No. 23-6574

IN THE

SUPREME COURT OF THE UNITED STATES

Deirdre Baker – PETITIONER

VS.

JEA – RESPONDENT

On Petition for Rehearing From Order of Denial of Petition (S. Ct. Rule 44)
– QUESTION PRESENTED Page(s)+ Not Docketed in Original

PETITION FOR REHEARING ON THE MERITS

Deirdre Baker
2517 Pine Sumit Dr E
Jacksonville FL 32211
(904) 743-9449

Pro Se Petitioner

QUESTION PRESENTED

Error of Law. "The question before an appellate Court is, was the *judgment* correct, not the *ground* on which the judgment professes to proceed." *McClung* v. *Silliman,* 6 Wheat. 598, 603 (1821).

U. S. federal government perpetrated fraud on the court. In *Vance v. Ball State University*, 570 U.S. 421, 133 S. Ct. 2434, 186 L. Ed. 2d 565 (2013) – which was cited six times by the petitioner in the lower proceeding, this Court made clear under Title VII that "[i]f the supervisor's harassment culminates in a tangible employment action the employer is strictly liable." However, the decision of the Eleventh Circuit below does not reflect the movant's undisputed facts of the case that establishes defendant's liability and thus made deference to and affirmed the lower court's incorrect biased final judgment that deemed the respondent **not** liable for its supervisor's ongoing harassment which culminated into multiple tangible employment actions. **The question presented is:** Whether it is proper and is it a deprivation of rights under color of law, when the court of appeals does not review a lower court's final order (within its jurisdiction) on a timely Rule 60(b)(3) motion for relief from fraud on the court and thus affirmed the lower court's incorrect final judgment denying the moving party's undisputed motion for summary judgment – to which the non-moving party failed to meet its initial burden imposed by Rule 56(e), and whether it is a violation of substantive and/or procedural due process under the Fifth Amendment to the U.S. Constitution.

PETITION FOR REHEARING ON THE MERITS

Substantial Certainty Doctrine: The QUESTION PRESENTED that follows the cover and nine other pages from the original paper filing were strategically removed and not placed on the Supreme Court's electronic docket system[1] as per the filing rules of this Court. Pursuant to **S. Ct. Rule 44.2 Rehearing p. 59**, this is an "intervening circumstance[] of a substantial or controlling effect" on the decision about whether to grant petition. Justice Brennan routinely decided that a case was not cert. worthy by looking at the "Questions Presented" on the first page of the petition – and reading no farther, according to a 1973 law review article. Thus, the petition distributed for conference to the Clerks in the cert. pool was prejudiced.

Pursuant to S. Ct. R. 10(a) and 10(c) p. 6, the QUESTION PRESENTED and REASONS FOR GRANTING THE WRIT pp. 17-18 that distinctly demonstrate the petitioner's entitlement to summary judgment as a matter of law under Title VII of the Civil Rights Act of 1964 to the Constitution and the lower courts' blatant disregard of Supreme Court's binding precedents "call for an exercise of this Court's supervisory power" to summarily reverse the clear error of law ("misapprehension of summary judgment standards in light of our precedents"). *Tolan v. Cotton*, 134 S. Ct. 1861, 1868 (2014). **From the White House.gov**: "Lower courts are obligated to follow the precedent set by the Supreme Court when rendering decisions."

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[1] "Filings from pro se parties are submitted only on paper, but will be scanned and made available electronically on the Court's docket." Screenshots of the electronic docket are included – validating the specific original mailed pages with detailed instructions of where to find proof of federal and constitutional violations of the lower courts resulting in the incorrect judgement requiring summary reversal as a matter of law, were removed by the Court Officer depriving of grant of petition.

Legal Error at Pretrial Stage Requires Summary Reversal

Movant: During discovery on September 28, 2021, Plaintiff moved for a summary judgment in her favor (D.C. Doc. No. 65 "MSJ") supported by record evidence pursuant to Rule 56(c)(1) – establishing employer's strict liability, making a *prima facie* showing that she is entitled to summary judgment as a matter of law.

Non-movant: Defendant admitted all material facts asserted **true**, has no admissible evidence in the record and did not offer any reason at all for the challenged tangible unlawful employment actions in its response (D.C. Doc. No. 75). Defendant did not demonstrate any genuine issues for trial – failing to meet its initial burden of production imposed by Rule 56, stating on p. 10 "Plaintiff's own record evidence shows that there are, in fact, no issues of fact."

Reasons for Granting Rehearing

Summary reversal by this Court precluding briefing and oral argument is particularly warranted and appropriate here as there are **no material facts in dispute** – only clear legal error by U.S. federal government resistance/interference. When both parties agree to deny judgment in favor of the liable employer, the Judges' error of law deeming the employer *not* liable for its supervisor's documented harassment in the record of the case established by the trial court which culminated into multiple tangible employment actions, is a miscarriage of justice. **S. Ct. R. 10(c) p. 6**: a United States court of appeals has "decided an important federal question in a way that conflicts with relevant decisions of this Court" in the cited *Vance v. Ball State University* authored by the current Hon. Samuel A. Alito, Jr.,

joined by Hon. Roberts, with concurrence by Hon. Thomas. The judicial impartiality demands that the rule of law prevail no matter how strongly a judge holds a personal view or how vehemently a judge disagrees with the law.

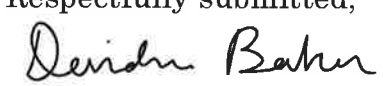
The March 18, 2024, order of denial of the petition documenting the U.S. court of appeals' blatant resistance to the cited Supreme Court's well-established precedents on summary judgment standards (*Anderson v. Liberty Lobby, Inc., Burlington Industries, Inc. v. Ellerth, Celotex Corp. v. Catrett, etc.*) is a precedent-setting error of exceptional importance that does not uphold the Constitution and laws of the United States. The willful acts and omissions[i] of the courts to procure and sustain judgment for a liable employer, depriving plaintiff of her substantial rights under color of law is a violation of substantive and/or procedural due process under the Fifth Amendment to the U.S. Constitution. Thus, the Court did **not** ensure "American people the promise of equal justice under law" as is charged.

CONCLUSION

The petition for rehearing in the interest of justice should be granted with integrity.

DATED this 28th day of March, 2024.

Respectfully submitted,



Deirdre Baker, *Pro Se*

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[i] Per the filing rules of this Court, this paper filing from an indigent pro se party includes a cover followed by original QUESTION PRESENTED, a three paged petition for rehearing "stat[ing] its grounds briefly and distinctly", "presented together with certification of counsel" with an 11-paged attachment thereto, and proof of service as required by S. Ct. Rule 29, for a total of 18 pages. (S. Ct. Rule 44)

Certification of Counsel, *Pro Se*

I, Deirdre Baker – the indigent pro se party aggrieved by the "intervening circumstances of a substantial or controlling effect" of the abused positional power of the Court Officer, present this petition for rehearing on the merits in good faith and not for delay. This petition is restricted to the grounds specified in S. Ct. Rule 44.2 and is demonstrated in the 11-paged attachment[i] herein.

DATED this 28th day of March, 2024.

Respectfully submitted,

Deirdre Baker, *Pro Se*

---

[i] This certification is followed by nine pages of screenshots plus the two REASONS FOR GRANTING THE WRIT pp. 17-18 from the original filing of pages that were removed and not placed on the docket by the Court Officer, prejudicing Petitioner.

S. CT. RULE 44.2 REHEARING, P. 59 "INTERVENING CIRCUMSTANCES OF A SUBSTANTIAL OR CONTROLLING EFFECT" OF THE ABUSED POSITIONAL POWER

Click Docket Search located at top right of the Supreme Court of the U. S. website. Scroll down to enter 23-6574 in the "Search for:" box and click on Docket for 23-6574

Search - Supreme Court of the

supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/23-6574.html

DATE	PROCEEDINGS AND ORDERS
Jan 22 2024	Petition for a writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due February 26, 2024) Motion for Leave to Proceed in Forma Pauperis Petition Appendix Proof of Service
Feb 23 2024	Waiver of right of respondent JEA to respond filed. Main Document
Feb 29 2024	DISTRIBUTED for Conference of 3/15/2024.
Mar 18 2024	Petition DENIED.

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Deirdre Baker Counsel of Record	2517 Pine Summit Dr. E Jacksonville, FL 32211	(904) 743-9449
Party name: Deirdre Baker		

Below are three screenshots of my **26-paged motion for *ifp*** mailed to the Clerk:

File Edit View Window Help

Home Tools FINAL Motion for L... Sign In

3 / 26 100%

Note here where I cited to the page below that the intervening Clerk **did not place on the docket** which demonstrates judgment for liable employer was procured by **fraud**.

deprived petitioner of her entitled damages and her protected rights under the color of law. To demonstrate, the petitioner attaches the issues she brought on appeal in the court below on p. 9 of her brief for this Court to compare them to the issues stated on p. 9 of the opinion. The highlighted portion is what affected the outcome of the case when the writing judge aimed falsification of facts directly at the court to cover up the issue of fraud[3] petitioner brought on appeal. See pp. 8-9 of attached Doc. No. 39 as confirmation. This Court has held that "[n]o fraud is more odious than an attempt to subvert the administration of justice." See *Hazel-Atlas Co. v. Hartford Co.*, 322 U.S. 238, 252, 64 S. Ct. 997, 88 L. Ed. 1250 (1944).

Relief Requested

At the time of petitioner's filings in the courts below years ago, petitioner was able to pay the courts' filing fees. However, due to the injury suffered that is traceable to the erroneous decision below, petitioner's financial resources have been exhausted. Petitioner's injury arising from the decision below can be

File Edit View Window Help
Home Tools FINAL Motion for L... Sign In

(c) Motion for Judgment on the Pleadings. After the pleadings are closed—but early enough not to delay trial—a party may move for judgment on the pleadings.

Relief Requested

WHEREFORE, it is requested that judgment be awarded for the plaintiff as prayed for in the Proposed Second Amended Complaint (Doc. No. 25; "Attachment – Exhibit"), as a matter of law.

CERTIFICATE OF SERVICE

I certify that on this 28th day of January, 2021, the above and foregoing Motion for Judgment on the Pleadings has been served upon Counsel of Record for Defendant by means of e-mail to acook@coj.net, kgay@coj.net, arutherford@coj.net, ffort@coj.net, Office of General Counsel.

Respectfully submitted

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Home Tools FINAL Motion for L... Sign In

Statement of the Issues

I. Whether the district court abused its discretion when it allowed JEA to obtain an extension of time to respond to Plaintiff's MSJ via intrinsic fraud on the court – unethically committed by Counsel of Record for Defendant, Ariel P. Cook (Doc. Nos. 67-71), resulting in a substantial prejudicial effect

II. Whether the district court erred in its findings of facts and conclusion of law (Doc. Nos. 98-99) in a discriminatory intent case when it denied Plaintiff's MSJ – precluding her award of compensatory and punitive

Below is a screenshot of **only 24 pages** of my motion that was docketed:

Note **dark line across the bottom** the 2nd page of MJP, & the # of pages scanned.

Proposed Second Amended Complaint (Doc. No. 25; "Attachment – Exhibit"), as a matter of law.

CERTIFICATE OF SERVICE

I certify that on this 28th day of January, 2021, the above and foregoing Motion for Judgment on the Pleadings has been served upon Counsel of Record for Defendant by means of e-mail to acook@coj.net, kgay@coj.net, arutherford@coj.net, ffort@coj.net, Office of General Counsel.

1

Note **gap** – where is p. 9 of my brief above?

USCA11 Case: 22-11335 Document: 35-1 Date Filed: 08/28/2023 Page: 9 of 20

22-11335 Opinion of the Court 9

chose not to revert and thus her termination "could not have [been] in retaliation for the complaint." But the district court did not

Below are two screenshots of my **27-paged** Petition for Writ mailed to the Clerk:

Note the two pages following "*Pro Se* Petitioner" **QUESTION PRESENTED**, LIST OF PARTIES, RELATED CASES) I filed via paper – the official form of filing at the Supreme Court and compare to the pages below scanned by the intervening Clerk.

Pro Se Petitioner

QUESTION PRESENTED

Error of Law. "The question before an appellate Court is, was the *judgment* correct, not the *ground* on which the judgment professes to proceed." *McClung* v. *Silliman*, 6 Wheat. 598, 603 (1821).

U. S. federal government perpetrated fraud on the court. In *Vance v. Ball*

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

RELATED CASES

Baker v. JEA, No. 20-cv-889, U. S. District Court for the Middle District of Florida. Judgment entered Mar. 28, 2022.

Baker v. JEA, No. 22-11335, U. S. Court of Appeals for the Eleventh Circuit. Judgment entered Aug. 28, 2023. Panel Rehearing* and Rehearing En Banc denied October 23, 2023. Stay Mandate for Cert. Petition denied November 13, 2023.

*Notice of no action taken on timely filed Panel Rehearing Reconsideration

Below is a screenshot of **only 23 pages** of my petition that was docketed by the intervening Clerk's substantial and controlling effect on the decision to grant:

Note the **dark line(s) across the bottom** and the # of pages scanned.

Also notice TOC

REASONS FOR GRANTING THE WRIT (pp. 17-18) which records the deliberate violation of the law and national importance **not docketed** by the intervening Clerk – **gap** is shown here.

Deirdre Baker
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(904) 743-9449

Pro Se Petitioner

23 pages of content + blank page at the end = 24

TABLE OF CONTENTS

OPINIONS BELOW	1
JURISDICTION	1
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	3
STATEMENT OF THE CASE	6
REASONS FOR GRANTING THE WRIT	17

As a matter of law, the district court's ruling must be **REVERSED** with no further proceedings as this is a summary judgment record which already includes petitioner's calculated damages caused by JEA.

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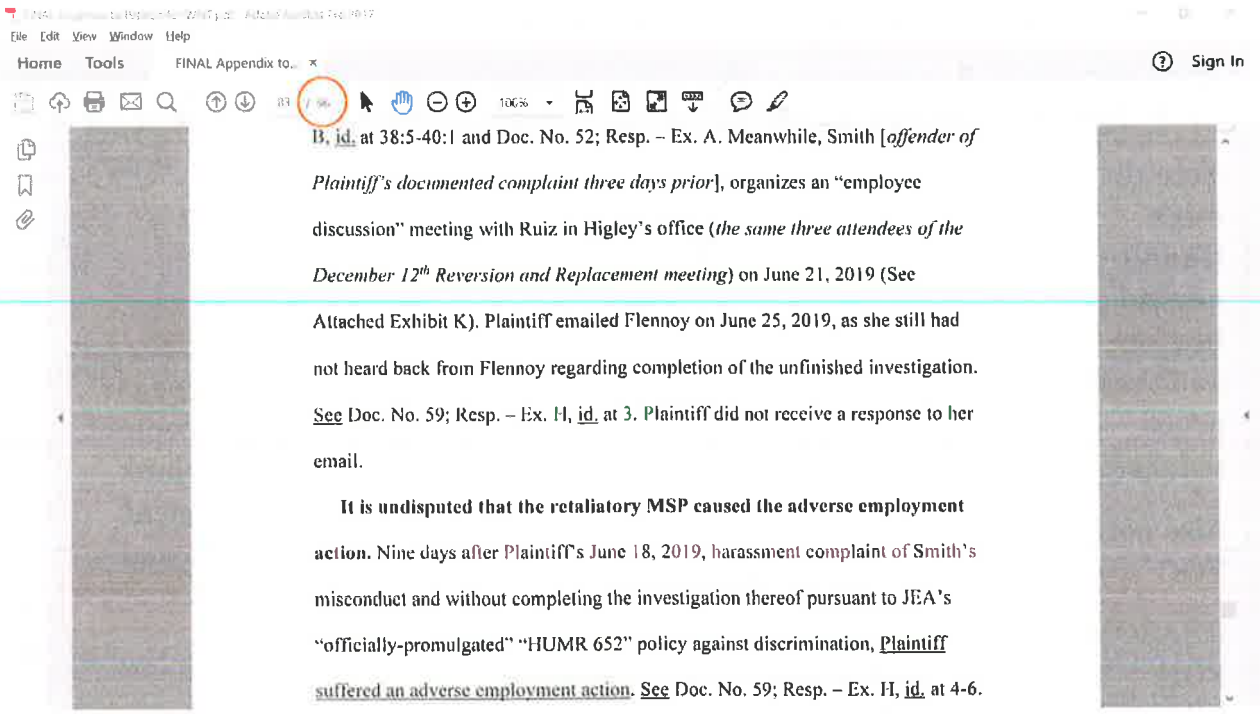
of law. See 28 U.S. Code § 453 – Oaths of justices and judges. Petitioner has explained *what* happened, *who* the government actors are, and *how* their willful acts and omissions affected the outcome of the case. See 28 U.S. Code § 453. Will the U.S. Federal Government's willful acts and omission that affected the outcome of this case be suppressed or will it be publicly reviewed by the Supreme Court of

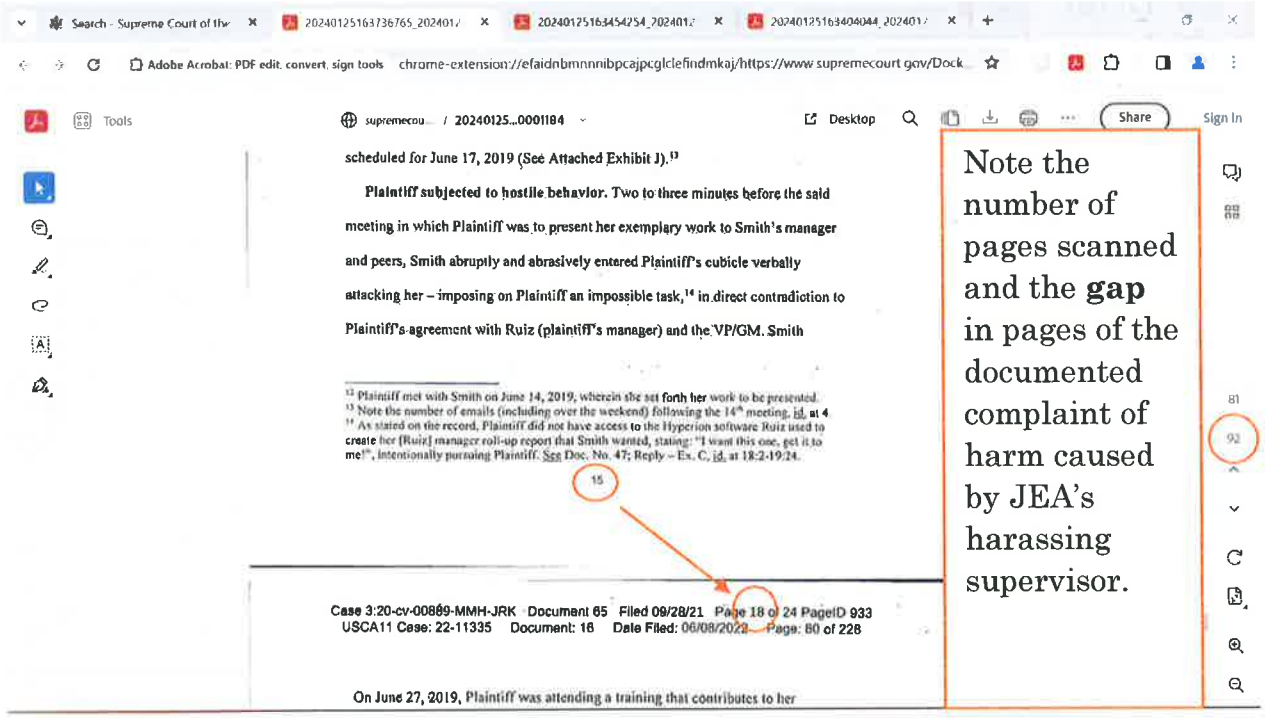
Below is a screenshot of my **96-paged Appendix** mailed to the Clerk:



B, id. at 38:5-40:1 and Doc. No. 52; Resp. – Ex. A. Meanwhile, Smith [*offender of Plaintiff's documented complaint three days prior*], organizes an "employee discussion" meeting with Ruiz in Higley's office (*the same three attendees of the December 12th Reversion and Replacement meeting*) on June 21, 2019 (See Attached Exhibit K). Plaintiff emailed Flennoy on June 25, 2019, as she still had not heard back from Flennoy regarding completion of the unfinished investigation. See Doc. No. 59; Resp. – Ex. H, id. at 3. Plaintiff did not receive a response to her email.

It is undisputed that the retaliatory MSP caused the adverse employment action. Nine days after Plaintiff's June 18, 2019, harassment complaint of Smith's misconduct and without completing the investigation thereof pursuant to JEA's "officially-promulgated" "HUMR 652" policy against discrimination, Plaintiff suffered an adverse employment action. See Doc. No. 59; Resp. – Ex. H, id. at 4-6.

Below is a screenshot of **only 92 pages** of my Appendix that was docketed:



scheduled for June 17, 2019 (See Attached Exhibit J).[13]

Plaintiff subjected to hostile behavior. Two to three minutes before the said meeting in which Plaintiff was to present her exemplary work to Smith's manager and peers, Smith abruptly and abrasively entered Plaintiff's cubicle verbally attacking her – imposing on Plaintiff an impossible task,[14] in direct contradiction to Plaintiff's agreement with Ruiz (plaintiff's manager) and the VP/GM. Smith

[12] Plaintiff met with Smith on June 14, 2019, wherein she set forth her work to be presented.
[13] Note the number of emails (including over the weekend) following the 14th meeting, id. at 4.
[14] As stated on the record, Plaintiff did not have access to the Hyperion software Ruiz used to create her (Ruiz) manager roll-up report that Smith wanted, stating: "I want this one, get it to me!", intentionally pursuing Plaintiff. See Doc. No. 47; Reply – Ex. C, id. at 18:2-19:24.

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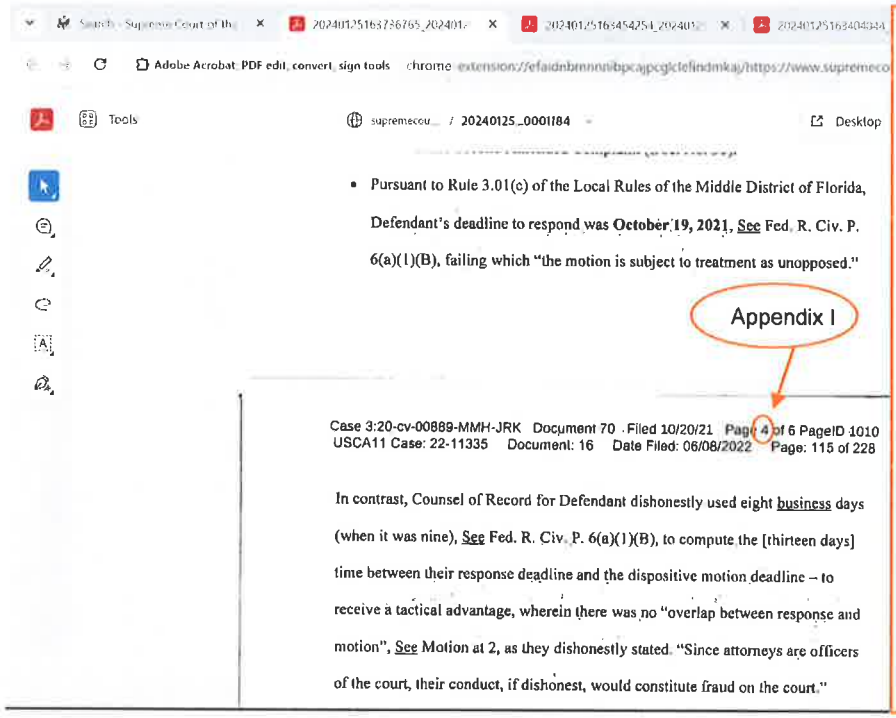
USCA11 Case: 22-11335 Document: 16 Date Filed: 06/08/2022 Page: 80 of 228

On June 27, 2019, Plaintiff was attending a training that contributes to her

Note the number of pages scanned and the **gap** in pages of the documented complaint of harm caused by JEA's harassing supervisor.



- Pursuant to Rule 3.01(c) of the Local Rules of the Middle District of Florida, Defendant's deadline to respond was **October 19, 2021**, See Fed. R. Civ. P. 6(a)(1)(B), failing which "the motion is subject to treatment as unopposed."

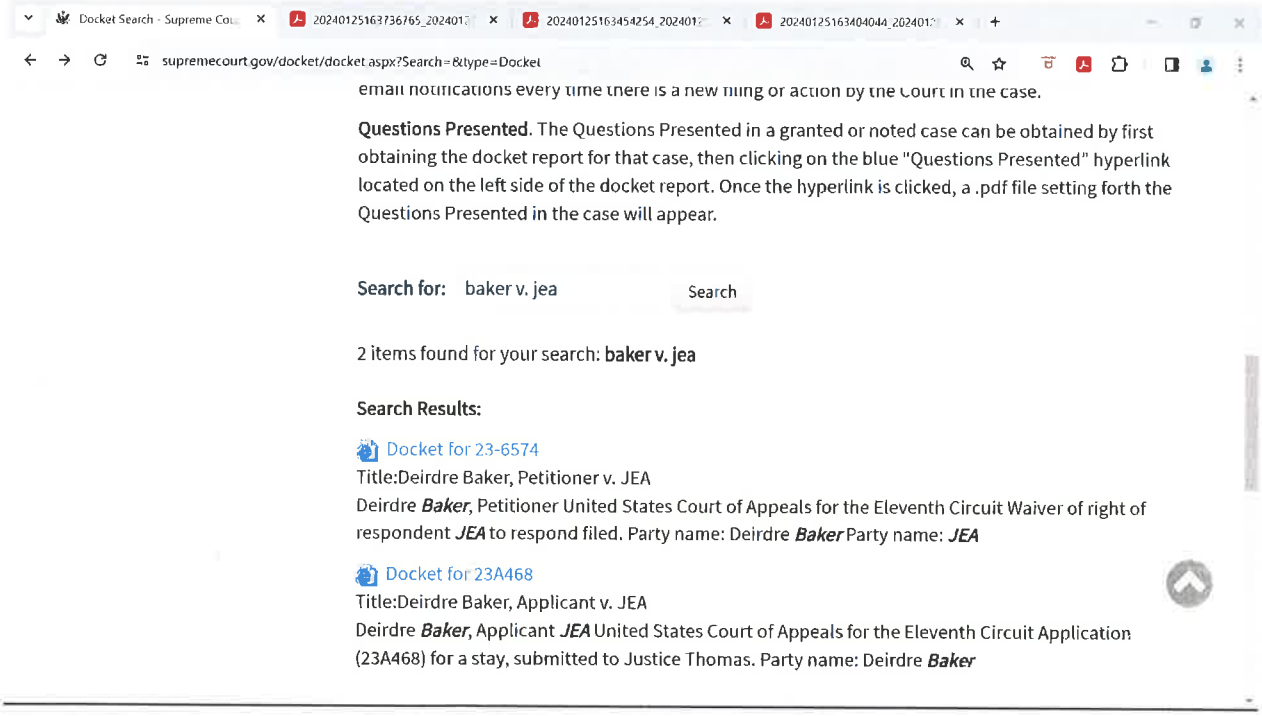
Appendix I

Case 3:20-cv-00889-MMH-JRK Document 70 Filed 10/20/21 Page 4 of 6 PageID 1010
USCA11 Case: 22-11335 Document: 16 Date Filed: 06/08/2022 Page: 115 of 228

In contrast, Counsel of Record for Defendant dishonestly used eight business days (when it was nine), See Fed. R. Civ. P. 6(a)(1)(B), to compute the [thirteen days] time between their response deadline and the dispositive motion deadline – to receive a tactical advantage, wherein there was no "overlap between response and motion", See Motion at 2, as they dishonestly stated. "Since attorneys are officers of the court, their conduct, if dishonest, would constitute fraud on the court."

Note the **gap** in pages of the **documented misconduct of JEA and its Counsel** per Rule 8.4(c): Misconduct – Model Rules of Professional Conduct, wherein informed **Judges** did not take appropriate action per Rule 2.15(D): Responding to Judicial and Lawyer Misconduct.

To view the four pages (two from **Appendix H** – the undisputed facts of the case, and two from **Appendix I** – my motion for relief from fraud) **not** docketed by the intervening Clerk upon receipt per the Filing Rules of the Court for 23-6574, enter **baker v. jea** in the "Search for:" box as demonstrated in screenshot below:



email notifications every time there is a new filing or action by the Court in the case.

Questions Presented. The Questions Presented in a granted or noted case can be obtained by first obtaining the docket report for that case, then clicking on the blue "Questions Presented" hyperlink located on the left side of the docket report. Once the hyperlink is clicked, a .pdf file setting forth the Questions Presented in the case will appear.

Search for: baker v. jea Search

2 items found for your search: **baker v. jea**

Search Results:

Docket for 23-6574
Title:Deirdre Baker, Petitioner v. JEA
Deirdre ***Baker***, Petitioner United States Court of Appeals for the Eleventh Circuit Waiver of right of respondent ***JEA*** to respond filed. Party name: Deirdre ***Baker*** Party name: ***JEA***

Docket for 23A468
Title:Deirdre Baker, Applicant v. JEA
Deirdre ***Baker***, Applicant ***JEA*** United States Court of Appeals for the Eleventh Circuit Application (23A468) for a stay, submitted to Justice Thomas. Party name: Deirdre ***Baker***

Click on Docket for 23A468, then Main Document – wherein the number of mailed pages of each App. are noted (see screenshot below of my Index of Appendices p. 6):

Application for Stay to Justice.pdf - Adobe Acrobat Pro 2017

File Edit View Window Help

Home Tools Application for Sta... Sign In

6 / 6 125%

Appendix G	ROA - Doc. No. 9 p. 27: Causation Table	1
Appendix H	ROA - D.C. Doc. No. 65: Plaintiff's Motion for Summary Judgment (openly ignored **undisputed facts** required by Rule 56(e) to determine legal consequences)	24
Appendix I	ROA – D.C. Doc. No. 70: Motion for Relief (Rule 60(b)(3) fraud, misconduct by opposing party - relief sought is not available from any other court)	6

[7] Conscious bias is too high to be constitutional tolerable. Bias or prejudice of an appellate judge can also deprive a litigant of due process. https://www.law.cornell.edu/constitution-conan/amendment-5/unbiased-judge#

Search - Supreme Court of the

supremecourt.gov/search.aspx?filename=/docket/docketfiles/html/public/23a468.html

DATE	PROCEEDINGS AND ORDERS
Nov 17 2023	Application (23A468) for a stay, submitted to Justice Thomas. Main Document
Nov 28 2023	Application (23A468) denied by Justice Thomas.
Nov 29 2023	Application (23A468) refiled and submitted to Justice Alito. Written Request
Dec 13 2023	Application (23A468) referred to the Court.
Dec 13 2023	DISTRIBUTED for Conference of 1/5/2024.
Jan 08 2024	Application (23A468) denied by the Court.

NAME	ADDRESS	PHONE
Attorneys for Petitioner		
Deirdre Baker	2517 Pine Summit Dr. E	

Note the two pp. 16-17 of documented supervisor's harassment that <u>interfered with my ability to perform my job</u> (conflicting with binding S. Ct. precedents) were **not scanned** by the intervening Clerk on Docket for No. 23-6574.

Case 3:20-cv-00889-MMH-JRK Document 65 Filed 09/28/21 Page 16 of 24 PageID 931
USCA11 Case: 22-11335 Document: 16 Date Filed: 06/08/2022 Page: 78 of 228

succeeded in causing Plaintiff harm in that the level of anxiety and stress Plaintiff experienced because of Smith's misconduct, affected Plaintiff physically so much to the point that Plaintiff was unable to execute the remainder of her work duties – including her scheduled presentation in said meeting. In observing and commenting on Plaintiff's physical ailment stating "you [Plaintiff] don't look so good" following Smith's misconduct, Ruiz instructed Plaintiff to go home. See Doc. No. 47; Reply – Ex. B, id. at 24:20-25:3, Fla. Stat. § 768.72(2)(a) and Fla. Stat. § 768.73(1)(c). This premediated, hostile conduct of Smith – intentionally interfering with plaintiff's work and causing Plaintiff harm, was reported on June

Note the two pp. 2-3 following "Appendix I" documenting the <u>Fraud on the Court</u> were **not scanned** by the intervening Clerk on Docket for No. 23-6574.

- Pursuant to Rule 3.01(c) of the Local Rules of the Middle District of Florida, Defendant's deadline to respond was **October 19, 2021**, See Fed. R. Civ. P. 6(a)(1)(B), failing which "the motion is subject to treatment as unopposed."

Appendix I

Case 3:20-cv-00889-MMH-JRK Document 70 Filed 10/20/21 Page 2 of 16 PageID 1008
USCA11 Case: 22-11335 Document: 16 Date Filed: 06/08/2022 Page: 113 of 228

Memorandum of Law

Pursuant to Federal Rules of Civil Procedure Rule 60(b)(3), which states:

(b) **Grounds for Relief from a Final Judgment, Order, or Proceeding.** On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:
(3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party;

Fraud on the Court

REASONS FOR GRANTING THE PETITION

Question before the Court: Whether it is proper and is it a deprivation of rights under color of law, when the court of appeals does not review a lower court's final order (within its jurisdiction) on a timely Rule 60(b)(3) motion for relief from fraud on the court and thus affirmed the lower court's incorrect final judgment denying the moving party's undisputed motion for summary judgment – to which the non-moving party failed to meet its initial burden imposed by Rule 56(e), and whether it is a violation of substantive and/or procedural due process under the Fifth Amendment to the U.S. Constitution.

Appellate standing. According to the Department of Justice, under 18 U.S. Code § 242, it is not necessary that the offense be motivated by racial bias or by any other animus. So, the other government actors, such as defendant's representative Maryanne Evans and its three attorneys Ashley Benson Rutherford, Ariel P. Cook, Laura J. Boeckman, the five judges in the district court, and circuit judge Elizabeth L. Branch can also act under color of law and can be prosecuted under this statute.[8] Because of this deliberate violation of the law, petitioner has suffered irreparable economic injury and an injured reputation from both the respondent and the court of appeals – who deprived petitioner of her entitled damages and her protected rights under the color of law. Herein, petitioner has demonstrated that the decision below "has so far departed from the accepted and usual course of judicial

[8] See MISCONDUCT BY LAW ENFORCEMENT & **OTHER GOVERNMENT ACTORS** at https://www.justice.gov/crt/statutes-enforced-criminal-section, other government actors such as defendants, judges, and district attorneys.

proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;" [and] "has decided an important federal question in a way that conflicts with relevant decisions of this Court" (*Celotex Corp. v. Catrett*, (1986) and *Vance v. Ball State University*, (2013)) in accordance with Court Rule 10(a) and (c). Petitioner has exhausted all available remedies from the courts below and her relief sought is not available from any other court. The conscious bias[9] as indisputably displayed here is too high to be constitutionally tolerable. Petitioner provided concrete evidence that shows the corruption of the judicial process when the U.S. federal government is allowed to fraud the court - which is documented[10] and cited in the record both before and after the decisions of the lower courts. **See** Appendix I to the petition and D.C. Doc. No. 80.

National Importance. Petitioner has addressed the compelling reasons that exist for the exercise of this Court's authority to grant this petition for a writ of certiorari to hear the question presented and reverse the lower courts biased incorrect decision that is a precedent-setting error of exceptional importance to the nation. The record in this case demonstrates how petitioner was discriminated on because of her race and when she reached out to those who took an oath to defend the rights of all the members of her protected class, the very people she reached out to are the ones who violated and deprived her substantial rights under due process and color

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[9] Bias or prejudice of an appellate judge can also deprive a litigant of due process. https://www.law.cornell.edu/constitutionconan/amendment-5/unbiased-judge#

[10] During oral argument (time stamp 4:48), circuit judge Elizabeth L. Branch specifically asked petitioner if she could point to any evidence in the record of misconduct on the part of JEA's attorneys and when petitioner did so, the biased incorrect judgment was still affirmed - prejudicially omitting review of the fraud.

No. 23-6574

IN THE

SUPREME COURT OF THE UNITED STATES

Deirdre Baker – PETITIONER

VS.

JEA – RESPONDENT

PROOF OF SERVICE

I, Deirdre Baker, do swear or declare that on this date, March 28, 2024, as required by Supreme Court Rule 29 I have served the enclosed PETITION FOR REARING ON THE MERITS on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

Laura Boeckman, Office of General Counsel
117 W Duval St, Suite 480
Jacksonville, FL 32202

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 28, 2024

Deirdre Baker
(Signature)

RECEIVED
APR - 2 2024
OFFICE OF THE CLERK
SUPREME COURT, U.S.