

No. _____

In the
Supreme Court of the United States

DEBRA-ANN WELLMAN,

Petitioner,

v.

HEB GROCERY COMPANY, L.P.

Respondent.

**On Petition for Writ of Certiorari to the
United States Court of Appeals
for the Fifth Circuit**

PETITION FOR WRIT OF CERTIORARI

DEBRA-ANN WELLMAN
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Petitioner Pro Se

QUESTIONS PRESENTED

- I. Whether discrimination against an employee because of gender identity, sexual orientation, sex... constitutes prohibited employment discrimination “because of ... sex” within the meaning of *Title VII of the Civil Rights Act of 1964 (as amended) 42 U.S.C. § 2000e-2*.
- II. Whether the employers Respondent/Appellees (HEB) where legally permitted to retaliate, harass, electrocution, taser, scare tactics, to perform numerous acts of violence by consistently demanding that the Pro Se Petitioner give detailed information about three (3) Federal Lawsuits of court ordered, sealed documents previously filed in Delaware; that the Respondent (*et al*) had financial investments, partnerships and personal interests in these lawsuits; discovery and legal outcomes processes from the State of Delaware of these sealed Federal documents submitted by the Petitioner.
- III. Whether retaliation and harassment from filed complaint by the Petitioner on judicial misconduct encompasses a district court judges legal cautious and rational decision-making process capabilities? Factoring in, district court’s posthaste Opinion created by the district court judge was being incautiously executed; only because the Petitioner filed a Judicial Misconduct Complaint, with the Fifth Circuit Court of Appeals. Opinion was rapidly delivered well before; all of the evidence and scheduling

order criteria was fully met for the Petitioner's lawsuit. *Title VII of the Civil Rights Act of 1964 (as amended)* discrimination and retaliation protection and Pro Se Petitioner, was forced to move forward, to the Fifth Circuit Court of Appeals to protect Debra-Ann Wellman's (Pro Se Petitioner) U.S. Constitutional Rights.

- IV. Whether gender identity, sex discrimination, illegal medical exams, electrocution and taser, stalking, harassment was illegal in every inhumane, United States Constitutional aspect?
- V. Whether the district court erred by prematurely dismissing this lawsuit?
- VI. Should the Pro Se Petitioner have been punished by the district court judge because she had filed a "Motion To Recuse" the district court judge, along with registering a formal Judicial Misconduct Complaint with the Fifth Circuit Court of Appeals, for this lawsuit, against Judge A.H. Bennett of the district court?
- VII. Whether the district court openly erred in not providing the Pro Se Petitioner court assigned legal counsel was violating the U.S. *Constitutional Fifth and Sixth Amendments* for the "*Right To Counsel*" for criminal violations that was done to Debra-Ann Wellman? Since the district court judge was aware of previous federal lawsuit(s) that the Pro Se Petitioner had filed in the State of Delaware and the Pro Se Petitioner was being continually, violently retaliated against, harassed and abused by the

Respondent in the present-day lawsuit, CA5 21-20660 and 4:20 CV-3139. Due to the Respondent's involvement in these State of Delaware Federal lawsuits.

- VIII. Whether the district court and the Fifth Circuit Court of Appeals erred by refusing two (2) motions filed by the Pro Se Petitioner, for a court appointed attorney to represent the Pro Se Petitioner when there were obvious "criminal" charges along with civil charges, therefore, the Pro Se Petitioner was not protected legally in oppositional activity under *The Fifth and Sixth U.S. Constitutional Amendments (for the Right To Counsel); Violation of the U.S.C. Fourteenth Amendments' three (3) clauses especially for "Due Process" and "Equal Protection" are abandoned; including Title VII Civil Rights Act of 1964 (as amended) Civil Rights Act of 1964 (as amended) for this type of behavior toward a Pro Se Petitioner not being permitted to be represented by a Court Appointed Attorney/Legal Advocate for her Federal lawsuits needs, was negligent and irresponsible by each of the lower courts.*
- IX. Whether the district court and the Fifth Circuit appeals court erred in denying Pro Se Petitioner subpoenas (Delta Airlines) ignoring obligations to responding to subpoenas with the requested information for criminal charges of Stalking? At a private business meeting in New York City (various other East Coast locations) in May of 2019 that the Petitioner was an active meeting participant.

- X. Whether the district court and the Fifth Circuit appeals court erred in continuing to deny the Petitioner subpoenas to only protect the Respondents (HEB *et al*) their Free Mason's Tribes violent human rituals?
- XI. Whether the district court erred in dismissing Petitioner, Wellman's lawsuit, prematurely under *42.U.S. Code Civil action for deprivation of rights*. Whether the district court deliberately denied, and progressed to "strike" Pro Se Petitioner's, legal motions submissions and strike(s)(en), terminated numerous documents from the Pro Se Petitioner document(s) submission throughout the entire lawsuit?
- XII. Whether the district court and the appeals courts erred in not formally requesting Federal monitored "conferring" processes take place and follow through with this lawsuit as a triable case, or discuss with an (official federal court mediator)? Therefore, no "Conferring" processes with opposing counsel and the Pro Se Petitioner was never going to occur.
- XIII. Whether the Professional Conduct - Standards Rules and Regulations of a Federal District Court were honored and obeyed in *Case No 4:20-cv-03139*? Whether any of the district judge's extra-judicial comments and legal actions and court room behavior (e.g., October 29, 2021 unprofessional/improper behavior at the expense of the Petitioner) about this lawsuit case require reversal of the judgement?

- XIV. Whether it was illegal for the Respondents to not reply to one (1) of the Petitioner's documents to the Fifth Circuit Court of Appeals?
- XV. Whether any of the district court's procedural and evidentiary rulings constituted an abuse of discretion and judicial power's requiring reversal of the judgment? What is the Federal District Court Judge and the Fifth Circuit Court of Appeals afraid of?

PARTIES TO THE PROCEEDING

Petitioner (petitioner/appellant in the court of appeals) is Debra-Ann Wellman.

Respondents (respondent/appellee in the court of appeals) is the HEB Grocery Company.

CORPORATE DISCLOSURE STATEMENT

SDN Safe Harbor, LLC – Debra-Ann Wellman

RELATED PROCEEDINGS

United States District Court Southern District of Houston, Texas

Debra-Ann Wellman v. HEB Grocery Company, L.P., No. 4:20-cv-03139 (September 9, 2020)

United States Court of Appeals (5th Circuit)

Debra-Ann Wellman v. HEB Grocery Company, L.P., No. 21-20660 (December 21, 2021)

Debra-Ann Wellman v. HEB Grocery Company, L.P., No. 21-20660 (November 15, 2022) (initial panel opinion)

Debra-Ann Wellman v. HEB Grocery Company, L.P., No. 21-20660 (November 30, 2022) (en banc denial order and amended panel opinion)

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Debra-Ann Wellman, respectfully petitions for a writ of certiorari to review the judgments of the United State Court of Appeals for the Fifth Circuit, and the District Court for the Southern District of Houston, Texas for mishandling this lawsuit; since the Petitioner sought relief in this case that would deprive Petitioner of its rights under federal law, as expressed in *Title VII of the Civil Rights Act of 1964 (as amended)*, 42 U.S. C. § 2000e et seq. (as amended to date) *Gender Identity, Sexual Orientation, Because of ...Sex. Expressly delivered in Executive Order by President Joe Biden EO-13,988 for Violence Against Women Act (as amended 2013 and 2022)*.

OPINIONS BELOW

United States Court of Appeals for the Fifth Circuit:
Debra-Ann Wellman v. HEB Grocery Company, L.P.
No. 21-20660, unpublished opinion, January 4, 2023

United States Court of Appeals for the Fifth Circuit:
Debra-Ann Wellman v. HEB Grocery Company, L.P.
No. 21-20660, unpublished, panel opinion, November 15, 2022

Debra-Ann Wellman v. HEB Grocery Company, L.P.
No. 4:20-CV-03139 Southern District Court of Texas.
December 7, 2021

JURISDICTION

The Fifth Circuit Court of Appeals issued its signed, but unpublished, opinion on November 15, 2022. Pet. App. 3a. A timely petition for rehearing en

banc and panel hearings were denied on January 4, 2023. Pet. App. 1a. This court has jurisdiction pursuant 28 U.S.C. § 1254(1).

Notice of Appeal filed by Pro Se Petitioner/Appellant on December 17, 2021, assigned USCA No. 21-20660 case number by the Fifth Circuit Court of Appeals.

December 7, 2021 District Court Judge A. H. Bennett prematurely dismissed Case No 4:20-cv-03139, prejudiced.

STATUTES INVOLVED

Title VII of the Civil Rights Act of 1964 (as amended), 42 U.S. C. § 2000e et seq. (as amended to date)

Title VII of the Civil Rights Act of 1964 as amended, prohibits an employer from treating you differently, or less favorably, because of your sex, which is defined to included pregnancy, sexual orientation, and gender identity.

42 U.S.C. § 1983 provides, in pertinent part: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...

Americans with Disabilities Act (ADA) of 1990, 42 USC § 12131 – 12165

Age Discrimination Act (ADEA) of 1967 (Pub. L. 90-202) ADEA (as amended) in United States Code beginning in section 621.

Genetic Information Nondiscrimination Act of 2008 (GINA)

Equal Pay Act (EPA) of 1963 (as amended)

42 U.S.C. § 2000e-2(a)(1) Disparate Treatment Discrimination

42 U.S.C. § 2000e-2(a)(1) Hostile Work Environment—Sex

42 U.S.C. § 2000e-3(a) Retaliation

42 U.S.C. § 2000e-3(a) Gender Identity

42 U.S.C. § 2000e-2 or 3(a) Religion (Section 703 & 704)

42 U.S.C. § 2000e-2(a) Unlawful Employment Practices & Other Unlawful Employment Practices (Section 703)

Edmunds Act (anti Plural Marriages Act 1882; (Edmunds - Tucker Act (Anti Polygamy Act of 1997 US Code Title 48 & 1461 - 24 Stat. 635 Multi-Marriage Act

Sarbanes-Oxley Act for SOX H.R. - of 2002 Accounting Oversight Board. Auditing, Reporting, Accounting SEC Compliance

Dodd- Frank Wall Street Reform and Consumer Protect Act of 2010, H.R.4173-12 the USC 5301

Whistleblowers Protection Act (WPA) 1989 (as amended to date)

Miscellaneous

EEOC Compliance Manual 2021 (revised) prohibition against religious discrimination, race, color, age, disability, equal pay compensation genetic information, national origin, pregnancy, retaliation, sex and sexual harassment.

EEOC Sections 102 and 103 of the Civil Rights Acts (1964 as amended). This law amends Title VII and ADA to permit jury trials and compensatory punitive damage awards in intentional discrimination and bodily harm cases.

EEOC 501 and 505 of the Rehabilitation Act of 1973. This law makes it illegal to qualified person(s) with a disability. The law also makes it illegal to retaliate against a person...

Executive Order No. 13,988: The current administration 13,988 (EO 13,988), Violence Against Women Act of 1994 (as amended 2013 and 2022) President Biden stated, "Under Bostock's reasoning, laws 86 DOJ Journal of Federal Law and Practice January 2022 nondiscrimination on the Basis of Race, Sex, Color, Gender, National Origin, Disability, Religion, Age, Sexual Orientation, Hostile Work Environment, Harassment, Assault, and Status as a Parent in Federally Conducted Education and Training Programs, Illegal Medical Tests and Procedures to be performed on individuals to secretly determine an employee's Gender Identity.

Enforcement of Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of

Bostock v. Clayton County, 86 Fed. Reg. 32,637 (June 22, 2021) [hereinafter “ED Notice”]; see also Letter from Suzanne B. Goldberg, Acting Assistant Sec’y for C.R. at the Dep’t of Educ., to Educators (June 23, 2021).

The Civil Rights Division is dedicated to making sure that places of public accommodation do not discriminate against people because of their race, color, gender, religion, or national origin. *Title II* of the Civil Rights Act of 1964. Public accommodations include restaurants, hotels, etc.

(VAWA) *Violence Against Women Reauthorization Act of 1994 (as amended 2013 and 2022)*. broadly, sexual assault may include rape, attempted sexual assault, and threats of sexual violence of the population of the United States, approximately one in three women and one in six men will experience some form of sexual violence (*Smith et al.*, 2017).

STATEMENT OF THE CASE

A. Introduction - Circumstances Underlying This Suit

Debra-Ann Wellman, Pro Se Petitioner, was a Customer Service Department employee (Business Center/Cash Handler Agent) at HEB Grocery Company, L.P., from 2012 – 2021.

Normally, the following information would have been given in a legitimate, legal, under oath, video deposition for discovery and sworn testimony applied during a formal and proper deposition's in a triable lawsuit processes; which was never afforded the Pro Se Petitioner by the district court judge, in order **“to have an opportunity in a lawsuit to obtain testimony from a witness under oath prior to a trial as a part of Discovery Process,... so they can be better prepared at trial to present their claims and defenses.”**

In recognition of a true and correct timelines for the Honorable Supreme Courts' Justices, legal proceedings for the Petition for the Writ of Certiorari the following information is being submitted in good faith, and a strong will by the Petitioner, to follow through with a triable lawsuit, as follows: Commencing in the State of Delaware, I (Debra-Ann Wellman, Petitioner) filed *three (3) Federal lawsuits against my then employer(s), Case No. 05-278-SLR; Case No. 05-279-SLR; Case No. 05-280-SLR*) the outcome of the Petitioner's testimony and submitted evidence documents was used by the U.S. Federal Government investigation and toward the demise of the joint

venture/company, showing total collapse and failure of this fraudulent business organization. Debra-Ann Wellman, Petitioner only under oath in a legal, video produced deposition will go into the details that she can, and explain how this previous situation blatantly points to the Respondent (HEB Grocery Company, L.P. *et al*) in the present lawsuit CA5 21-20660; and how the Petitioner, has been consistently and paradoxically abused in a cruel and distressing manner for the last (18) eighteen years. Petitioner, has been brutally, methodically retaliated against, abused, and violently harassed, because the Petitioner refused to give any information on these “Federal Court ordered, sealed documents by the Federal District Court - Chief Justice of the State of Delaware”.

This shows how these previously filed federal lawsuits from the State of Delaware, that point to individuals/corporate entities, involved in these lawsuits from the State of Texas presently, for their financial and personal benefits. And why the Petitioner is not being shown any respect or legal allowances by the Federal Courts in Texas and Louisiana, because they do not want the Petitioner to expose this “bucket of worms” of the corruption and fraud that circles completely around this legal debacle presently for Case No. CA5 - 21-20660.

Ultimately, “for the record” that the Petitioner understands the differences between, illegal, fraudulent, corrupt business transactions and appropriate, legitimate, financial business practices.

B. Factual Background:

Principal Circumstances Referencing This Suit:

“HEB WILL TIE YOU TO A BARBED WIRE FENCE AND BEAT IT OUT OF YOU, MISS DEBRA.” Words screamed at Debra-Ann Wellman, by Tonisha Whyte - HEB #724 Store Manager, on the evening of Debra-Ann Wellman was electrocuted and tasered on Halloween Night - October 31, 2019. Petitioner stated **“Call an ambulance. Call my family, call my brother, now...”** (Petitioner’s cellphone was not in her pocket, where it usually was...) Stated several times over and over by the Petitioner to have an ambulance, and her family come and help her. Because, Petitioner has consistently been abused for gender identity, sexual orientation, sexual harassment, religious abuse, harassment, cultural, and age abuses (Catholic, Italian-Scottish, white female in a protected age category under *Title VII Civil Rights Act of 1964 (as amended)* including being a bona fide **WHISTLEBLOWER**. *Chuang v. University of California Davis, 225 F.3d 1115 (9th Cir. 2000) Discrimination on Race and National Origin – adverse employment action, name calling, was “an egregious and bigoted insults that constituted strong evidence of discriminatory animus on the basis of national origin.” Holding that district court erred in requiring direct evidence of pretext to be specific and substantial.*

Tonisha Whyte - HEB # 724 Store Manager - Richmond, Texas, (yelled as Petitioner is thrashing around on the floor, because she is being deliberately

severely tasered and electrocuted). “Just get in my car now, Debra, I am taking you to the Prison Farm Clinic. I will not tell you, one more time, **Miss Debra, HEB will tie you to a barbed wire fence and beat it out of you. NOW GET UP. AND GET IN MY CAR NOW!**” *Harris v. Forklift Sys., Inc.*, 510 U.S. 17 (1993) -*Claims so Severe Abusive work place environment.* Petitioner states: Respondent’s (HEB) gave-up their legal rights to medical restrictions when the Petitioner demanded/requested an ambulance to take Petitioner to a professional certified hospital and not to the State of Texas local Prison Farm Clinic. This was a horrible assault, set-up by Respondent, from the time the Petitioner arrived at Richmond, Texas HEB Store # 724 for her scheduled shift, at on 10/31/19, 11:45 AM until she left. Stacy Lovejoy and Raymond Borja (HEB Customer Service Department Manager’s), and all the HEB # 724 Business Center employees and ASM’s (Assistant Sales Managers) the HEB hourly employees were premeditating to unlawfully abuse/harm Debra-Ann Wellman. Stacy Lovejoy, the Petitioner’s manager, stood and watched along with several HEB Loss Prevention employees and various members of the Richmond Texas County Police, were on site at # 724 watching when Petitioner was electrocuted and tasered severely with a high-powered, Texas Prison Farm Taser weapon(s), issued to the local prison guards, to control prisoners and large animals on the Prison Farm; *U.S.A. v. Town/Village of Harrison, NY et al* 7:22-cv-04778, *Civil Rights Employment* 42:2000e-2e *Job Discrimination, Unlawful Employment Practices; McCoy v. City of Shreveport*, 492 F.3d 551 (5th Cir. 2007) *Forced to resign due to Title VII, First*

Amendment violations, “Congress make no law respecting an establishment of religion or prohibiting the free exercise.” Sexual, Racial and Violent Harassment.

While on 10/31/19, all Respondent’s abusive spectators gleefully watching and never offering any assistance by these Respondent’s (HEB *et al* groups). *Title VII Civil Rights Act of 1964 (as amended), Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations, Executive Order No. 13,988 (EO 13,988), (as amended 2013 and 2022) the Honorable President Biden stated, “Under Bostock’s reasoning... (Violence Against Women Act VAWA 1994 as amended).*

C. D. A. Wellman Files Suit: Respondent Prevails On Motion To Dismiss

Judge Alfred H Bennett, District Court Judge refused to follow the Scheduling Order that he approved via timeline and required entries. This district court judge, cleverly and hastily did this after he found out Petitioner was going to submit her banker’s boxes filled with evidence for her lawsuit to the Clerk of The Court in Houston, Texas, and submitted a Motion to Recuse the district court judge, and was filing a formal complaint for Judicial Misconduct to the Fifth Circuit Appeals Court of Louisiana; which Petitioner did against Judge Bennett. District court judge Bennett quickly canceled/terminated Petitioner, civil lawsuit. The Petitioner’s evidence provided Federal illegal transactions with money laundering, international/domestic money transfers, money

orders, State of Texas DMV and National Lottery Fraud, receipt of cash payments for these fraudulent transactions, that is unreported income and extortion. *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973) *A US employment law case by the United States Supreme Court regarding the burdens and nature of proof in proving a Title VII Case and the order in which the Petitioners and Respondent provide proof.*

Therefore, the Fifth Circuit Appeals Court had “no” evidence, not even a proper video deposition, to consider because of the instant premature cancellation/dismissal of Petitioner’s lawsuit. Consequently, the Petitioner is unable to righteously analyze the Opinion’s from the district court and the Fifth Circuit court of appeals, because the information stated in these two (2) lower court Opinion’s, are lacking legal integrity and blatantly fragmentary in what these Opinion’s discuss, because the district court prematurely terminated this lawsuit and the Fifth Circuit court of appeals, refused to reverse or remand the district court’s Opinion. *Title VII of the Civil Rights Act of 1964 (as amended)*, 42 U.S.C. § 2000e et seq. (as amended to date); *Bostock v. Clayton County GA.*, 140 S. Ct. 1731 (2020) *Supreme Court. (Justice Gorsuch-- “...There, in Title VII, Congress outlawed discrimination in the workplace on the basis of race, color, religion, sex or national origin. ...An employer who fires an individual that person for traits or actions it would not have questioned in members of a different sex. Sex plays a necessary and undisguisable role in the decision, exactly what Title VII forbids...”); Cannon v. Univ. of Chicago*, 441 U.S. 677, 704 (1979) *(Evidence that Congress intended to*

create a remedy for a violation of federal law allows a court to find an implied remedy. ...The Supreme Court of the United States, reversed the court of appeals judgment and remanded the case for further proceedings. The Court held that notwithstanding Title IX's failure to expressly authorize a private right to action, the intent of the statute was to provide persons injured in a private right of action. The Court considered that Title IX explicitly conferred a benefit on persons discriminated against on the basis of sex. Cannon was clearly a member of that class. In addition, the history of Title IX did not indicate any intention to deny the private right of action. Moreover, an award of individual relief to a private litigant was sensible and necessary to its enforcement, the Court reasoned.”); Evans v. Georgia Regional Hospital, 850 F.3d 1248 (11th Cir. 2017) (All persons, whether transgender or not, are protected from discrimination on the basis of gender stereotype, and because those protections apply to everyone, a transgender individual cannot be excluded.); Price Waterhouse v. Hopkins, 490 U.S. 228 (1989) (Discrimination on the basis of sex stereotyping – that is, a person’s non-conformity to social and other expectations of that person’s gender–constitutes, impermissible sex discrimination in violation of Title VII of the Civil Rights Act of 1964 (as amended). The employer bears the burden of proving that the adverse employment action would have been the same if sex discrimination had not occurred.); Whistleblowers Protection Act (WPA) 1989 (as amended to date) Green v. Administrators of the Tulane Educ. Fund, 284 F.3d 642 (5th Cir. 2002) Compensatory Damages Back Pay, Front Pay and putative damages.

These faulty decision's that the district court and the Fifth Circuit court of appeals based their Opinion's on is incomplete, unreliable information and superficial about the Petitioner and her lawsuit. Yet the Fifth Circuit court of appeals was asked to prayerfully please reverse/remand this case in its entirety by the Petitioner to the District Court Southern District of Houston, Texas. *Ray v. Henderson*, 217 F.3d 1234 (9th Cir. 2000) *Adverse employment activity lawsuit engaging in employee protected activity*; *Tart v. Illinois Power Co.*, 366 F.3d 461 (7th Cir. 2004) *Race and adverse action taken against employee*. *University of Texas Sw. Med. Ctr. v. Nassar*, 570 U.S. 338 (2013) *Standard of Proof Claim against Retaliation Claim under Title VII Back Pay, Front Pay, Benefits, punitive damages, etc.*

Respondent's owe financial restitution and overall relief to the Petitioner; *Cannon v. Univ. of Chicago*, 441 U.S. 677, 704 (1979) *(Evidence that Congress intended to create a remedy for a violation of federal law allows a court to find an implied remedy. ...The Supreme Court of the United States, reversed the court of appeals judgment and remanded the case for further proceedings. The Court held that notwithstanding Title IX's failure to expressly authorize a private right to action, the intent of the statute was to provide persons injured in a private right of action. The Court considered that Title IX explicitly conferred a benefit on persons discriminated against on the basis of sex. Cannon was clearly a member of that class. In addition, the history of Title IX did not indicate any intention to deny the private right of action. Moreover, an award of individual relief to a private litigant was*

sensible and necessary to its enforcement, the Court reasoned.”) for all injuries, medical charges, rehabilitation therapies, and rehab. housing for, the repair to the Petitioner’s body, emotional stress, travel expenses, pain and suffering, and future well-being, lost wages, lost benefits, etc., that Petitioner’s injuries and abuse sustained by Respondent’s HEB Grocery Company, L.P. et al, and the years of violent retaliation for the Federal lawsuits filed in the State of Delaware previously by the Petitioner. What was done to Petitioner was intentionally cruel, vicious, corrupt and violent. Petitioner is in severe chronic pain daily. Title VII Civil Rights Act of 1964 (as amended), Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations. The current administration has taken a similar approach. In Executive Order No. 13,988 (EO 13,988), (as amended 2013 and 2022) the Honorable President Biden stated, “Under Bostock’s reasoning... illegal medical tests... (Violence Against Women Act VAWA 1994 as amended). Violation of the U.S.C. Fourteenth Amendments’ three (3) clauses especially for “Due Process” and “Equal Protection” are abandoned.

When the Petitioner reads the Appeals Court Opinion of November 15, 2022, she questions whether the Appeals Court of Louisiana has all of the paperwork that the Petitioner submitted to the Court of Appeals by the Brownsville, Texas legal teams, e.g. (ROA’s). Because this Opinion is far too biased, one-sided and hardly any of the Petitioner’s documents are mentioned. Title VII, Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations. Cannon v. Univ. of Chicago, 441 U.S. 677, 704 (1979);

Statement of Int. of the U.S., Coleman v. Brown, No. 90-cv-0520 (E.D. Cal. Aug. 9, 2013), ECF No. 4,736 [hereinafter Coleman v. Brown Statement of Int.] (motion for enforcement of court orders and affirmative relief); (Executive Order No. 13,988 Gender Identity and Violence Against Women Act.)

The Fifth Circuit Court of Appeals for Case No. 21-20660 Opinion is in error for the following below listed reasons. This Opinion is imprecisely loaded with a number of omissions, legal inaccuracies and invalid information referencing CA5 21-20660. An unabridged regurgitation of the district court's derisive, inaccurate Opinion; since district court judge deliberately prematurely dismissed the lawsuit in favor of Respondent's *et al.* The district court judge created a donnybrook and did not follow his Scheduling Order that he invented, signed and approved; which in turn, district court judge did not allow the Petitioner to submit all her evidence, and expert witnesses, etc., district court's docket No's. on 12/28/20 starting with Docket # 10, # 16, # 30, are Federal arbitration denials all in favor of the Respondent's, because the district court judge could see that the Petitioner was really struggling with representing herself legally and there were obvious criminal violations that should have been addressed in this lawsuit by the district court; which would have allowed a court appointed attorney for the Petitioner. On October 22, 2021 the Petitioner at Docket No. 58 requested the Recusal of the district court judge, because of numerous legal judicial misconduct violations toward the Petitioner, Docket No. 64 filed on 12/10/21 is the district court judges response to

Docket No. 58. And Docket # 64 is also in response the Fifth Circuit Court of Appeals judicial misconduct complaint, that the Petitioner began the process filed on 11/22/21-12/06/21 with Melissa Shanklin of Fifth Circuit Court of Appeals, for Judicial Misconduct by district court judge A.H. Bennett toward Petitioner throughout the conception of this case starting, September 9, 2020 – thru – 12/07/21. See, *Welsh v. Fort Bend Indep. Sch. Dist.*, 941 F.3d 818 (5th Cir. 2019) *involving Title VII and Age discrimination in Employment Act ADEA for discriminating on basis of national origin, sex and age subjected to hostile work environment and retaliation.*”

With respect to the district court judges’ overall supervision and permitted Docket entries, for Case No. 4:20-CV-03139 is so biased and prejudiced against the Petitioner it’s simply frightening, how much time and energy the district court judge took to protect the Respondent’s *et al*; which embraces and destroys “Public Trust” and was also, illegal. Further incidents against the Petitioner: All of the dates Respondent’s, attorney, A.C. Williams chose for the Scheduling Order were Holiday’s/Celebration dates. This was a commonplace, abusive “Gaslighting” ambushing technique of “of Subject Influencing, Gaslighting” techniques by the Respondent’s deliberate evasive communications and interaction; when they were drilled down deep into their harassing and gaslighting abnormal behaviors. (Petitioner can give actual examples of this abuse toward employees/customers.) Another example of “Gaslighting” was the district court judge Bennett, choosing the date of December 7, 2021 (Attack on Pearl Harbor Day) to submit his

dismissal order very abruptly, of the Petitioner district court original lawsuit. Please understand, the Petitioner worked for HEB for a decade, and this type of horseplay escapades of “Gaslighting” is not a coincidence, but a well-oiled plan of harassment and abuse. (See the October 29, 2021 appeals court Brief document **Page 35**). Respondents were allowed to have two (2) Caucasian males from HEB coalition in the court audience section of the Federal Court room; which caused complete disorder, immature behavior, chaos, laughter, giggling, attorneys running out of the court room e.g., Allison Williams and Allyssa Petersen and the district court judge never called for the court room to calm down by the presence of these (2) two HEB men. The atmosphere was a complete “Free For All”, abusive legal clowning around environment and total disrespect for the Petitioner by the district court judge and the Respondent’s very caustic “Texas Hostile and Unfriendly Employment Violations” in a Federal courtroom. Not for the Petitioner’s protection from harm against a district court judge siding, yet again, with the Respondent’s and biased/prejudice actions against the Petitioner at her continual humiliating and abusive expense experiences. (Please see document on 10/29/21 **Page 35** of the CA5-21-20660 Court of Appeals Petitioner Brief of what happened to Debra-Ann Wellman in this unacceptable, illegal behavior by the district court judge and the Respondent’s pre-meditated, hostile abusive events against Petitioner.)

Debra-Ann Wellman had to listen to attorney A. C. Williams caustic harsh, rants and raves consistently, and for one (1) meeting in particular for (1 Hour 4

Minutes and 24 seconds) directed to the Petitioner. There was no opportunity for constructive legal interaction and/or “conferring” with Respondent’s Legal Team from Littler Mendelson Law Firm L.P. Violations of *Title VII – Civil Rights Act of 1964 (as amended)*.

Petitioner could not successfully find an attorney and Respondent’s took complete advantage of the Petitioner’s/Pro Se Litigant status and lack of legal knowledge. Respondent (HEB) has very “Deep Pockets” and will create as much hate and confusion as humanly possible toward Petitioner.

Coupled by miserable games of district/appeals courts’ legal strategies against the Petitioner. Therefore, denied Petitioner of her *United States Constitutional Amendments Rights of the Fifth and Sixth Amendments for legal representation protection*.

The district judge A. H. Bennett erred in responsibility of “reasonable care” toward the Pro Se Petitioner whom the district judge did not respect her United States Constitutional, federal legal rights, from Day One of this federal lawsuit, nor had any civil legal etiquette, neither did the district court judge show any caution or concern for the safety of Debra-Ann Wellman, that an ordinary and rational federal judicial person would use in those same circumstances.

The Petitioner is Pro Se litigant had Gender Identity violations, etc. happened to Petitioner, and is a bona fide WHISTLEBLOWER; witnessing the Respondent’s, demanding Debra-Ann Wellman to participate in federal fraudulent illegal actions, as a

condition of Debra-Ann Wellman's employment with HEB Grocery Company, L.P. *Sarbanes-Oxley Act for SOX H.R. - of 2002 Accounting Oversight Board. Auditing, Reporting, Accounting SEC Compliance; Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, H.R.4173-12 the USC 5301; Whistleblowers Protection Act (WPA) 1989 (as amended to date).* These transactions were, international and domestic money laundering, falsifications of all HEB Business Center documents which are Federal and State of Texas statutes abuse, for payments in cash by HEB customers to HEB employees. The Petitioner refusal to participate in fraud, etc., Respondent's caused gross and terroristic retaliation acts of violence against Petitioner. Petitioner asked the district court judge Bennett for direction on applying criminal charges to her lawsuit, and district judge Bennett never replied or assigned Petitioner a lawyer.

Violations include: Western Union International/Domestic Money Transfers, International/Domestic Western Union Money Order, Dodd-Frank Act, Sarbanes-Oxley Act violations, Texas Department of Motor Vehicle illegal sales, State of Texas and National Lottery fraud etc., Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations.; 86 DOJ Journal of Federal Law and Practice January 2022 (Executive Order No. 13-988 Gender Identity and Violence Against Women Act as amended 2013 to date.) Title VII, EEOC v. Abercrombie & Fitch Stores, Inc. 575 U.S. 768 (2015), 42 U.S.C. § 2000e-2(a)(1) Disparate Treatment Discrimination, 42 U.S.C. § 2000e-2(a)(1) Hostile Work

Environment—Sex, 42 U.S.C. § 2000e-3(a) Retaliation, 42 U.S.C. § 2000e-3(a) Gender, 42 U.S.C. § 2000e-2 or 3(a) Religion (Section 703 & 704)

Error by the Fifth District Court of Appeals: Appeals Court did not recognize, nor acknowledge any of abuse(s) that happened to Petitioner, on numerous occasions. Prior to Free Masons of Texas “Ritual” Halloween 10/31/19, violent incident where the Prison Farm electrocution and Taser Gun was shot at the Petitioner’s upper and lower back, rear areas, by employee, Shadia Abu Mourand and an unknown African American male. A frontal assault of Petitioner’s heart and neck areas where taser shots by employees, Elijah (ASM) and Wanda Diaz both front and back violence was in a premeditated horrible painful attack. **See the ROA pictures of the abusive bodily bruising pictures provided by Petitioner.** These Respondent’s managers/employees, *et al*, did that and Petitioner has not been able to walk since the 2019 Halloween, Free Mason’s Ritual, without medical equipment assistance. Petitioner’s life has been destroyed. (As the physical therapist from (HEB) Paulo “V” said to the Petitioner “***...it would have been better off if HEB would have broken both your legs, because what was done to your ligaments, muscles and tendons will take a very long time to heal.***”). Petitioner was tasered/electrocuted and knocked down physically on a regular basis by the Business Center employees of HEB # 724. Petitioner was never offered any reasonable work accommodations or any financial restitution for her injuries and abuses. *Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)*

Sexual Harassment and Violence Lawsuit 1986; Michael v. Caterpillar Fin. Serv. Corp. 496 F.3d 584 (6th Cir. 2007) – Racial discrimination, retaliation and creation of a hostile work environment, violence; 22 Mount Lemmon Fire Dist. v. Guido, 139 S. Ct. 22 (2018) – Age, Race, Color, Sex, and National Origin, Applied Solely to Private Employers, same was true about protection of ‘Worker’s against overall Discrimination regardless of Gender Identity, Sexual Orientation, and Because of ...Sex as cited in Bostock (2020)...; National R.R. Passenger Corp. v. Morgan, 536 U.S. 101 (2002) Racial Discrimination, Retaliation acts, done in a discreet manner, experienced racially hostile work environment throughout entire work career employment.

Stacy Lovejoy - Manager, had Petitioner stop doing the WGO HEB organizing and cleaning at the business center; which was part of Petitioner’s job tasks. Because while Petitioner was doing the WGO at work, she would find numerous envelopes and paper towels filled with cash and she reported these incidents to HEB management, only to be told to stop doing the WGO. Manager Stacy Lovejoy would not permit Petitioner, to attend any HEB Service Department meetings, Petitioner was told by Manager Lovejoy that she was not permitted to travel alone on a personal level, and that the HEB “MEN” would have to travel with her at all times. *Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations. 86 DOJ Journal of Federal Law and Practice January 2022 (Executive Order No. 13-988 Gender Identity and Violence Against Women. As amended 2013 and 2022); ADA Violations, EPA Equal*

Pay violations; Title VII, EEOC charges Statutes 42 U.S.C. § 2000e-2(a)(1) Disparate Treatment Discrimination; 42 U.S.C. § 2000e-2(a)(1) Hostile Work Environment—Sex; 42 U.S.C. § 2000e-3(a) Retaliation; 42 U.S.C. § 2000e-3(a) Gender, Gender Identity; 42 U.S.C. § 2000e-2 or 3(a) Religion (Section 703 & 704); 42 U.S.C. § 2000e-2(a) Unlawful Employment Practices & Other Unlawful Employment Practices (Section 703).

Errors by the Fifth Circuit Appeals Court: Petitioner was forced to leave her original HEB Store # 551 - Kirkwood Street and Westheimer - Houston, TX 77077 and moved to escalated abuses at HEB # 724 - Richmond, TX because Petitioner witnessed horrible, sexual abuse of Hurricane Katrina Refugees left in Houston, Texas, these were minor children. Abusers were HEB CEO/Owner (Charles Butt) and other HEB senior executives. HEB tried to stop Petitioner from feeding these children. Petitioner was told to stop buying food for these Hurricane Katrina victims. This would have made these minor Hurricane Katrina children hungry and easier to sexually accost and proposition into sexual acts by the HEB Respondent's. These Hurricane Katrina victims were hungry and Petitioner had every intention to feed them, show them kindness, humane generosity, and to not let this hostile situation continue toward these Katrina Refugees Children by Respondent's (HEB *et al*). The Hurricane Katrina minor children were sexual victims, and would call the Owner/CEO of HEB Grocery Company, L.P. (Charlie Butt) "The Duke of Butt's". See, *Oncale v. Sundowner Offshore Serv., Inc.*, 523 U.S. 75 (1998) – *Sexual harassment suit for male-*

on-male harassment by his male co-workers with the acquiescence of his employer. Yet, sex discrimination consisting of “because of...sex” protects men (minor children) as well as women, Newport News Shipbuilding & Dry Dock Co. v. EEOC, 462 U.S. 669, 682 (1983) and in related context of racial, gender, age, religion, and sex discrimination in the workplace with payment of medical reparation relief from an employer’s deliberate hostile work environment abuses is illegal.

Error by the Fifth Circuit Appeals Court: Appeals Court states that the Petitioner did not give the Respondent (HEB HR Department) enough time to investigate the complaint that the employee a.k.a., Petitioner reported the abuse and terroristic attacks against her, since her arrival at HEB Store # 724 in 2016, and especially on November 1, 2019 after the Halloween terroristic tasing attack on 10/31/19. Petitioner did not file the EEOC charges until late August 2020. That is nine (9) months. Which is more than sufficient amount of time for a legitimate company to investigate a Gender Identity, Sexual Harassment, Bodily Harm Injuries, Religious, Cultural, Age, Genetic Abuses, etc. All abuses, attacks and illegal workplace behaviors were always reported to the Respondent both locally Houston, Texas and HEB’s corporate location in San Antonio, Texas, by the Petitioner. Respondent said that they’re a **“privately held/owned company” ‘and HEB is not subjected to Federal and State Laws’—that is an incredible lie.** *Title VII of the Civil Rights Act of 1964 (as amended); Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations; Americans*

with Disabilities Act (ADA) of 1990, 42 USC § 12131 – 12165; Age Discrimination Act (ADEA) of 1967 (Pub. L. 90-202) ADEA (as amended) in United States Code beginning in section 621.; Genetic Information Nondiscrimination Act of 2008 (GINA); Equal Pay Act (EPA) of 1963 (as amended) ;42 U.S.C. § 2000e-2(a)(1) Disparate Treatment Discrimination; 42 U.S.C. § 2000e-2(a)(1) Hostile Work Environment—Sex; 42 U.S.C. § 2000e-3(a) Retaliation; 42 U.S.C. § 2000e-3(a) Gender; 42 U.S.C. § 2000e-2 or 3(a) Religion (Section 703 & 704); 42 U.S.C. § 2000e-2(a) Unlawful Employment Practices & Other Unlawful Employment Practices (Section 703); Edmunds Act (anti Plural Marriages Act 1882; (Edmunds - Tucker Act (Anti Polygamy Act of 1997 US Code Title 48 & 1461 - 24 Stat. 635 Multi-Marriage Act).

The Respondent's employee's affidavits submitted, are fake and not written without any other cause than to save face for Respondent's. Stacy Lovejoy, Carlos Morales and Kathy Rodriguez are outright lies. Brian Nielsen's information was false; since all that Brian Nielsen, the HEB Store #724 Unit Director, would tell Petitioner that she had to go out on dates with the men that were coming to the Business Center at # 724. (Brian Nielsen would also not give Petitioner, her Profit Sharing and 401K company documents addressed to Petitioner in HEB "Because People Matter" meetings and gave financial statements to all other HEB employees in Store # 724 Richmond, TX. Petitioner would complain and request to receive these Respondent's financial documents and Brian Nielsen and HEB Corporate San Antonio, TX office would not give Petitioner a copy of her Profit Sharing

and 401K documents either, discrimination/retaliation violations.) Brian Nielsen said, “Debra, I vetted all these men for you to go out with when they approach you, start listening to me, do you hear me?” Petitioner replied to Brian Nielsen, “No, way, Mr. Nielsen, absolutely no way. That’s not your job...Nor is it my job to accommodate these men you’re sending to me for sex.” (*Gender Identity, Sexual Harassment, Hostile Work Environment, Title VII Civil Rights Act of 1964 (as amended), Employee Pay Act, violations, etc., at the very least offense*). *Crawford v. Metropolitan Government Nashville and Davidson County, Tennessee. 555, U.S. 271, 276 (2009) Sexual harassment retaliation.*

Carlos Morales, affidavit is a litany of falsifications. The affidavit for Scott Lovejoy, Stacy Lovejoy’s then husband, is a lie, Scott Lovejoy was in HEB # 724 all of the time, hanging out at the Business Center and he claims he does not know the Petitioner. Scott Lovejoy knew Petitioner, well enough to stalk her and take photos of her, and whoever Petitioner was with outside of Respondent’s HEB properties. The only action that the HEB HR Department, Sara Ortiz HEB HR wanted Petitioner to do was go to a Star Bucks Coffee Shoppe with her to have coffee. The Star Bucks was in the same parking lot as #724 HEB Store that electrocuted and severely tasered Petitioner, and favorite “hang-out” of HEB # 724 employees and Respondent’s contractors. The Petitioner requested that Sara Ortiz come to the Petitioner’s home, which was two (2) miles away from Star Bucks, and speak to her in private there. Sara Ortiz HEB HR manager also told the Petitioner ***“I guess you’ve never worked on***

Halloween Debra, ...you know Trick or Treat...

Cold hearted abusive language about being "...tasered, electrocuted and taken to the Texas Prison Farm." HR management employees at HEB Grocery Company, L.P. Sara Ortiz would not even meet the Petitioner at a neutral office conference room location of Sara's choice. Respondent's do not care about the safety or well-being of their employees, and HEB HR is notorious for not helping Respondent's employees. The employment attrition rate is horrendous, and HEB does not try to maintain its employment talents or their dedication to the workplace rules and policies. *Title VII Civil Rights Act of 1964 (as amended); Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations. Vance v. Ball State Univ., 570 U.S. 421 (2013) US Supreme court case regarding who is a "supervisor" for the purposes of harassment lawsuits.*

Error by the Fifth Circuit appeals court: Even from the numerous "spoiled" videos that are each notoriously 2 minutes and 1 second of altered/spoiled videos that the Respondent provided via their legal counsel. The Petitioner pleaded with the district court judge Bennett to look at these "spoiled" videos and see the obvious tampering with the evidence provided by the Respondent's movie/trailer video creators, as evidence of 10/31/2019 and other dates. District court judge A. H. Bennett was presiding over this lawsuit, too only protect the Respondent's (HEB *et al*) an international trading company. **Disturbingly, Respondent's HEB Grocery Company, L.P. from the Petitioner's employment experiences is not a "grocery store", but a "money laundering,**

fraudulent, abusive, de-constructive and dangerous employer. That is co-dependent, on the financial gains of unreported income, toward its weak profit margin, via corrupt fraudulent transactions, and forces its employees to commit illegal transactions for Respondent's profitable benefits therefore, negligent in its behavior toward its employees on multiply inhumane levels. I (Debra-Ann Wellman, Petitioner) would not commit fraud, consequently was punished by the Respondents (HEB)." *Whistleblowers Protection Act (WPA) 1989 (as amended to date); Title VII Civil Rights Act of 1964 (as amended.)*

Error by the Fifth Circuit appeals court: Petitioner is disputing the statement that the religious, sexual, gender, harassment, cultural, and age abuses (she is a Practicing Catholic, Italian-Scottish, White Female In A Protected Age Category Under Title VII) is "largely episodic" is a complete falsification and lie. Regular sexual, religious, cultural, gender identity attacks, hostile work environments, bodily harm, etc., happened all the time not just once to the Petitioner. What is the lower courts really afraid of? *Title VII Civil Rights Act of 1964 (as amended.) Davis v. Team Elec. Co., 520 F.3d 1080. (9th Cir. 2008) Sexual Discrimination Petitioner filed a suit, retaliation charges. Dollis v. Rubin, 77 F.3d 777 (5th Cir. 1995) Racial and sexual discrimination charges. EEOC v. Abercrombie & Fitch Stores, Inc. 575 U.S. 768 (2015) Violence against women at the workplace. Feingold v. New York, 366 F.3d 138 (2d Cir. 2004) Violations against Title VII – "ultimate employment decisions"*

discrimination working conditions, with respect to compensation, terms, conditions, or privileges because race, color, religion, sex or national origin. 42 U.S.C. 2000e-2(a)(1).

Error by the Fifth Circuit appeals court: Appeals court Opinion claim states “not to rise to the legal of severity or pervasiveness required to support a hostile work environment claim.” Being electrocuted and tasered, by employees of the Respondent’s, active HEB employees was proof enough for harassment/violence on the job. This is a blatant falsification since Petitioner was not allowed to submit any evidence documents to the district court, therefore, the district court judge Bennett did not follow through on the Scheduling Order Judge Bennett dated, filed, wrote and ordered. This was only to protect his friends and colleagues of the Respondents (HEB *et al*) and opposing counsel. *Title VII Civil Rights Act of 1964 (as amended.) violations.*

Error by the Fifth Circuit appeals court: The HEB # 724 Business Center Staff was always calling out sick, so Petitioner was constantly called into work to cover for “call-outs/no show employees, because Petitioner was dependable.” On these days when Petitioner was called into work, were generally very busy, so if the Petitioner had to leave the Business Center and had to walk around the # 724 store very fast to do the business center errands. These were the days when the Respondent’s HEB Terry Williams Tribe was always around. The Petitioner maiden last name is FASTI, and all of Petitioner’s family walks very fast naturally. The Respondent’s Terry Williams Tribe would tell the Petitioner what evil things they

were going to do, if she did not slow down. E.g., ***“Debra, we are going to take you from a FASTI to a SLOWIE and break your legs, if you do not slow down and walk with us. Oh, I know why she does not walk slow because she’s a boy? We will find out if you’re a man or a tranny or whatever you are, you lesbo.”*** Which Respondent’s successfully did by, disabling and viciously harming Petitioner on Halloween night while Petitioner was at work at Respondent’s HEB Grocery Company, L.P. on October 31, 2019. Petitioner tried to transfer out of the Business Center and/or HEB Store # 724 Richmond, Texas, but was denied lateral transfer requests. *Title VII Civil Rights Act of 1964 (as amended.) Ortiz-Diaz v. United States Dep’t of Hous. & Urban Dev., 867 F.3d 70 (D.C. Cir. 2017) – Denial of Lateral Transfer lawsuit.*

The Respondent’s HEB Terry Williams Tribe were present when Petitioner had the inside of her mouth cut open with a laser surgical tool in a dental office; only to see if Petitioner had a facelift and/or a face replacement. Then on another medical appointment Respondent’s Terry Williams Tribe put the Petitioner through the x-ray medical mistreatment procedures of several abdomen and torso x-rays to verify if Gender Identity was male or female at the UT Physicians Sports Medicine Facility in Katy, Texas where Petitioner was schedule to have a personal medical exam. And it turned out the “Butcher” from Respondent (HEB) an employee Marvin Camarillo. Not the Doctor Matthew Camarillo, did the Petitioner’s medical exam. That’s medical malpractice — both these men are related to Leah Leudeker,

Respondent's HEB management employee. *Burlington N. & Santa Fe Ry. v. White* 548 U.S. 53, 58 (2006) *Gender Identity Discrimination. Burlington Indus., Inc. v. Ellerth*, 524 U.S. 742 (1998) *Constant Sexual Harassment Lawsuit, Gender Identity, etc.*

Matthew and Marvin look identical with a few exceptions and trade out their jobs of the Doctor becomes the Butcher at Respondent's HEB, and the Butcher becomes the Surgeon Doctor at UT Physicians Sports Medicine. *Title VII Civil Rights Act of 1964 (as amended.)*; *The current administration has taken a similar approach. In Executive Order No. 13,988 (EO 13,988), President Biden stated, "Under Bostock's reasoning, laws 86 DOJ Journal of Federal Law and Practice January 2022 nondiscrimination on the Basis of Race, Sex, Color, Gender, National Origin, Disability, Religion, Age, Sexual Orientation, Hostile Work Environment, Harassment, Assault, and Status as a Parent in Federally Conducted Education and Training Programs, Illegal Medical Tests and Procedures to performed on individuals to secretly determine an employee's Gender Identity.*

These lower courts, conscious eviscerating and debilitating harmful legal tactics are shameful and disgraceful toward the citizens of the United States 'Public Trust', including the Petitioner. Therefore, denied the Petitioner of her *United States Constitutional Amendments Rights of the Fifth and Sixth Amendments for legal representation protection. Violation of the U.S.C. Fourteenth Amendments' three (3) clauses especially for "Due Process" and "Equal Protection" are abandoned. Bostock v. Clayton County, Georgia, 140 S. Ct. 1731 (2020), Title VII Civil Rights*

Act of 1964 (as amended) § 703, 42 U.S.C. § 2000e-2(a)(1).

Another past person of interest from the State of Delaware Federal lawsuits, in this Gender Identity abuse towards Petitioner, is a man who calls himself the “Graves Digger”, friends of the Respondent’s HEB Terry Williams Tribe and their close affiliation with the Boy Scouts of America and the Free Masons Secret Society of Texas, which points back to several individuals involved in this lawsuit from a judicial standpoint to and private citizens friendships. (See Petitioner’s Delaware Federal Lawsuits (SLR lawsuits) for names and details.) *Title VII Civil Rights Act of 1964 (as amended.); President Joe Biden Executive Order (13,988) violations.*

D. Additional Case Data

INSIGHT: The Petitioner, to this day, has to fly back to the State of Delaware her original home to receive medical treatment. Petitioner is then stalked and followed by Respondent’s HEB employees and harassed. i.e., While the Petitioner tries to get on the airplane, she has her luggage forcefully ripped out of her hands. Petitioner is pushed roughly into the airline seats and her luggage is grabbed out of her hands and told that the luggage is put in another area not close to the Petitioner assigned seat. Petitioner is then verbally harassed, i.e., ***“What are you doing in fucking Delaware, get back home to Texas, now. And you are not a God Damn Catholic you are a “Baylor Baptist”. You’re my wife Debra, (Polygamy violations) and you need to start listening to me. I will beat you black and blue,***

you fucking bitch.” etc., etc. I am stalked at my hotel, my doctors’ visits and other places in Delaware. Therefore, due to unsafe travel and harassment incidents, temporarily medical treatments in the State of Delaware have been postponed. Which is harmful to the Petitioner medical health and physical recovery. Victor Zapana, The Statement of Interest as a Tool in Federal Civil Rights Enforcement, 52 HARV. CR.-CLL. REV., 227, 232 (2017). 28 U.S.C. § 517 (Federal trial level statements of interest in civil rights litigation. In order to protect people’s civil rights, insofar as the statements filed are rights protected.)

The Petitioner also goes to her Catholic Church when she is in Delaware, which is St. Joseph’s on The Brandywine, Greenville, Delaware. Petitioner, Debra-Ann Wellman’s family and herself have been going to this church for decades. This church is also President Joe Biden’s church. The Respondent, AKA the HEB stalkers tell the Petitioner to “get out of this fucking Catholic Church. Get out of this Catholic filthy, dirty church and get back to Texas. Where does Joe Biden sit when he comes to church here? Does Obama come to church when he visits the Biden’s?” These HEB Respondents are very aggressive, dangerous and extremely violent, those questions about President Biden and President Obama are very serious questions and should be looked into. This is this now a political mess. The Petitioner is severely abused by the Texas Gang of Free Mason’s HEB Terry Williams Tribe directly affiliated with the Respondent’s, and has made this employment abuse situation out to be a political disaster with Republicans against

Democrats, i.e., President Joe Biden and President Barrack Obama respectively.

The Petitioner has called numerous lawyers in the State of Texas, not just in Houston area, for assistance since 2019 to no avail. Petitioner has all of her phone records and notes on these legal representation requests. Respondent's have very deep pockets, and are used to getting their own way.

Petitioner called Senator Ted Cruz office, and his office called back and gave the name of a lawyer in Houston, Texas, that lawyer had a conflict of interest with representing Debra-Ann Wellman *v.* HEB. Governor Greg Abbott and Lieutenant Governor Dan Patrick were both sent the same information and called about Petitioner's lawsuit and her Pro Se status, as was sent to Senator Cruz and neither Governor Abbott nor Lieutenant Governor Dan Patrick ever contacted Debra-Ann Wellman and she contacted them several times. (Political dilemma Biden/Obama Delaware *v.* Texas Abbott.)

Most of what was done to the Petitioner was criminal and district court judge Bennett should have advised a Pro Se Petitioner of her legal options for a Right To Counsel from a criminal standpoint. *Title VII- Civil Rights Act of 1964 (as amended)* violations.

Debra-Ann Wellman – Petitioner tried several times to leave HEB Grocery Company, L.P., in a proper employment exit manner and HEB told the Petitioner that she could not leave and (HEB) would not give her, her Profit-sharing Money nor her 401K if she left. The Petitioner was an HEB Shareholder and this non-permission to leave and get her 401K and

Profit-sharing funds went on for the next three (3) years. When the Petitioner was transferred to HEB # 724 - Aliana Store - Richmond, Texas, her then manager at HEB # 551 Houston, TX, said to her, (Call me if you need me, Debra. Because employees have been known to disappear when they start working for Leah Leudeker and Stacy Lovejoy, and I don't mean they just leave HEB. I mean they disappear. L. Leudeker and S. Lovejoy always take the best employees and never take care of them. *Title VII-Civil Rights Act of 1964 (as amended); U.S.A. v. Town/Village of Harrison, NY et al 7:22-cv-04778*

To this present-day, Petitioner continues to be stalked by the Respondents, stalk her wherever the Petitioner goes. Petitioner does not drive, without medical driving apparatuses to operate the brake and gas peddles.

Judge Bennett refused to allow the names of the five male Respondent's that stalked Petitioner, and press Criminal Charges; Petitioner subpoenaed the **ROA.848**, Delta Airlines Flight via Federal Court for the May 2019 East Coast (HEB) stalking actions, so Petitioner could file Criminal Charges and get the Stalker information from Delta Airlines (see Delta employee letters from S. Shaw), when Petitioner went to New York City - Marriott Marque hotel, and Respondent's harassed Petitioner, where she was abused and stalked while at a private business meeting for the movie production of Debra-Ann Wellman's novel. In May 2019, the Petitioner was going to New York City, and was forced to tell the exact location of where she was traveling by Stacy Lovejoy - HEB # 724 Service Manager, said Petitioner,

as an HEB Employee was not permitted to travel alone by herself. Petitioner was stalked, retaliated, terrorized, gender identity violations, humiliated at her book meeting. Where these horrible aggressive rogue Respondent's HEB Texans, telling participants, that "She (Debra-Ann Wellman) is our wife, she was once a man and has had sex change operations, she belongs to us...". *Edmunds Act (anti Plural Marriages Act 1882; (Edmunds - Tucker Act (Anti Polygamy Act of 1997 US Code Title 48 & 1461 - 24 Stat. 635 Multi-Marriage Act.)* etc. Fear, humiliation, embarrassment and out-right lies to this group that Petitioner paid thousands of dollars to participate in and now was being bullied by Respondents. This meeting was a total disaster. Petitioner continued to travel down the East Coast via AMTRAK and was followed/harassed by Respondents. *Bostock v. Clayton County GA., 140 S. Ct. 1731 (2020) Supreme Court cite violations. (Executive Order No. 13,988 Gender Identity and Violence Against Women Act as amended 2012 and 2022). Title VII Civil Rights Act of 1964 (as amended) violations.*

Federal Case No. 4:20-cv-03139 district court, some docket entries of insightful value for the United States Supreme Court's Review – Docket # 6, 9, 12, 14, 22, 23, 26, 28, 30, 31, 32, 37, 42, 46, 53, 58, 61; Docket Entry on 04/07/21 Subpoena Entry Not Acted upon by district court judge.

REASONS FOR GRANTING THE PETITION

1. The Appeals Court Panel decision erred on numerous legal opinions against the Petitioner, and this Appeals Court Panel's decision, is not in legal alignment with the United States Constitution or suitable with any legal issues presented by the U.S. District Courts, toward total abandonment of the Petitioner and its premature dismissal of original lawsuit district court Case No. 4:20 CV-03139. Ignored Federal Statutes are Sex Discrimination, Violence On-The-Job, Title VII Civil Rights, Gender Identity Violent Abuses, Americans Disabilities Act, ADEA, Religion, Age, Equal Pay Act, GINA, etc. Petitioner is an Adult-White Female in a protected age category, guarded under Federal Law and all United States of America Constitutional Rights and its respective Amendments.

2. The Fifth Circuit Court of Appeals erred in refusing to conclude that Discrimination Because of Sexual Orientation and Gender Identity is Discrimination "Because of...Sex" is in Violation of ***Title VII Civil Rights Act of 1964 (as amended);*** *Bostock v. Clayton County GA.*, 140 S. Ct. 1731 (2020) *Supreme Court cited. Violations of President Joe Biden Executive Order No. 13,988; U.S.C. Amendments Fifth, Sixth and Fourteenth violated, at the very least these violations are legally actionable. Violence Against Women Act (VAWA).*

CONCLUSION

The petition for a writ of certiorari is warranted in this case because there must be integrity for confirmation that *Title VII Civil Rights Act of 1964 (as amended)*; *Bostock v. Clayton County GA.*, 140 S. Ct. 1731 (2020) *Supreme Court cite violations* prohibits discrimination because of gender identity, because of ...sex, sexual orientation, obstruction of justice for legal interference with previously settled/closed Federal Lawsuits from another State (State of Delaware) other than the State of Texas; which should not have been a reason for violence against the Petitioner. That occurred to deliver pure, continual, erroneous retaliation acts, of violent harassment. This writ of certiorari should be prayerfully granted for all the reasons listed above in this document.

Or the Fifth Circuit's and the Southern District Court of Houston, Texas decision(s) should be reversed because these decision's conflict with the U.S. Supreme Court's precedent for Gender Identity violations; Because of ...sex.; Sexual Orientation; Religious, Cultural, Genetic violations; Stalking; Violence Against Women Act (VAWA); *Honorable President Biden's Executive Order No. 13,988*; and *Title VII Civil Rights Act of 1964 (as amended)*, *On the Basis of Race, Religion, Age, ADA, ADEA, Genetic, Sex, Color, Gender Identity, Sex...*, *National Environment, Harassment, Assault, Electrocuted and Tasered, and Illegal Medical Tests and Procedures*. To be harmfully performed on the Petitioner's body, to secretly determine an employee's Gender Identity and to anatomize Gender Reconstruction Surgeries at a local Texas Prison Farm in Richmond, Texas, in a Free

Mason unethical, criminal ritual act, on Halloween of October 31, 2019. Engaging the Petitioner in a Gender Identity “barbaric cruel, monster-like manner” against the Petitioner. *Bostock v. Clayton County GA.*, 140 S. Ct. 1731 (2020) Supreme Court cite violations.

Respectively submitted,

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