

No. 23-6009

IN THE SUPREME COURT
OF THE UNITED STATES

MARIO AUSTIN

Petitioner,

v.

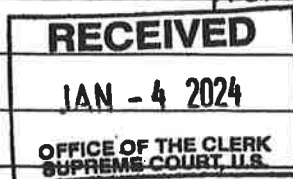
AMERICAN BUILDINGS

COMPANY

Respondent.

On petition for a Writ
of Certiorari to the United
States Court of Appeals
for the Eleventh Circuit

Rebuttal / Response to Respondent



Mario Austin

Counsel of Record

2874 Bartow Gibson Hwy, Duneltonville

Questions Presented

The questions presented are:

Since the 14th Amendment only applies to states, the main question is did American Buildings Company violate petitioner Mario Austin rights protected under Title VII of the Civil Rights Act of 1964 when American Buildings Company treated him less favorable than White Shear Operators Medley and Stafford?

The eleventh circuit Court of Appeals judgement should be reversed and remanded due to the fact I have now disputed ABC's Claims. This case involved important issues which questions the law. The lower Court's judgement should be reversed because I now dispute ABC Claims that I made numerous mistakes during my brief time in the Shear Operator position and that I did not meet the legitimate expectations of my Supervisors. I dispute ABC's claim that Medley during his orientation period as a Shear operator he only made three cutting mistakes and that he only made four during his first

97 days of employment and that Carter did not receive any feedback from Medley's Group leaders or anyone else during his orientation period that warranted any discipline and that he did not observe Medley make any mistakes that warranted discipline.

I also dispute ABC's claims that Medley had only one attendance occurrence during his Orientation Period, and one occurrence did not warrant any discipline.

I dispute ABC's claims that Stafford made no cutting mistakes and had only one attendance occurrence during his Orientation Period. I also dispute ABC's claim that Carter did not receive any feedback from Stafford's group Leaders or anyone else during his Orientation Period that warranted any discipline, and that he also did not observe Stafford make any mistakes that warranted discipline.

I also dispute ABC's claim that at the time Carter made the decision to terminate petitioner Mario Austin, four of ABC's Shear Operators were African American and had successfully completed their orientation periods. I also dispute ABC's claim that Carter had previously disciplined and terminated white employees for performance-related

issues similar to plaintiff Mario Austin. ABC's claims is erroneous. I also asked Carter several times before white shear operator Medley asked him to be transferred to another department but I was denied and he approved Medley to be transferred to a new department. I asked Carter 1 month before Medley asked him to be transferred to the welding department but he denied me and approved Medley to be transferred to the welding department.

Only way ABC can be awarded and granted Motion for Summary Judgment is if they have undisputed Facts/Claims. Now that plaintiff/petitioner Mario Austin has disputed ABC's Claims they cannot be granted Motion for Summary Judgment.


Mario Austin
Counsel of Record
2874 Bartow Gibson Hwy
Donaldsonville GA 39845
(229) 364-3620