

23-7218
NO. _____

FILED
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OF THE SUPREME COURT

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES

LESLIE SHANNON PRO SE- PETITIONER

VS.

CHERRY CREEK SCHOOL DISTRICT ET AL- RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

10TH CIRCUIT COURT OF APPEALS
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

LESLIE SHANNON
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QUESTION(S) PRESENTED

1. WHY WERE MY FIFTH AND FOURTEENTH AMENDMENT RIGHTS VIOLATED BY BOTH THE DISTRICT AND 10TH CIRCUIT COURTS?
2. WHY WAS MY REQUEST FOR A JURY TRIAL AND ORAL ARGUMENT DENIED?
3. WHY WAS IT NOT ACKNOWLEDGED BY THE COURTS THAT THE ATTORNEY FOR THE DEFENSE STATED THAT IN 3 YEARS IN THE SAME POSITION, THERE WAS NO WRITTEN EVIDENCE OF REPRIMAND/WORK PERFORMANCE CONCERNS DOCUMENTATED TO SUPPORT THEIR CASE YET BOTH COURTS SIDED WITH THE DEFENSE GRANTING SUMMARY JUDGEMENT?
4. WHY WAS IT NOT ACKNOWLEDGED THAT THERE WAS NO REASONABLE JUST CAUSE FOR ME TO BE NON-RENEWED BASED ON MY WORK PERFORMANCE WHEN I WAS TOLD THAT THE REASON FOR MY NON-RENEWAL WAS NOT BASED ON MY WORK PERFORMANCE? THE DISTRICTS POLICY#4173 CLEARLY STATES THAT THERE ARE LEGAL ACTIONS TO BE TAKEN PRIOR TO NON-RENEWING A PROBATIONARY TEACHER BASED ON WORK PERFORMANCE CONCERNS. WHY WAS THIS NOT ACKNOWLEDGED BY THE COURTS WHEN IT WAS POINTED OUT THAT THESE STEPS WERE NOT AFFORDED TO ME WITHIN 3 YEARS OF ALLEGED CONCERNS. INSTEAD, THE COURTS ACCEPTED THAT I HAD AMPLE KNOWLEDGE OF SUCH ALLEGED SEVERE WORK PERFORMANCE CONCERNS BASED MERELY ON A SENTENCE OR TWO IN MY END-OF-THE YEAR EVALUATIONS FOR THE FIRST TWO YEARS BUT *NOTHING* NOTED ON MY THIRD YEAR EVALUATION. THERE WAS THE ABSENCE OF ANY MEETING OR DOCUMENTATION TO SET EXPECTATIONS, NO IMPROVEMENT PLAN, NO ADDITIONAL SUPERVISION OR MENTOR IMPLEMENTED AT THE START OF MY SECOND OR THIRD YEAR. I WAS LEFT TO MY OWN DEVICES AND MY OWN CURRICULUM FOR THE THREE YEARS I WAS EMPLOYED AT HIGHLINE UNDER THOMPSON AND 3 DIFFERENT ASSISTANT PRINCIPALS.

BOTH COURTS ALSO OVERLOOKED THE FACT THAT THE MAJORITY OF THE ALLEGED WORK PERFORMANCE CONCERNS WERE IN MY THIRD YEAR, AFTER I SPOKE OUT AGAINST THE EQUITY WORK; WERE NOT REFLECTED IN MY FINAL EVALUATION BY WATANABE EVEN THOUGH HE PERJURED HIMSELF BY STATING HE HAD CONCERNS; WERE NOT MENTIONED IN THE MID YEAR REVIEW WITH WATANABE IN DECEMBER 2018 WHERE HE PERJURED HIMSELF AGAIN NOR IN THE NON-RENEWAL MEETING IN APRIL 2019 WITH THOMPSON; WERE NOT DOCUMENTED FOR THE ENTIRE SCHOOL YEAR

AND DID NOT SURFACE UNTIL AFTER I SPOKE OUT AGAINST THE EQUITY WORK AND THOMPSON IN A CONFIDENTIAL CONVERSATION WITH WATANABE AND AFTER THE EEOC CHARGE WAS FILED AND THE DISTRICT SUBMITTED THEIR RESPONSE TO THE CHARGE, REINFORCING A REASONABLE CLAIM OF RETALIATION.

5. WHY DID THE COURTS NOT ACKNOWLEDGE THE DISTRICT'S DISREGARD TO THEIR USE OF DISCRIMINATING MATERIAL DURING EQUITY WORK THAT I WAS SUBJECTED TO. CCSD CONTRACTS WITH PACIFIC EDUCATIONAL GROUP THAT HAS BEEN THE SUBJECT OF LAWSUIT CLAIMS FOR PROMOTING RACISM PERPETUATING THE ERRONEOUS ASSOCIATION OF BLACK PEOPLE, REINFORCING A REASONABLE CLAIM OF DISCRIMINATION.

6. WHY WAS IT OVERLOOKED AND DISMISSED THAT THOMPSON, WHILE UNDER INVESTIGATION OF THE EEOC, TORTIOUSLY INTERFERED WITH MY RIGHT TO PURSUE MY CAREER BY SABBATOGING THE ENTRY LEVEL ADMINISTRATION POSITION OF DEAN OF STUDENTS THROUGH AURORA PUBLIC SCHOOL DISTRICT. THOMPSON INTENTIONALLY INFLATED MY ABSENCES, MAKING ME APPEAR UNRELIABLE EVEN THOUGH MY ABSENCES WERE NOT IN VIOLATION OF THE DISTRICTS OWN SICK LEAVE POLICY #4151, WAS NEVER COUNCILED OR DOCUMENTATED AS A WORK PERFORMANCE CONCERN, WAS NOT MENTIONED IN THE MID-YEAR REVIEW/ FINAL EVALUATION WITH WATANABE AND WAS NOT MENTIONED IN THE NON-RENEWAL MEETING WITH THOMPSON. THIS CONCERN DID NOT SURFACE UNTIL AFTER THE EEOC CHARGE WAS FILED, AT THE END OF MY THIRD YEAR; THE SAME YEAR I SPOKE OUT AGAINST THE EQUITY WORK AND THOMPSON'S USE OF NEGATIVE RACE SPECIFIC STEREOTYPE LANGUAGE TOWARDS ME, REINFORCING A REASONABLE CLAIM OF TORTIOUS INTERFERENCE.

7. WHY WAS MY EVIDENCE/STATEMENTS NOT GIVEN THE SAME CONSIDERATION AS THAT OF THE DEFENSE? IF GIVEN THE SAME CONSIDERATION, WHY WERE POINTS OF *PERJURY*; AFTER-ACQUIRED ACCUSATIONS; UNDOCUMENTED STATEMENTS AND UNDOCUMENTED ACTIONS BY THE DEFENDANTS OVERLOOKED?

LIST OF PARTIES

[] ALL PARTIES APPEAR IN THE CAPTION OF THE CASE ON THE COVER PAGE.

[X] ALL PARTIES DO NOT APPEAR IN THE CAPTION OF THE CASE AND COVER PAGE. A LIST OF ALL PARTIES FOR THE PROCEEDING IN THE COURT WHOSE JUDGMENT IS THE SUBJECT OF THIS PETITION IS AS FOLLOWS:

**CHERRY CREEK SCHOOL DISTRICT,
CHERRY CREEK SCHOOL DISTRICT BOARD OF EDUCATION,
SCOTT SIEGFRIED, FORMER SUPERINTENDENT,
TY VALENTINE, FORMER DIRECTOR OF HUMAN RESOURCES,
DARLA THOMPSON, FORMER PRINCIPAL HIGHLINE ELEMENTARY, AND
KEVIN WATANABE, FORMER ASSISTANT PRINCIPAL HIGHLINE ELEMENTARY
DEFENDANTS**

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PETITION FOR WRITS OF CERTIORARI

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1. CONDENSED COMPARISON OF EVALUATIONS 2016-2017 & 2017-2018
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2. CONDENSED VERSION OF EVALUATION 2018-2019
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3. ABSENCES FOR 3 YEARS 2016-2019
CCSD 00019-00021
4. PACIFIC EDUCATIONAL GROUP POSTER
5. 1:20-CV-03469-WJM-SKC RESPONSE TO BATES DEPOSITION OBJECTION
6. TRANSCRIBED RECORDED NON-RENEWAL MEETING WITH THOMPSON 4/5/2019
7. CHERRY CREEK SCHOOL DISTRICT POLICY 4173 REASONS FOR NON-RENEWAL OF PROBATIONARY TEACHERS

TABLE OF AUTHORITIES CITED

CASES/PAGE NUMBER

- A) UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA
BENNER v. SAINT PAUL PUBLIC SCHOOLS, I.S.D. #625 ET AL CASE 17-CV-1568 SRN-KMM
- *ST. PAUL PUBLIC SCHOOLS RETALIATED AGAINST MR. BENNER FOR CRITIZING THE DISTRICT'S RACIAL EQUITY POLICY THAT IS CONTRACTED BY PACIFIC EDUCATIONAL GROUP [PEG].
- B) UNITED STATES DISTRICT COURT DISTRICT OF COLORADO
TISHA LEE v. DENVER PUBLIC SCHOOL CASE 20-CV-1989-WJM-MEH
- *DISCRIMINATION CASE
- C) COLORADO POLITICS: DATED MARCH 31, 2021 REPORTED BY MICHAEL KARLIK
JUDGE GREEN-LIGHTS RACIAL DISCRIMINATION LAWSUIT AGAINST DENVER PUBLIC SCHOOLS
(REDARDING CASE OF TISHA LEE)
"BY ALLEGING THAT SHE WAS REJECTED DESPITE HER QUALIFICATIONS AND THE POSITION WAS FILLED BY A WHITE APPLICANT, LEE HAS MET HER BURDEN OF PLAUSIBLY ALLEGING A CLAIM FOR RACE DISCRIMINATION", CONCLUDED U.S. DISTRICT COURT JUDGE WILLIAM MARTINEZ IN MARCH 29, 2021 ORDER.
- D) BARBARA LINDSAY v DENVER PUBLIC SCHOOLS
RETALIATION CASE
- E) THE DENVER GAZETTE: DATED FEBRUARY 12, 2022 REPORTED BY DAVID MIGOYA
"CHERRY CREEK SCHOOL DISTRICT FACES FEDERAL DISCRIMINATION, HARASSMENT INQUIRIES"
- F) TREY HARRIS v COLORADO HIGH SCHOOL ACTIVITIES ASSOCIATION CASE 1:18-CV-02310-RBJ
DISCRIMINATION CASE AGAINST HUMAN RESOURCES, SUPERINTENDENT AND SCHOOL DISTRICT
- G) FISK v DELTA COUNTY JOINT SCHOOL DISTRICT NO 5 CASE 1:17-CV-02318
DISCRIMINATION CASE AGAINST DISTRICT, SUPERINTENDENT, SCHOOL BOARD, TEACHER AND SCHOOL COUNSELOR. RETALIATED FROM FREELY EXPRESSING HER OPINION

**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.

[X] FOR CASES FROM FEDERAL COURTS:

THE OPINION OF THE UNITED STATES COURT OF APPEALS APPEARS AT APPENDIX A TO THE PETITION AND IS

[X] UNPUBLISHED

THE OPINION OF THE UNITED STATES DISTRICT COURT APPEARS AT APPENDIX B TO THE PETITION AND IS

[X] UNPUBLISHED

JURISDICTION

[X] FOR CASES FROM FEDERAL COURTS:

THE DATE ON WHICH THE UNITED STATES COURT OF APPEALS DECIDED MY CASE WAS

SEPTEMBER 26, 2023

[] NO PETITION FOR REHEARING WAS TIMELY FILED IN MY CASE.

[X] A TIMELY PETITION FOR REHEARING WAS DENIED BY THE UNITED STATES COURT OF

APPEALS ON THE FOLLOWING DATE: OCTOBER 31, 2023, AND A COPY OF THE ORDER

DENYING REHEARING APPEARS AT APPENDIX A.

[] 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].

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

5TH AMENDMENT: AMENDMENT GUARANTEEING CERTAIN RIGHT RELATED TO TRIALS AND DUE PROCESS. "NO PERSON SHALL BE DEPRIVED OF LIFE, LIBERTY, OR PROPERTY WITHOUT DUE PROCESS OF LAW"

14TH AMENDMENT: AMENDMENT GUARANTEEING EQUAL PROTECTION UNDER THE LAW

TITLE VII OF CIVIL RIGHTS ACT 1964, 1981-1983

COLORADO ANTI-DISCRIMINATION ACT C.R.S. 24-34-401 ET SEQ

PROHIBITED EMPLOYMENT PRACTICES C.R.S. 24-34-402 PROTECTED CLASS

BIAS OR PREJUDICE OF A JUDGE 28 U.S. CODE 144: AN ATTITUDE OF MIND THAT PREDISPOSES ONE TO FAVOR SOMETHING

STATEMENT OF CASE

***THIS IS AN EMPLOYMENT CASE THAT CHARGES THE DEFENDANTS WITH DISCRIMINATION, RETALIATION AND TORTIOUS INTERFERENCE.**

***I WAS WRONGFULLY NON-RENEWED IN MY THIRD YEAR OF PROBATION AFTER I SPOKE OUT AGAINST THE EQUITY WORK CONTENT OF WHITE PRIVILEGE AND THE PRINCIPAL'S USE OF RACE SPECIFIC NEGATIVE STEROTYPED WORDS IN REFERENCE TO BLACK WOMEN.**

***I WAS INFORMED OF MY NON-RENEWAL ON 4/5/2019 AND THE DISTRICTS RESPONSE WAS PRETEXTUAL AND THE EMBELLISHED CONTEXT WAS TO CONCEAL THE TRUE PURPOSE AND RATIONAL BEHIND THE ACTIONS OF THE DEFENDENTS.**

***THERE IS NO SUPPORTING DOCUMENTED EVIDENCE SUBMITTED BY THE DEFENDANTS YET THE COURTS GRANTED SUMMARY JUDGMENT AND JUSTIFIED MY NON-RENEWAL BASED ON WORK PERFORMANCE CONCERNS.**

***THE DISTRICT VIOLATED THEIR OWN POLICY 4173 FOR NON-RENEWING A PROBATIONARY TEACHER. THERE WAS NO INDICATION MY POSITION WAS IN JEOPARDY.**

***THE CONVERSATION WHERE I SPOKE MY TRUTH AND FEAR OF RETALITATION WAS IN A CONFIDENTIAL COURAGEOUS CONVERSATION WITH WATANABE, YET I WAS NON-RENEWED BECAUSE HE SHARE MY CONCERNS WITH THE EQUITY TEAM THAT ANSWER TO THOMPSON.**

***THE DEFENDANTS VIOLATED THE LEGAL STEPS THAT I SHOULD HAVE BEEN PROVIDED IF SUCH WORK PERFORMANCE CONCERNS WERE PRESENT. INSTEAD I WAS LEFT TO MY OWN DEVICES AND CONTINUED TO TEACH WITHOUT INTERVENTION.**

***MY ARGUMENT WOULD HAVE PROVEN PERJURY, LACK OF EVIDENCE, BREACH OF CONFIDENTIALITY AND AFTER-AQUIRED ALLIGATIONS.**

***ACCORDING TO THE MATERIAL THAT WAS POSTED BY P E G, COURAGEOUS CONVERSATION WAS**

SUPPOSE TO "DEEPEN INTERRACIAL DIALOGUE" INSTEAD IT PROMOTED DISCRIMINATORY DIALOGUE THAT WAS PROBLEMATIC AND OFFENSIVE. WHITE STAFF WERE ENCOURAGED TO IDENTIFY THEMSELVES AS "PRIVILEGED WHITE WOMAN/MAN" (ATTACHMENT #4; *BENNER v SAINT PAUL PUBLIC SCHOOLS, I.S.D. 3625 et al*) IT CRIPPLED OUR STUDENTS OF COLOR BY PROJECTING RACIAL BIAS ON THEM AND ON ME. PEG HAS HAD A NEGATIVE RACIAL IMPACT ON PEOPLE OF COLOR AS SEEN IN THE CASE STATED ABOVE.

*IN FEBRUARY 2022 IT WAS REPORTED THAT THE DISTRICT WAS FACING FEDERAL DISCRIMINATION AND HARASSMENT INQUIRIES. IN THE ARTICLE IT STATED "AT TIMES FEMALE DISTRICT EMPLOYEES SAID THEY WERE SIMPLY TOO AFRAID TO SPEAK OUT BECAUSE THEY FEARED FOR THEIR JOBS". I STATED THIS SAME CONCERN OF FEARING RETALITATION OF BEING NON-RENEWED IN MY THIRD YEAR IF I SPOKE OUT AGAINST THOMPSON WHEN WATNABE SUGGESTED IT IN THE MID-YEAR REVIEW. (EEOC DISTRICT RESPONSE PG 15-16 #33A-34). THIS PROVES THAT MY CLAIMS ARE NOT ISOLATED AND I WAS NOT FAR FROM THE TRUTH BECAUSE I WAS NON-RENEWED.

* THE FIRST 2 YEARS I WAS OFFENDED BUT COMPLIANT OF THE "EQUITY" WORK-COGNISANT OF LEARNED NAVIGATION OF CODE-SWITCHING AND I WAS RENEWED EACH TIME

*I WAS ENCOURAGED TO SPEAK MY TRUTH, GIVEN THE PERMISSION TO SPEAK MY TRUTH, (EEOC RESPONSE, EVALUATIONS, MID YEAR REVIEW) BUT MY TRUTH HAD TO BE "THEIR" TRUTH BECAUSE THE MINUTE I DID SPEAK MY TRUTH REGARDING DISCRIMINATION, I WAS NON-RENEWED AT THE END OF THE SCHOOL YEAR ON 4/5/2019, AS AN ADVERSE EMPLOYMENT ACTION, IN RETALIATION THE DEFENDANTS ACTED WITH MALICIOUS INTENT....IF I HAD OF CONTINUED TO PLAY THE "GAME", MY LAST YEAR, I WOULD HAVE BEEN RENEWED AS I HAD BEEN THE PREVIOUS 2 YEARS WHEN I DID NOT SPEAK OUT.

*ON 10/11/2023 I FILED FOR A REHEARING EN BANC. I INADVERTENTLY AND UNKNOWNLY ATTACHED WHAT WAS OBVIOUSLY AN UNFINISHED ROUGH DRAFT THAT THE COURTS RETAINED

POSSESSION OF FOR TWO WEEKS THEN PROCEEDED TO ENTER A DENIAL JUDGMENT FOR A REHEARING. I WAS NOT PERMITTED TO SUBMIT THE CORRECT DOCUMENT. (APPENDIX D)

*I ATTEMPTED TO FILE A DOCUMENT (28. U.S. CODE 144) IN REFERENCE TO WHAT I DEEMED AS THE BIAS OF THE JUDGES ASIGNED TO MY CASE. IT STATED IT WAS FILED 11/20/2023. AFTER WAITING 60 DAYS FOR A RESPONSE I WAS INFORMED ON 1/11/2024 THAT IT WAS ONLY ACCEPTED AND ACCIDENTLY STAMPED AS FILE. I COULD NOT PROCEED BECAUSE MY CASE WAS CLOSED.

*FROM THE ONSET OF MY CASE I HAVE NOT WAVERED FROM MY CLAIMS OR THE PRESENTATION OF MY CASE. I AM NOT A DISGRUNTLED EMPLOYEE WHO DESERVED TO BE NON-RENEWED. I HAVE BEEN FIGHTING TO BE HEARD SINCE 2019 AND HAVE DONE IT IN A PRO-SE STATUS. THE ADVERSE ACTIONS TAKEN BY THE DEFENDANTS OF CHERRY CREEK SCHOOL DISTRICT WAS WRONG AND BOTH COURTS SUPPORTED AND REWARDED THE DISTRICT FOR THEIR ACTIONS AND VIOLATING MY 5TH AND 14TH AMENDMENT RIGHTS.

*IN THE (APPENDIX C) DOCUMENT CIRCUIT JUDGE BACHARACH AFFIRMED THE DECISION FROM THE LOWER COURT STATING SEVERAL UNTRUTHS, QUESTIONING THE VALIDITY OF TIME INVESTIGATING THE DEPTHS OF THIS CASE. PAGE 2 (1 AT BOTTOM) IT STATES THAT MY CLAIM OF BEING DENIED "DUE PROCESS" WAS NOT MENTIONED IN MY RESPONSE TO THE MOTION FOR SUMMARY JUDGMENT. THIS IS NOT TRUE AS IT IS CLEARLY STATED IN (APPENDIX G PG 6 PAR 2). IT IS ALSO STATED IN (APPENDIX H PG 9 PAR 1).

*THROUGHOUT THIS CASE THE DEFENSE MADE CLAIMS THAT THERE WAS EXTENSIVE EVIDENCE (ALTHOUGH THERE IS NO DOCUMENTED EVIDENCE TO SUPPORT THIS) THAT I HAD NOTICE OF LONGSTANDING PERFORMANCE AND CONDUCT CONCERNS AND A LACK OF PROFESSIONAL GROWTH OVER 3 SCHOOL YEARS WHICH RESULTED IN MY NON-RENEWAL. IN (APPENDIX E DKT 75 #60), CLEARLY STATES THAT WITHIN THOSE 3 YEARS THERE WAS NEVER ANY WRITTEN DISPLINARY ACTION SUCH AS A LETTER OF REPRIMAND. APPENDIX H EXPLAINS AT LENGTH THE CASE AS WELL AS THE

OTHER APPENIX'S LISTED FOR VARIOUS OTHER REASONS.

*THE DEFENDANTS ARE ALL RESPONSIBLE FOR THE ROLE THEY PLAYED IN THE APPROVAL OF MY NON-RENEWAL AND MY CLAIMS OF DISCRIMINATION, RETALIATION AND TORTIOUS INTERFERENCE. BOTH SEIGFRIED AND BATES HAD THE FINAL DECISION IN THE APPROVAL OF MY NON-RENEWAL AND THEY PERJURED THEMSELVES BY STATING THEY HAD NO KNOWLEDGE OF WHO I WAS AND WHAT MY CASE WAS ABOUT. I FILED AN IN-HOUSE GRIEVANCE AGAINST SEIGFRIED AND BATES BEING A MEMBER OF THE BOARD WOULD HAVE KNOWLEDGE OF THE EEOC CHARGE LODGED AGAINST THE DISTRICT.

(APPENDIX 5 EXHIBITS H & I)

*WHILE UNDER INVESTIGATION, THOMPSON MALICIOUSLY DEVULGED THE TOTAL NUMBER OF ABSENCES (26) TO A POTENTIAL EMPLOYER MAKING ME APPEAR UNRELIABLE (ATTACHMENT #3 2018-2019). HER CLAIM, ONLY FOUND IN THE EEOC DISTRICT RESPONSE, (APPENDIX E EXHIBIT L: EXHIBIT 5) WAS DESCRIBED AS EXCESSIVE ABSENCES EVEN THOUGH MY ACTUAL SICK DAYS WERE 9. IN REFERENCE TO THE DISTRICT'S POLICY 4151 (ATTACHMENT #8) THERE WAS NO SUCH VIOLATION EVEN AS FAR AS THOMPSON'S CLAIM OF TAKING ADDITIONAL BEREAVEMENT TIME WHICH WAS AN INFLATED ISSUE AND EVEN THOUGH IT HAPPENED IN NOTHING WAS DISCUSSED WITH ME FROM FEBRUARY TO MAY. IT WAS NOT IN MY FINAL EVALUATION NOR WAS IT DISCUSSED IN THE NON-RENEWAL MEETING IN APRIL. AS STATED ABOVE, IT ONLY BECAME AN ISSUE AFTER THE EEOC CHARGE. THIS ACTION BY THOMPSON COST ME AN ENTRY LEVEL ADMINISTRATION POSITION OF DEAN OF STUDENTS. IT ALSO RESULTED IN REMAINING UNEMPLOYED FROM JUNE 2019 TO NOVEMBER 2022 CAUSING GREAT ECONOMIC HARDSHIP, DEPRESSION ANXIETY, HUMILITATION AND STRESS.

*PRIOR TO THIS REFERENCE CHECK, AS STATED BY THOMPSON THAT SHE WOULD NOT WRITE A

*LETTER OF RECOMMENDATION (ATTACHMENT 6) , VALENTINE, HR SHOULD HAVE ADVISED HER TO FORWARD ANY AND ALL REFERENCE CHECKS TO THE HR DEPARTMENT. VALENTINE OFFERED ME THAT

FOR FUTURE REFERENCE ALTHOUGH THE DAMAGE WAS ALREADY DONE. HIS ACTIONS VIOLATED MY RIGHT TO FAIR TREATMENT UNDER THE LAW.

*AS IN THE CASE OF TISHA LEE, (TABLES OF AUTHORITIES CITED B & C) JUDGE MARTINEZ RULED IN HER FAVOR IN REGARDS TO CLAIMS OF DISCRIMINATION AND RETALIATION OF BEING PASSED OVER FOR A POSITION THAT WAS FILLED BY A WHITE PERSON. WHEN I WAS WRONGFULLY NON-RENEWED AND MY WORK PERFORMANE WAS BRUTELLY ATTACKED BY THOMPSON AND WATANABE AFTER FILING AN EEOC CHARGE, MY POSITION WAS FILLED BY AN UNQUALIFIED WHITE WOMAN. THOMPSON STATED THE SHE COULD RECRUIT A BETTER TEACHER FROM THE APPLICANT POOL. (APPENDIX E EXHIBIT A #10-12 AND 14-16)

*THE EEO LAW PROHIBITS PUNISHING EMPLOYEES FOR ASSERTING THEIR RIGHTS TO BE FREE FROM EMPLOYMENT DISCRIMINATION. ASSERTING THESE EEO RIGHTS IS CALLED PROTECTED ACTIVITY AND IT IS CONSIDERED RETALIATION IF AN EMPLOYER REPRIMANDS THE EMPLOYEE OR GIVES A PERFORMANCE EVALUATION THAT IS LOWER THAN IT SHOULD BE.

*THE DEFENSE HAS PUT A GREAT DEAL OF WEIGHT OF THIS CASE ON MY EVALUATIONS AND THE MERE COMMENTS MADE BY THOMPSON AND (COLTEN) WHO COMPLETED MY FIRST TWO EVALUATIONS (ATTACHMENT 1)

*HOWEVER, ALTHOUGH WATANABE STATED HE HAD DEVELOPED CONCERNS (APPENDIX E EXHIBIT D #5-7 & 9) THIS WAS NOT ADDRESSED IN THE MID-YEAR REVIEW (APPENDIX E EXHIBIT L:EXHIBIT 10). WATANABE PERJURED HIMSELF IN HIS SWORN DECLARATION (APPENDIX E EXHIBIT D #9) WHEN HE STATED THAT HE DISCUSSED HIS CONCERNS WITH ME REGARDING "LACK OF RIGOR, PROFESSIONALISM AND CONDUCT". THS WAS NO WHERE DOCUMENTED IN THE MID-YEAR REVIEW SUBMITTED BY THE DEFENSE NOR IN MY FINAL EVALUATION (ATTACHMENT 2; APPENDIX E EXHIBIT D-1).

*I PRAY THE COURT WILL CAREFULLY REVIEW THE CONTENTS AND VERACITY OF MY 2018-2019

EVALUATION AS IT DID NOT REFLECT ANY OF THE ALLEGED WORK PERFORMANCE CONCERNS DESCRIBED IN THE DISTRICT EEOC RESPONSE DATED 5/20/2019 TO THE EEOC CHARGE DATED 4/10/2019 (ATTACHMENT #2; APPENDIX E EXHIBIT L:EXHIBIT 5). THE DEFENSE FOCUSES ON MY EVALUATIONS BEING EFFECTIVE DUE TO THE SCHOOL GRADE THAT IS AVERAGED IN BUT FAIL TO ACKNOWLEDGE THAT I FELL TO PARTIALLY EFFECTIVE IN MY THIRD YEAR BECAUSE THE SCHOOL GRADE FELL TO LESS THAN EXPECTED. (ATTACHMENTS 1&2)

*THIS IS JUST A BRIEF SYNOPSIS OF WHAT WAS BROUGHT TO THE ATTENTION OF BOTH LOWER COURTS AND DISMISSED. I PRODUCED EVIDENCE OF PERJURY, AFTER-THE-FACT PRETEXT ASSUSATIONS AND IT WAS ALL OVERLOOKED BY THE COURTS. I WAS DENIED THE RIGHT TO A JURY TRIAL AND ORAL ARGUMENT THAT WOULD RAISE DOUBT TO THE VALIDITY OF THE GRANTING OF THE SUMMARY JUDGMENT FOR THE DEFENSE.

*THE LENGTH OF THIS CASE AND THE AMOUT OF DOCUMENTS MAKES IT DIFFICULT TO REVIEW EVERY POINT OF PERJURY, PRETEXT AND AFTER-THE FACT WOK CONCERN ALLIGATIONS. THE DEFENSE WOULD LIKE THE COURT TO BELIEVE THAT THOMPSON KEPT ME ON TO GIVE ME THE BENEFIT OF THE DOUBT THAT I WOULD IMPROVE, SHE EXPECTED MORE FROM A VETERN TEACHER, YET SHE, COLTON NOR WATANABE PROVIDED ANY INTERVENTION, MENTOR, ADDITIONAL SUPERVISION OR IMPROVEMENT PLAN (ALL LEGAL STEPS NECESSARY TO NON-RENEW A PROBATIONAY TEACHER FOR WORK PERFORMANCE CONCERNS).

REASONS FOR GRANTING THE PETITION

1. THE OPPORTUNITY TO PRESENT MY EVIDENCE TO A JURY:

a) WOULD PROVE REASONABLE DOUBT THAT THE INSUFFICIENT AND LACK OF CREDITABLE EVIDENCE AGAINST ME, PRESENTED TO THE COURTS BY THE ATTORNEY FOR THE DEFENSE WOULD HAVE PREVENTED A JUDGE OR JURY FROM GRANTING THE MOTION OF SUMMARY JUDGEMENT IN FAVOR OF THE DEFENDANTS.

THE SAME OPPORTUNITY TO PRESENT MY EVIDENCE TO A JURY:

b) WOULD PROVE BEYOND REASONABLE DOUBT WITH CERTAINTY THAT THERE IS A TIME LINED CORRELATION BETWEEN MY SPEAKING OUT AGAINST THE SYSTEMIC RACIST EQUITY WORK; THOMPSON'S USE OF RACE SPECIFIC NEGATIVE STEREOTYPE WORDS; PERJURY AND BREECH OF CONFIDENTIALITY FROM MY MID-YEAR REVIEW BY WATANABE; MY UNEXPECTED WRONGFUL NON-RENEWAL; THE EEOC CHARGE FOR DISCRIMINATION AND RETALIATION, THE EEOC DISTRICT RESPONSE COMPOSED OF "AFTER-THE-FACT" WORK PERFORMANCE DEFICIENCIES NOT REFLECTED IN MY FINAL EVALUATION AND THE TOTAL DISREGARD FOR THE DISTRICTS OWN POLICY #4173.

c) WOULD GIVE MERIT TO AND PROVE MY CLAIMS OF DISCRIMINATION, RETALITATION AND TORTIOUS INTERFERENCE.

2. THE RIGHT TO BE AWARDED DAMAGES AS REQUESTED:

COMPENSATORY: LOST SALARY; BENEFITS AND PENSION

RACIAL AND PSYCHOLOGICAL TRAUMA

PAIN AND SUFFERING

EMOTIONAL DISTRESS

PUNITIVE DAMAGES: A VERDICT FROM THE JURY TO SEND A CLEAR MESSAGE TO CCSD

UP TO 4X'S THE AMOUNT OF COMPENSATORY DAMAGES FOR THE DEMISE OF MY IMPECCABLE CAREER AS AN EDUCATOR OF COLOR AS A RESULT OF MY EMPLOYMENT WITH CCSD.

CONCLUSION

***IN ALL MY 26 YEARS OF TEACHING, UNDER OATH, I HAVE NEVER BEEN NON-RENEWED, UNEMPLOYED, TERMINATED OR HAVE RESIGNED FROM A POSITION TO AVOID BEING TERMINATED. AS A RESULT OF THE ACTIONS OF EACH AND EVERY ONE OF THE DEFENDANTS PARTICIPATED IN THE VIOLATION OF MY RIGHTS AND SHOULD ALL BE HELD ACCOUNTABLE.**

***AS A RESULT OF THE WRONGFUL NON-RENEWAL; SUBJECTION TO DISCRIMINATION DISGUISED AS DISTRICT "EQUITY WORK"; RETALIATION; TORTIOUS INTERFERENCE; PERJURY AND AFTER-THE-FACT INFLATED WORK PERFORMANCE ISSUES; HAS COST ME MY JOB AT HIGHLINE, A PROMISING NEXT STEP AS AN ENTRY LEVEL ADMINISTRATING POSITION AS A DEAN OF STUDENTS; THE DEMISE OF MY CAREER AS A "HIGHLY SOUGHT AFTER" TEACHER OF COLOR, CONTINUED EMPLOYMENT, ECONOMIC ADVANCEMENT AND RETIREMENT SECURITY.**

***AS A RESULT OF THE DISTRICT CAUSING THE DEMISE OF MY CAREER, I HAVE SUFFERED TREMENDOUS ECONOMIC HARDSHIP. ALTHOUGH EMPLOYEE'S CANNOT NOT OPENINGLY ADMIT, MY AGE PLAYS A PART IN BEING HIRED AND SALARIES OFFERED DO NOT MEET MY LEVEL OF EXPERIENCE.**

***IN SPITE OF APPLYING FOR TEACHING JOBS, I REMAINED UNEMPLOYED FROM JUNE 2019- NOVEMBER 2022. I EXHAUSTED INHERITED FUNDS THAT ARE NO LONGER AVAILABLE FOR RETIREMENT. AT THE AGE OF 61, I AM CURRENTLY WORKING IN A POSITION WHERE I AM UNDERPAID, REQUIRE LONGER TRAVEL TIME, THERE IS NO RETIREMENT AND IS A LOSS OF ENJOYMENT OF LIFE IN PURSUIT OF MY CAREER. I DO NOT GET PAID OVER THE SUMMERS AND THE RESIDENTIAL STUDENT POPULATION IS EXTREMELY CHALLENGING WITH A SEVERE VARIETY OF COURT CHARGES. I AM CURRENTLY, AT 61 SEEKING EMPLOYMENT AGAIN WHICH CREATES MORE STRESS.**

***AS A RESULT OF THE ACTIONS OF THE COURTS, THE HUMILIATION I EXPERIENCED BECAUSE OF THE DISCRIMINATION, THE DEFAMATION OF MY CHARACTER BECAUSE OF THE RETALIATION, THE TORTIOUS INTERFERENCE AND REPRESENTING MYSELF IN A PRO SE STATUS, HAS LEFT ME UNHEARD,**

VIOLATED AND WITHOUT CLOSURE BECAUSE OF THE VIOLATION OF MY CIVIL AND CONSTITUTIONAL RIGHTS. THE COURTS CAUSED ADDITIONAL HUMILIATION, PSYCHOLOGICAL TRAUMA AND EMOTIONAL DISTRESS WHEN THEY DISMISSED THE DISTRICTS "ACTS OF DISCRIMINATION" BECAUSE IT WAS NOT DONE IN EXCESS, BLATHELY DISREGARDING MY CLAIM OF DISCRIMINATION. THE COURTS CONDONED THE DISTRICT'S VIOLATION OF THEIR OWN DISCRIMINATION POLICY.

*AS A RESULT OF THIS CASE IN ITS ENTIRETY AND CONTINUOUS, I SUFFER FROM ANXIETY/PANIC ATTACKS CAUSING THE NEED FOR A SERVICE DOG, DEPRESSION CAUSING THE NEED FOR MEDICATION, HAIR LOSS AND ADDITIONAL HEALTH ISSUES THAT ARE STRESS RELATED DUE TO A LOSS OF ENJOYMENT OF LIFE.

*I PRAY THE SUPREME COURT BE IN SYMPATHY AND CONCURS THAT THE PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED.

RESPECTFULLY SUBMITTED,

LESLIE SHANNON



DATE: MARCH 25, 2024