

No.

23-7020

FILED

MAR 14 2024

OFFICE OF THE CLERK
SUPREME COURT, U.S.

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

Donovan Reid

(Your Name)

— PETITIONER

VS.

Lois DeJoy, Postmaster General
United States Postal Service

— RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Fourth Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Donovan Reid

(Your Name)

5613 Wayne Ave, Baltimore, Maryland, 21207

(Address)

Baltimore, Maryland, 21207

(City, State, Zip Code)

667-209-6054

(Phone Number)

QUESTION(S) PRESENTED

- Do Federal Agencies have to follow their policies, manuals, rules, etc., when it pertains to the employees of the federal agency?
- If the federal agency has a set of rules, guidelines, and proper procedures to evaluate an employee during their probationary period, is it supposed to be followed, or the federal can terminate any employee without adhering to their own set of rules, policies, and guidelines?
- What does it mean if the defendant doesn't respond to the Fourth circuit appeal filed by the plaintiff?
- Can a case be decided on the assumptions of what the jury might decide before jury is even chosen.

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 petition is as follows:

RELATED CASES

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OTHER

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☒ is unpublished.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 _____; 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☒ is unpublished.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☐ is unpublished.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 12/21/2023.

☐ 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: _____, 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 _____.
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).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Title VII of the Civil Rights Act 1964
SEC. 20002. [Section 703]

- (a) It shall be an unlawful employment practice for an employer -
- (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, privileges or employment, because of such individual's race, color, religion, sex, or national origin; or
 - (2) to limit, segregate, or classify his employees or applications for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.

Sec. 20003. [Section 704]

- (a) Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings
- It shall be unlawful employment practice for an employer to discriminate against any of his employees or applicants for an employment agency, ... to discriminate against any individual, ... because he has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this subchapter.

Constitutional Amendments - Amendment 7 - "The Right to jury trial in civil Affairs"

• EEO Activity

STATEMENT OF THE CASE

I was an employee with the United States Postal Service as PSE Clerk from October 2018 to January 2019. I was in the Probationary period, and during that time I was harassed by a coworker's and supervisor. When I opposed the wrongdoings/harassment of my co-workers and supervisor, I was threatened by the supervisor that if I engaged in protected EEO Activity and oppose their harassment by informing Postal Police I would be terminated in which I did engage in protected EEO Activity that led to the start of this case. Management never followed their own rules & guidelines when evaluating me after the protected EEO Activity, and couldn't provide any proof, evidence, or documentation that they should have if they followed their manuals. I was also punched in the leg by a coworker Aaron Swire in which I ~~led~~ led to engage in EEO activity and informed Postal Police.

- Supervisor - Antonio Picketford
- Coworkers - Christopher Moore
Aaron Swire

REASONS FOR GRANTING THE PETITION

The fourth Circuit appeal didn't have a response by the defendant during the given time to respond. The district court's decision to grant the defendant's motion to dismiss or alternatively summary judgment expressed conflicting views on this issue and based the decision on assumptions of what ~~they~~ the jury might decide if the case had reached the point of a jury decision in trial.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Donovan Reid

Date: 03/13/2024