

23-6995

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OFFICE OF THE CLERK
SUPREME COURT U.S.

ORIGINAL

PREPARED BY
CHRISTINE MORAN
AZCLDP #81957

IN THE

SUPREME COURT OF THE UNITED STATES

Washington, D.C.

ROSAURA STROUS — PETITIONER
(Your Name)

YUMA COUNTY SUPERIOR COURT AND
YUMA COUNTY HUMAN RESOURCES AND
YUMA COUNTY, — RESPONDENT(S)
Security Div.

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals For The Ninth Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

ROSAURA STROUS
(Your Name)

716 E. 26th St.
(Address)

Yuma, AZ 85365
(City, State, Zip Code)

308-430-3900
(Phone Number)

QUESTION(S) PRESENTED

Question 1) What claims did you raise to the court below?

Claims of sexual harassment that have not been addressed. Sexual discrimination as well as violation of my rights due to a disability.

Question 2) What do you think the court below did wrong?

The court made a decision without allowing the appellant to be heard. And or to be present to ask or answer

questions on my behalf. Today, Friday, February 02, 2024 I still have not been able to obtain any answers as to what happened?

Question 3) Why are these errors serious enough that this appeal should go forward?

It is a violation of the appellant's rights and sexual harassment is a serious allegation that was not addressed and simply dismissed as frivolous.

LIST OF PARTIES

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

✗ All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this and petition is as follows:

Yuma County Superior Court / Security Div. / Human Resources and Yuma County.
Kathleen M. Schaben, Court Administrator
Rosa Miller, Human Resources
Cesar Fazz, Security Director
Luis Armando Perez, Supervisor
Yuma County Human Resources
Jessica Rodriguez
Felicja Frawsto, Director
Oscar, Chavez

RELATED CASES

United States Court of Appeals For Ninth Circuit
No. 23-15161
D.C. No. 2:22-cv-01900-JJT
District of Arizona,
Phoenix

Note: I have provided some correspondence from other agencies from the state of Arizona. But not all of them.

IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

- ☒ reported at U.S. District Court, Sandra O'Connor / Phoenix, AZ.; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☐ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

- ☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was September 28, 2023

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: Sept. 28, 2023, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

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

☒ For cases from **state courts**:

The date on which the highest state court decided my case was September 28, 2023.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

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Statement of the Case

Rosaura Strous was employed with the Yuma County Superior Court and experienced several roadblocks in her attempts to address an abusive supervisor's behavior through her employer's human resources channels. Her rights to due process were subsequently denied, behavior by the supervisor was unaddressed, and the director of Superior Court and the Director of the Yuma County Human Resources beguiled Rosaura into thinking proper actions were taken when none were. Rosaura, now suffering from illness and severe stress had used all of her allotted paid-time off and long-term disability leave, was coerced by Human Resources that she was going to be charged by her insurance to cover her costs of care when her disability expired. Human Resources then lied to Rosaura by claiming to have spoken to a party in the internal Yuma County Financial Department and stated that Rosaura would need to submit a note of resignation to Human Resources, who would then forward this note to the Financial Department to resolve Rosaura's situation with her disability expiring and costs passing through. To convince Rosaura to submit a note of resignation, Human Resources promised to immediately re-hire Rosaura to her former position. Upon completion of this note by Rosaura, Human Resources ceased any and all communication, no follow-up to the aforementioned re-hiring was made, and was denied access to any and all of her employment files and documents, especially to her human resources claims. She was also denied access to the place of employment, as well as denied communication to any Superior Court employees in an official capacity.

Following the submission of her note and denial of all official communication, Rosaura encountered a blockade to access her official documentation and evidence to proceed in a workplace discrimination (disability and sexual), and sexual harassment case via a deliberate omission of pertinent information that resulted in the lapse of the statute of limitations for these cases. There was also a violation to Rosaura's due process to a fair hearing to ask and answer questions on her behalf when there was a supposed court hearing that Rosaura was never notified of or involved in. No official resolution

through employment or judicial follow-up was ever granted to Rosaura and through this Writ of Certiorari she seeks to claim resolution and understanding.

Reasons for Granting

The questions presented in this petition are of the utmost importance. Rosaura Strous is the victim in this series of unfortunate events and errors. She continues to be accosted by legal parties related to her ongoing case, by attempting to receive any type of assistance and/or guidance in pursuit of getting her day in court. She continues to encounter discrimination by parties that she once took an oath to protect and honor who failed protect and honor her.

Rosaura has also encountered instances where parties involved are too intimidated, afraid, and unwilling to speak the truth of the case. She requests a little compassion when it comes to her paperwork. Unfortunately, she has found it exceptionally difficult to receive assistance legally where law firms are claiming that she would never be able to afford their legal fees as well as, redundantly, that they would never take her case. Some claiming that they have never heard of a similar case or are afraid of being sued. There has been conflicting information on the investigation of her initial case that has left lingering questions as to any resolutions. Seeking clarity, Rosaura submitted a complaint against a Judge to the Commission of Judicial Conduct, and subsequent appeal to their findings. In 2022, she received a case dismissal from the District of Arizona stating that the case fails to state a claim. Rosaura appealed it to the United States Court of Appeals 9th Circuit of California, who dismissed the case as frivolous in 2023. Reasons for Rosaura's appeals were supported by the Arizona Attorney General's Office Civil Rights Division, in December of 2021, who claimed that she had the right to sue the Yuma County Superior Court Security Division and Yuma County Human Resources for discrimination, retaliation, and disability. Rosaura was also supported by the Equal Employment Opportunity Commission in September of 2022, where they claimed she had a right to sue for retaliation, disability, and sexual harassment. Below are several of the outstanding questions needing resolution in this case that no other entity has been able or willing to address.

Questions Presented

1. What happened to all the information and reports that were originally submitted to Security and Human Resources

Departments regarding Rosaura's evidence for these original cases? What was all of this evidence used for, and where are the results from these investigations?

2. Why did the Security Division where Rosaura was employed allow her body armor to remain expired for approximately 5 years? The nature of this position had an exposure to firearms and due to the retaliatory behavior from her accused supervisor, as well as other officers, she feared for her life.
3. Why was Rosaura forced to continue being supervised by her accused supervisor after a Human Resources investigation was demanded by her due to claims of extreme discrimination, so that she remained in an abusive environment?
4. Why was Rosaura stripped of her working gear as a court security officer after her human resources complaint was filed against her supervisor, rather than the accused party, or both parties?
5. Why was Rosaura denied communications to any other parties aside from her accused supervisor, human resources contact, etc.?
6. Why would the Human Resources Department and the Director of the Courts allow her accused supervisor to force Rosaura, by threat of termination, to act as a bailiff as well as maintain her responsibilities in her original position, forcing her to no longer take breaks for lunch or complete physical therapy before being called in?
7. Why was the accused supervisor allowed to continue his behavior of abuse toward Rosaura without any measures against his behavior taken by Human Resources?
8. Why would the Supervisor of Security continue the harassment by requesting various work-related tasks or questions at Rosaura's residence and through personal phone while she was out on FMLA?
9. What policies or procedures were officially followed to address the Human Resources investigations?
10. Why was Rosaura not notified or informed of a court hearing with presiding judge at the time, Honorary Judge Maria Elena Cruz? Only 3rd party communication from Human Resources Downtown department, by conversation over phone, in which Deputy Chief of Human Resources and the Chief of Human Resources both claimed to Rosaura that they personally handed the report/file to the

Judge and stated that she found no need to investigate.
What was the official outcome of this interaction? Where is this recorded? Why did Rosaura not receive the opportunity to attend in an official capacity to ask or answer questions on her behalf?

11. Why were there no official copies of any documentation filed by Rosaura given to her after submission or during the investigation or even when requested?

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CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

R. Strous

Date: Nov 17. 2023