELOW

The Judgement of the U.S. Court of Appeals for the District of Columbia was entered on February 22, 2023. February 22, 2023 the Court failed to correct the error of the U.S. District Court for the District of Columbia and Order Summary Affirmance, instead of overruling the errors of the U.S. District Court, in which the petitioner filed a Petition for a Writ of Certiorari due to the U.S. Court of Appeals for the District of Columbia failure Order Opposition for Summary Affirmance base on error of the U.S. District Court. The Petition

for a Writ of Certiorari was filed on March 14, 2023. The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

JURISDICTION

The Petition for a Writ of Certiorari was filed on March 14, 2023 originally.

The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

STATEMENT

On May 27, 2022 the petitioner filed a complaint in U.S. District Court for the District of Columbia individually on behalf of himself on Booz Allen Hamilton who discriminated against the petitioner, subjected to a collusion and conspiracy with the FBI to setup petitioner for entrapment by his employer at the petitioner's place of work. A first lawsuit was filed in Superior Court for the District of Columbia (Case #2020 CA 002388 B) on May 1, 2020 at 1:22:16 PM, within the 90 days window of the 'Right to Sue Letter' (Issued 2/14/20 Mindy E. Weinstein Acting Director of U.S. Equal Employment Opportunity Commission) and the case was transferred by the defendant to the U.S. District Court for the District of Columbia (CASE #20-CV-02178). Since Judge McFadden denied a motion to appoint counsel, the petitioner requested the

case to be dismissed without prejudice on September 28, 2020. The petitioner understood his lack of an education in the law and the Judicial System, so the petitioner went to law school to get a better grasp of the law and a little more comfortable with the law, and on May 27, 2022 the petitioner re-filed the lawsuit against Booz Allen Hamilton (Case# 22-CV-01499). The U.S. District Court of the District of Columbia dismiss the lawsuit without merit on the fact of Time Barred, Private Right of Action and Erroneous Judicial Judgment. The petitioner appealed the ruling to U.S. Court of Appeals for the District Court of Columbia, to overturn the errors of the U.S. District Court but the errors was ignored by the U.S. Court of Appeals for the District Court of Columbia and added more judicial error. The petitioner prays the Supreme Court overturn the errors of U.S. Court of Appeals for the District Court of Columbia and reinstate the petitioners First Amendment Right to Petition for this case, to ensure Booz Allen Hamilton is held accountable and most importantly so Booz Allen Hamilton don't setup people for arrest in the future and set a precedence to ensure this never ever happens to someone else in the future. The Writ of Certiorari is before the Supreme Court on the merit of U.S. Court of Appeals for the District Court of Columbia applied the law incorrectly, denial of First Amendment Right to Petition, Unfair Judicial Review, Error, Mistake, Inexcusable Neglect, Denied Private Right of Action and Public Interest. The rule of law applies to everyone and no one or entity is above the law.

ARGUMENT

Petitioner contends that the Supreme Court should grant Writ of Certiorari to review this case based on the inexcusable error of the U.S. Court of Appeals for the District Court of Columbia. The U.S. Court of Appeals applied the law incorrectly, unfair judicial review, denial of First Amendment Right to Petition, Error, Mistake, and Inexcusable Neglect. The U.S. Court of Appeals decision on this case was flawed based on unclear judicial review and fail to adhere to laws that govern the Court. The petitioner filed the lawsuit to seek justice and fair judicial review, based on the oath of service taken by every Judge in the United States in all U.S. Districts. The U.S. Court of Appeals denying the petitioner's right for continuation of the case when proper jurisdiction exist is grave injustice to EEOC Rules and U.S. Court of Appeals for the District Court of Columbia rules to file a case for fair judicial review. Regardless if the petitioner is "Pro Se", the First Amendment Right to Petition and fair judicial review should not be obstructed the U.S. Court of Appeals and prays the Supreme Court grant a review and correct the improper application of the law and set a precedence even a "Pro Se" has the right to fair judicial review.

U.S. District Court applied the Law Incorrectly.

Time Barred:

The U.S. Court of Appeals for the District Court of Columbia applied the law incorrectly by stating the

case was not file in the proper time frame under EEOC rule to file discrimination lawsuit against the petitioner's employer. The petitioner exhausted all administrative remedies prior to bringing suit, the petitioner filed timely charges of discrimination and filed a complaint before the Equal Employment Commission on February 2, 2020. The first case was filed in less than 90 days, since the 'Right to Sue Letter' was issue on February 14, 2022 EEOC (Case #570-2020-00329) and first case was filed in Superior Court for the District of Columbia (Case #2020 CA 002388 B) on May 1, 2020 at 1:22:16 PM before the case was transferred to U.S. District Court for the District of Columbia. According to Title VII, the American Disability Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act, a person aggrieved under Title VII who seeks to file a civil action must do so within ninety days from receipt of the EEOC right-to-sue notice. The petitioner's right of action to file discrimination claim against the Booz Allen Hamilton falls under EEOC rule to file the lawsuit as instructed by the 'Right to Sue Letter'. The petitioner dismissed the first case without prejudice and the right to remand this case fall under the U.S. District Court jurisdiction of dismiss without prejudice. The Judicial System implemented dismiss without prejudice as an avenue for continuous of First Amendment Right to Petition before the Court, and to deny continuation of this case, the law was applied incorrectly.

The petitioner filed the first lawsuit within the 90 days in Superior Court for the District of Columbia

(Case #2020 CA 002388 B) on May 1, 2020 at 1:22:16 PM, of the 'Right to Sue Letter' mailed on February 14, 2020, after 90 days would be after May 14, 2020. The U.S. Court of Appeals applied the law incorrectly to not recognize the time-frame of the lawsuit, the case was filed before the 90 days, therefore the Court applied the law incorrectly. Past Court raised the limitation period for file suit and stated, "explaining that Title VII claims must be filed within ninety days of receipt of the EEOC's final decision and dismissal without prejudice does not toll the limitations period", *see Callahan v. Commc'n Graphics, Inc.*, 657 F. App'x 739, 8 (10th Cir. 2016). The judgement of past Court stated, 'a district Court has discretion to dismiss without prejudice cases involving pendent claims, and argued that fairness, efficiency, comity, and common sense supported the authority of removal Courts to remand such cases as well', *see Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 348 (1988). A voluntary Rule 41(a)(1)(i) dismissal does not deprive a district Court of jurisdiction, *see Cooter Gell v. Hartmarx Corp.*, 496 U.S. 384 (1990). "The Court has no authority to enact rules that "abridge, enlarge or modify any substantive right." Ibid. Pursuant to this authority, the Court promulgated the Federal Rules of Civil Procedure to "govern the procedure in the United States district courts in all suits of a civil nature", *see Cooter Gell v. Hartmarx Corp.*, 496 U.S. 384, 391 (1990). The U.S. Court of Appeals applied the law incorrectly, the continuous of the case is within the U.S. Court of Appeals jurisdiction and to obstruct the Court jurisdiction is applying the law incorrectly and judicial error. Prior Court insights stated, "Both Rule 41(a)(1) and

Rule 11 are aimed at curbing abuses of the Judicial System, and thus their policies, like their language, are completely compatible. Rule 41(a)(1) limits a litigant's power to dismiss actions, but allows one dismissal without prejudice. Rule 41(a)(1) does not codify any policy that the petitioner's right to one free dismissal also secures the right to file baseless papers. The filing of complaints, papers, or other motions without taking the necessary care in their preparation is a separate abuse of the Judicial System, subject to separate sanction", *see Cooter Gell v. Hartmarx Corp.*, 496 U.S. 384, 397-98 (1990). Prior Court stated, "dismissed without prejudice, "thereby leaving the plaintiff[s] free to refile [their] suit when and if [they] exhaust[] all of [their] administrative remedies or drop[] the unexhausted claims", *see Greene v. Meese*, 875 F.2d 639, 643 (7th Cir. 1989)" *Chaidez v. Ford Motor Co.*, 937 F.3d 998, 1008 (7th Cir. 2019). The Fifth Circuit Court, stated, "to ensure an opportunity to enforce the statutory rights conferred by Title VII. Put simply, it would be anomalous to deny a person the right to bring her own action, when the E.E.O.C. could have started over, conducted a good faith investigation, issued a reasonable cause finding and brought a second action on the same claim", *see Truvillion v. King's Daughters Hospital*, 614 F.2d 520, 527 (5th Cir. 1980). "The House Report on the 1972 amendments to Title VII noted that the primary concern [about the private right of action] must be protection of the aggrieved person's option to seek a prompt remedy in the best manner available", *see Truvillion v. King's Daughters Hospital*, 614 F.2d 520, 528 (5th Cir. 1980), H.R. Rep. No. 92-238, 92nd Cong., 2d

Sess., reprinted in U.S. Code Cong. Admin. News, 1972, p. 2148"). Past Court stated, "Title VII claims are not exempt from the doctrine of res judicata where plaintiffs have neither sought a stay from the district Court for the purpose of pursuing Title VII administrative remedies nor attempted to amend their complaint to include their Title VII claims", *see Heyliger v. State Univ. Cnty. College Sys. of Tenn.*, 126 F.3d 849, 856 (6th Cir. 1997"). The U.S. Court of Appeals decision for Summary Affirmance reference to the wrong party of the case, that judicial error denied petitioner's right under Title VII for due process in which the law was applied incorrectly.

Denied First Amendment Right to Petition

The Freedom of Petition Clause guarantees that Americans can petition the government, entity or individual to redress their grievances without fear of retribution or punishment. This was an important principle valued by the Founding Fathers, in orchestrating the laws that govern the Court. The Freedom of Petition Clause played an important role in the Civil Rights petition for every person in the America. At the earliest occurrence the Judicial System, the Court stated, "It is a right which the party can claim; and if he shows himself entitled to it on the facts in the record, there is no discretion in the Court to withhold it. A refusal is error – judicial error – which this Court is bound to correct when the matter, as in this instance, is fairly before it. That the order asked for by petitioner should have been granted, seems to us very clear", *see*

Railroad Company v. Souter, 69 U.S. 510, 522 (1864). Past precedence of the Court stated, “We hold that such claims are properly analyzed under the Fourth Amendment’s “objective reasonableness” standard, rather than under a substantive due process standard”, *see Graham v. Connor*, 490 U.S. 386, 388 (1989). Have the Right to Petition and due process is guiding foundation for the Judicial System, to obstruct that would derail the guiding principles of foundation the Judicial System is built on. Past Courts stated, “we recognized that the right of access to the Courts is an aspect of the First Amendment Right to Petition”, *see Bill Johnson’s Restaurants, Inc. v. Nat’l Labor Relations Bd.*, 461 U.S. 731, 741 (1983). The obstruct of the Right to Petition by past Court stated, “The Right to Petition the Courts cannot be so handicapped”, *see Railroad Trainmen v. Virginia Bar*, 377 U.S. 1, 7 (1964). “It must be underscored that this Court has recognized the “Right to Petition as one of the most precious of the liberties safeguarded by the Bill of Rights”, *see Lozman v. City of Riviera Beach*, 138 S. Ct. 1945, 1954 (2018). The U.S. Court of Appeals ruling for Summary Affirmance hindered the petitioner’s right to present the case before the Court, therefore depriving the petitioner’s First Amendment Right to Petition. Past Court stated, “to any original party or intervenor of right seeking relief from extraordinarily prejudicial interlocutory orders, including the right to appeal from a final judgment and the Right to Petition”, *see Stringfellow v. Concerned Neighbors in Action*, 480 U.S. 370, 385 (1987). The U.S. Court of Appeals impeded the petitioner’s Right to Petition is an abuse of the Judicial System guidelines for

providing a fair judicial review for a petitioner, therefore the Supreme Court should not allow this abuse of the Judicial System and set a precedence to correct it. According to past Court, “the right of access to the Courts, the Right to Petition is substantive rather than procedural and therefore “cannot be obstructed, regardless of the procedural means applied”, *see Franco v. Kelly*, 854 F.2d 584, 589 (2d Cir. 1988). Most importantly past Court stated, “The right of individuals to pursue legal redress for claims that have a reasonable basis in law or fact is protected by the First Amendment Right to Petition and the Fourteenth Amendment right to substantive due process”, *see Snyder v. Nolen*, 380 F.3d 279, 291 (7th Cir. 2004). Nothing in the First Amendment itself suggests that the First Amendment Right to Petition for redress of grievances only attaches when the petitioning takes a specific form, *see Pearson v. Welborn*, 471 F.3d 732, 741 (7th Cir. 2006). It is by now well established that access to the Courts is protected by the First Amendment Right to Petition for redress of grievances, *see Wilson v. Thompson*, 593 F.2d 1375, 1387 (5th Cir. 1979). The Supreme Court stated, “held that the First Amendment Right to Petition the government includes the right to file other civil actions in Court that have a reasonable basis in law or fact”, *see Silva v. Vittorio*, 658 F.3d 1090, 1102 (9th Cir. 2011). “Meaningful access to the Courts is a fundamental Constitutional Right, grounded in the First Amendment Right to Petition and the Fifth and Fourteenth Amendment due process clauses”, *see Johnson v. Atkins*, 999 F.2d 99, 100 (5th Cir. 1993). The U.S. Court of Appeals to Summary of

Affirmance was confusing on who it was issued for and without proper legal merit violate the petitioner's First Amendment Right to Petition. The United States Supreme Court has recognized "the Right to Petition as one of the most precious of the liberties safeguarded by the Bill of Rights", *see Lozman v. City of Riviera Beach, 138 S. Ct. 1945 (1946)*. The Supreme Court should look at the gravity of allegations and to deny a "Pro Se" petitioner from having due process before the Court and the severity of the allegations by the defendant and denying the petitioner's right to due process and implies the defendant is above the law in soundless way. The Supreme Court stated, "At its core, the right to due process reflects a fundamental value in our American constitutional system. Our understanding of that value is the basis upon which we have resolved", *see Boddie v. Connecticut, 401 U.S. 371, 374 (1971)*. The Supreme Court should examine more precisely the weight of First Amendment Right to Petition by the Constitution, the calamity of the Federal Laws violations presented by the petitioner who is filing "Pro Se" the opportunity to present the case before the Court to grant the petitioner's due process. First, the risk of an erroneous deprivation of the petitioner's First Amendment Right to Petition would be denied and the profound serious allegations in the complaint should not be ignored until full fact-finding judicial review before the Court. The concept of the Judicial System is to provide a fair judicial review, the U.S. Court of Appeals ruling base on error to denied the petitioner's right to due process and First Amendment Right to Petition.

Errors, Mistakes, and Inexcusable Neglect

According to the EEOC rule a claim must be filed within 90 days and petitioner filed the lawsuit within the 90 days and the U.S. Court of Appeals ignored the law and EEOC rules and made an error in judgment for Summary Affirmance to dismiss the case, which is inexcusable neglect. The U.S. Court of Appeals clearly had jurisdiction for continuous of the case, this was inexcusable error and neglect. The errors, mistakes and inexcusable neglect denied the petitioner a fair judicial review. In *United States v. Olano*, 507 U.S. 725 (1993), the U.S. Supreme Court established three conditions that must be met before a Court may consider exercising its discretion to correct the error. First, there must be an error that has not been intentionally relinquished or abandoned. Second, the error must be plain – that is to say, clear, or obvious. Third, the error must have affected the petitioner substantial rights. To satisfy this third condition, the petitioner ordinarily must show a reasonable probability that, but for the error, the outcome of the proceeding would have been different, as noted in *Cameron v. Seitz*, 38 F.3d 264 (1994). The U.S. Court of Appeals actions was a clear error and effected the outcome of the judicial proceeding. Prior Courts stated, “Remedies for judicial error may be cumbersome but the injury flowing from an error generally is not irreparable, and orderly processes are imperative to the operation of the adversary system of justice”, *see Maness v. Meyers*, 419 U.S. 449, 460 (1975).

The U.S. Court of Appeals confusing Summary Affirmance to the wrong party was a mistake base on

error and inexcusable neglect. Prior Court have stated “the Court must view the evidence in a light most favorable to the party against whom the motion is made and give that party the benefit of all reasonable inferences”, *see Cameron v. Seitz*, 38 F.3d 264 (1994). The Supreme Court stated, “The equitable powers of Courts of law over their own process to prevent abuse, oppression, and injustice are inherent and equally extensive and efficient, as is also their power to protect their own jurisdiction. . . . In whatever form, the remedy is administered, whether according to a procedure in equity or at law, the rights of the parties will be preserved and protected against judicial error, and the final decree or judgment will be reviewable, by appeal or writ of error, according to the nature of the case”, *see Krippendorf v. Hyde*, 110 U.S. 276 (1884). “U.S. Const. amend. XIV does not, in guaranteeing due process, assure immunity from judicial error. It is only miscarriages of such gravity and magnitude that they cannot be expected to happen in an enlightened system of justice, or be tolerated by it if they do, that cause the Court to intervene to review, in the name of the federal constitution”, *see Stein v. New York*, 346 U.S. 156 (1953).

The Supreme Court stated, “It is a right which the party can claim; and if he shows himself entitled to it on the facts in the record, there is no discretion in the Court to withhold it. A refusal is error – judicial error – which this Court is bound to correct when the matter, as in this instance, is fairly before it”, *see Milwaukie & M. R. Co. v. Soutter*, 69 U.S. 510 (1864). The Supreme

Court stated, “That risk of unnecessary deprivation of liberty particularly undermines the fairness, integrity, or public reputation of judicial proceedings in the context of a plain Guidelines error because Guideline’s miscalculations ultimately result from judicial error, as the District Court is charged in the first instance with ensuring the Guidelines range it considers is correct”, *see Rosales-Mireles v. United States*, 138 S. Ct. (1897).

Prior Court stated, “The doctrine of stare decisis allows us to revisit an earlier decision where experience with its application reveals that it is unworkable,” *see Payne v. Tennessee*, 501 U.S. 808, 827, 111 S. Ct. 2597, 115 L. Ed. 2d 720 (1991). The U.S. Court of Appeals errors on the case is unworkable and confusing error because the ruling on the case was not applied to rules and law that governs EEOC claims before the Court. Prior Court ruling on errors stated, “Experience is all the more instructive when the decision in question rejected a claim of unconstitutional vagueness. Unlike other judicial mistakes that need correction, the error of having rejected a vagueness challenge manifests itself precisely in subsequent judicial decisions: the inability of later opinions to impart the predictability that the earlier opinion forecast. Here, the experience of the federal Courts leaves no doubt about the unavoidable uncertainty and arbitrariness of adjudication under the residual clause. Even after Sykes tried to clarify the residual clause’s meaning, the provision remains a ‘judicial morass that defies systemic solution,’ ‘a black hole of confusion and uncertainty’

that frustrates any effort to impart ‘some sense of order and direction”, *see United States v. Vann*, 660 F. 3d 771, 787 (CA4 2011). The U.S. Court of Appeals did not follow the law correctly, created a sense of confusion the Supreme Court can provide clarity on how the Court should follow the rule of law that govern the Judicial System and reverse the U.S. Court of Appeals Order and provide the petitioner’s First Amendment Right to Petition before the Court. “It is a judge’s duty to decide all cases within his jurisdiction that are brought before him. . . . His errors may be corrected on appeal, but he should not have to fear that unsatisfied litigants may hound him with litigation”, *see Forrester v. White*, 484 U.S. 219, 227, 108 S. Ct. 538, 98 L. Ed. 2d 555 (1988). Prior Court have provided insights on evaluating judicial neglect, “To determine whether any of a judge’s actions were taken outside his judicial capacity, the ‘nature of the act’ is examined, i.e., whether it is a function normally performed by a judge, and to the expectations of the parties, i.e., whether they dealt with the judge in his judicial capacity”, *see Cameron v. Seitz*, 38 F.3d 264 (1994). The U.S. Court of Appeals actions on the case were uncharacteristic of sound legal judgment and is inexcusable neglect by the U.S. Court of Appeals and doing so is to deny the petitioner a fair judicial review. The U.S. Court of Appeals made mistake, error and inexcusable neglect in applying the law and Summary Affirmance ruling was an error without clear merit for the parties of the case.

Private Right of Action Civil Right Act

The U.S. Court of Appeals illustrated the petitioner does not claim for private right of action. The standard of review may be critical to the outcome of the case, to remove a standard review of the Court is to deny judicial review from the Court, *see Dickinson v. Zurko*, 527 U.S. 150, 152-61 (1999). Past precedence stated, Standard of review is important to our resolution of a case, *see Krull v. SEC*, 248 F.3d 907, 914 (9th Cir. 2001). The United States Supreme Court stated an entity not private conduct, “can be sued directly under § 1983 for monetary, declaratory, or injunctive relief where the action that is alleged to be unconstitutional implements or executes a policy statement, ordinance, regulation, or decision officially adopted and promulgated by that body’s officers”, *see Monell v. Dep’t of Soc. Servs.*, 436 U.S. 658, 660 (1978). There is past precedence, it’s clear that private right of action on a defendant’s actions can violate the petitioner’s Civil Rights and Constitutional Rights. The U.S. Court of Appeals has the burden to make the decision and is not outside of the U.S. Court of Appeals jurisdiction for ruling on private right of action and assessing the liability of a defendant. “It is a right which the party can claim; and if he shows himself entitled to it on the facts in the record, there is no discretion in the Court to withhold it. A refusal is error – judicial error – which this Court is bound to correct when the matter, as in this instance, is fairly before it. That the order asked for by appellants should have been granted, seems to us very clear”, *see Railroad Company v. Souter*, 69 U.S. 510,

522 (1864). The Supreme Court has established “an implied private right of action” under Title VI, leaving it “beyond dispute that private individuals may sue” to address allegations of intentional discrimination”, *see Barnes v. Gorman*, 536 U.S. 181, 185 (2002) (quoting *Alexander v. Sandoval*, 532 U.S. 275, 280 (2001)). The Supreme Court also stated, “We have indicated that individuals may have an implied private right of action under the Constitution to seek equitable relief to “‘preven[t] entities from acting unconstitutionally”, *see Collins v. Yellen*, 141 S. Ct. 1761, 1790 (2021). Past precedence stated oppression is, “unfair act is properly defined as one that is “immoral, unethical, oppressive, or unscrupulous,” a deceptive act need not fit that definition, but need merely have the capacity or tendency to mislead or deceive”, *see also Bronster v. United States Steel Corp.*, 82 Haw. 32, 50 (1996). The U.S. Court of Appeals failed to see the actions of the defendant that is classified as immoral, unethical, oppressive, or unscrupulous to deceive and mislead the petitioner, therefore is oppressive in nature and violate the petitioner’s Civil Rights, therefore private right of action can be applied. The defendant’s actions constitute as an act to violate Civil Rights, Constitutional Rights to not be oppress by the actions of the defendant, place the petitioner to violates Federal Law and the act is an action of oppression for civil right for private right of action. “[A]ction of oppression and violating of fundamental principles of law is well calculated to bring about confusion, riot, and bloodshed”, *see State v. Zaglin*, 114 S.C. 265, 267 (1920). The past precedence of the Court stated, “To act according to their

uncorrupted business judgment for the sole benefit of the corporation, the meaning of “oppressive”, *see Ritchie v. Rupe, 443 S.W.3d 856, 860 10 (2014)*. U.S. Court of Appeals did not interpret the law correctly and therefore petitioner does have private right of action to hold the defendant liable for the petitioner’s Civil Rights violation. The U.S. Court of Appeals has jurisdiction and duty to make that determination against the defendant for private right of action and therefore the case should have the opportunity to be presented before the U.S. District Court for a fair judicial review. Denying the petitioner to a fair judicial review is obstruction of the petitioner’s rights to due process for private right of action.

Public Interest

It’s in the public interest that the Supreme Court provide the petitioner a full fact-finding judicial review to maintained the integrity of the Judicial System and law abiding straightforward rulings using the law and to ensure that errors of the U.S. Court of Appeals are corrected, and maintain the equality of the judicial system. It’s in the public interest the Supreme Court set a precedence that the confidence in the Court is upheld to protect the public interest strong faith in judicial process, that the Court ruling is base on fact of the law, not judicial errors. The Supreme Court stated, “the balancing exercise in some other case might require us to make a somewhat more precise determination regarding the significance of the public interest and the historical importance of the events in question”, *see Nat'l*

Archives & Records Admin. v. Favish, 541 U.S. 157, 175 (2004). It's in the public interest the Supreme Court intervene in matter that would set a good precedence for the public interest to have faith in the Judicial System that any errors of the lower Courts will be corrected by the Supreme Court and prevent judicial bias or inexcusable errors. Prior Court stated, "it is only serving the public interest to the extent that an employee seeking the same relief for himself through litigation or arbitration would also be serving the public interest", *see Equal Emp't Opportunity Comm'n v. Waffle House, Inc.*, 534 U.S. 279, 307 n.10 (2002). It is not mere avoidance of a trial, but avoidance of a trial that would imperil a substantial public interest, that counts when asking whether an order is "effectively" unreviewable or hinder the public interest to prevent the similar allegations in this case, *see Will v. Hallock*, 546 U.S. 345, 353 (2006). When factors are profoundly serious violation of law by a party it's the Court duty to consider the effect of the public interest, in the public interest and should be construed liberally in furtherance of their purpose and, if possible, so as to avoid incongruous results, *see B. P. Steamboat Co. v. Norton*, 284 U.S. 408 (1932). In applying any reasonableness standard, including one of constitutional dimension, an argument that the public interest demands a particular rule must receive careful consideration, the effect of obliviousness to factors that would protect the public interest would be a stain to the Court function in the society, *see Camara v. Municipal Court*, 387 U.S. 523, 533 (1967). It's in the public interest that Supreme Court does not let the errors of the U.S. Court of

Appeals stand to deteriorate what guiding principles the Judicial System stands for, that the Court is impartial, rulings are base fact of the law and judicial honor to apply the law correctly.

CONCLUSION

The petitioner prays a Writ of Certiorari is granted to correct the errors of the U.S. Court of Appeals for the District of Columbia. The petitioner prays the Supreme Court to reverse the perplexing error for Summary Affirmance Order by the U.S. Court of Appeals for the District of Columbia and provide the petitioner's First Amendment Right to Petition this case. Most importantly, set a strong precedence for the future that any abuse of Human Rights, Civil Rights and Federal Laws should never be allowed by any person in Booz Allen Hamilton to setup people for arrest, hold them accountable for their actions. The rule of law applies to everyone and *no one is above the law*.

Respectfully submitted.

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