

1

/

**IN THE
SUPREME COURT OF THE UNITED STATES**

CEDRIC MACK,

No. 23-5897

Petitioner,

v.

J.M SMUCKER CO, and

FOCUS WORKFORCE MANAGEMENT, INC., Respondent's

PETITION FOR REHEARING

CASE ATTORNEYS'

Jehan Moore/Lathrop GPMLLPP
2325 Grand Boulevard Suite 2200
Kansas City, Mo. 64108
Telephone: 816-291-2000
Attorney for Defendant Focus Workforce
Management.

Karen Glickstein/Jackson Lewis P.C.
7101 College Blvd. Suite 1200
Overland Park. Ks. 66210
Telephone: 913-981-1018
Attorney for J.M. Smucker

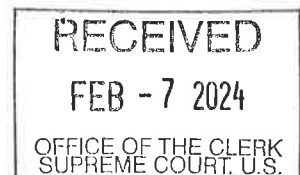
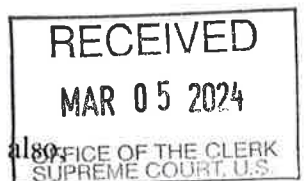
PETITION FOR REHEARING

Petitioner Cedric Mack leaves it as may, and respectfully petitions for the courts to reconsider the January 8, 2024 decision of its denial order of Cedric Mack's petition for writ of certiorari.

REASONS FOR GRANTING REHEARING

Whereas, rule 44.2 warrants a petition for rehearing based on Kennedy v. Louisiana also,

factoring in the Supreme did not give an opinion on "why" it denied Cedric Mack's Petition.



i
TABLE OF CONTENTS

| | |
|-----------------------------|----|
| TABLE OF AUTHORITIES..... | ii |
| PETITION FOR REHEARING..... | 1 |
| ARGUMENTS..... | 2 |
| CONCLUSION..... | 5 |

TABLE OF AUTHORITIES**CASES**

| | |
|---|---|
| Williams vs. W.D. Sports N.M., No. 05-2127 (10th Cir. 2007)..... | 4 |
| Orr, et al v. City of Albuquerque, Et al, No. 07-2105 (10th Cir. 2008)..... | 4 |
| Barrett v. Salt Lake County, No. 13-4084 (10th Cir.2014)..... | 4 |
| Parents Involved in Community Schools v. Seattle School Dist. No. 1, 551 U.S. 701 (2007)..... | 4 |
| Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)..... | 5 |

ARGUMENTS

Furthermore, the lower courts erred on the facts of the case which Cedric Mack provided evidence as a whole. Cedric Mack has a constitutional right as an African American citizen to a jury trial.

Whereas, not granting Cedric Mack's Petition of writ only shows the justice system fails its citizens. It brings the question of "WHY" the Supreme Court is failing its American citizens. Justice Robert H. Jackson states, "We are not final because we are infallible, but we are infallible only because we are final". The statement made is very powerful to the American citizens of the USA. Whereas, infallible means never failing; always effective. Is the American justice system free of flaws?

Whereas, Justice Clarence Thomas states, "All forms of discrimination based on race—including so-called affirmative action—are prohibited under the Constitution. This statement is very powerful to the American citizens of the USA. The Constitution means supreme law of the United States of America. Is the American Justice System authorizing its strength?

Justice Samuel A. Alito, Jr.'s dissents also fit into a broader pattern. In multiple cases, including cases where there is clear evidence that modern-day lawmakers acted with invidious racial intentions, Alito treats the mere suggestions that anti-black or anti-brown racism may still play a role in policymaking with contempt. Quotes from "VOX" August 13, 2020. This statement is very powerful to the American citizens of the USA. Invidious discrimination describes the act of treating a class of persons unequally in a manner that is malicious, hostile, or damaging. Is the American Justice System failing its citizens to well finance big corporations?

Justice John G. Roberts, Jr. states, “The way to stop discrimination on the basis of race is to stop discriminating on the basis of race.” This statement is very powerful to the American citizens of the USA. Discrimination on the basis of race: Is any discrimination against any individual on the basis of their race, ancestry, ethnicity, and/or skin color. Will the Supreme Court get to the root of discriminating on the basis of race?

Justice Sonia Sotomayor asks herself two questions when she goes to bed at night: What have I done that’s something nice for someone else today? And, what did I learn new today? “Quotes” from the University of Washington. Is race discrimination still affecting African Americans on USA soil?

Justice Elena Kagan states, “Who put the question of originalism on the table, asking “what would a committed originalist think about the kind of race-consciousness that’s at issue here?” This statement is very powerful to the American citizens of the USA. Race consciousness is a policy that aims to improve the conditions of racial minorities. Will the Justice System enforce better conditions for its American citizens?

Justice Brett Kavanaugh once predicted’ one race in the eyes of the government. Kavanaugh was concerned that African Americans and other minorities were being shut out of coveted clerkships with federal judges like him. Kavanaugh concluded the session by handing out his email address and phone number and encouraging the Yale students to apply. Indeed, two of Kavanaugh’s four law clerks this year were African American students he met during annual visits to Yale, and Kavanaugh and his supporters have touted his record of hiring young lawyers from diverse backgrounds to work with him at the U.S. Court of Appeals for the District of Columbia Circuit. It was important to him that everyone had a chance. This statement is very powerful to the American citizens of the USA. Quotes from the Washington Post. Encouraging means, giving

someone support or confidence; supportive. Cedric Mack is encouraging the Supreme Court to look more in “depth” at the Petition at hand, will the Justice System stand up to its legacy?

Justice Amy Coney Barrett states, “The n-word an egregious racial epithet,” Barrett wrote in *Smith v. Illinois Department of Transportation*. “That said, Smith can’t win simply by proving that the word was uttered. This statement is very powerful to the American citizens of the USA. Racial epithet meaning, the following is a list of ethnic slurs, ethnophaulisms, or ethnic epithets that are, or have been, used as insinuations or allegations about members of a given ethnicity or racial group or to refer to them in a derogatory, pejorative, or otherwise insulting manner. Does the Justice Sytem protect the “NEGROS” as described in Title VII factoring in workplace discrimination on the basis of race and national origin, among other protected attributes?

Justice Neil Gorsuch has seen his fair share of discrimination cases, mainly suits fair share of discrimination cases, mainly suits under Title VII of the Civil Rights Act. He generally rules in favor of the defendant, often in unpublished decisions. There are, however, regular exceptions, such as *Williams v. W.D. Sports, N.M., Inc.*, in which Gorsuch wrote an opinion overturning a grant of summary judgment against a retaliation plaintiff; *Orr v. City of Albuquerque*, overturning a grant of summary judgment against a pregnancy discrimination plaintiff; and *Barrett v. Salt Lake County*, upholding a jury award for a retaliation plaintiff. Quotes by Kevin Russell on March 14, 2017. This is a very powerful statement to the American citizens.

Retaliation means to get revenge. Will the Supreme Court look in depth at Cedric Mack’s retaliation case along with the evidence provided?

Justice Stephen Breyerone of the most important of his hundreds of Supreme Court opinions was his dissent in the case decided in 2007 known as *Parents Involved*. By 5–4, in *Parents Involved in Community Schools v. Seattle School District No. 1*, the court struck down as unconstitutional

voluntarily adopted plans for assigning students to public schools in the racially diverse cities of Seattle, Washington, and Louisville, Kentucky. The court did so on the grounds that, in using race as a significant factor in making assignments, the plans' goal was demographic balance rather than educational benefit from diversity, and that in preventing racial imbalance in schools, it was using race illegitimately. Quotes from Lincoln Caplan on February 4, 2022, at 3:42 pm. This statement is very powerful to the American citizens of the USA. Demographic balance refers to how demographics change within a specific region over time. Cedric Mack is a slave descendant, has the demographic balance changed for the negros?

Ketanji Brown Jackson states, "If the colleges of this country are required to ignore a thing that matters, it will not just go away. It will take longer for racism to leave us. And, ultimately, ignoring race just makes it matter more." This statement is very powerful to the American citizens of the USA. Ignore means, refuse to take notice of or acknowledge; disregard intentionally. Why is the law of the land ignoring Cedric Mack's claim factoring in the evidence? Furthermore, it is an Insult to Title VII sufficiently that the Justice System is not comprehensive to the promises Title VII was designed for. See., Meritor Sav. Bank, FSB v. Vinson, 477 U.S. 57, 65 (1986).

CONCLUSION

Cedric Mack asks the [c]ourts in good faith to grant the petition the American dream is for all.

CERTIFICATE OF SERVICE

I hereby, certify that on January 25th, 2024, I accurately mailed a copy to each respondent.

Jehan Moore/Lathrop GPMLLP
2325 Grand Boulevard Suite 2200
Kansas City, Mo. 64108
Telephone: 816-291-2000
Attorney for Defendant Focus Workforce
Management.

Karen Glickstein/Jackson Lewis P.C.
7101 College Blvd. Suite 1200
Overland Park. Ks. 66210
Telephone: 913-981-1018
Attorney for J.M. Smucker Co.

Cedric Mack
4837 NW Rochester Rd.
Topeka Ks. 66617
Telephone: 816-702-2991
Prose for Cedric Mack

15/ 