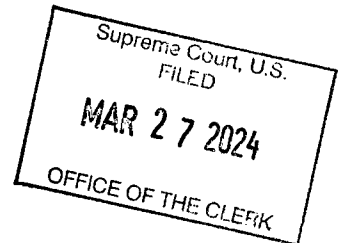


No. 23-7617

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Andrew H Nguyen — PETITIONER
(Your Name)

vs.

AT&T — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

The United States Court of Appeals (The Fifth Circuit)

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

PETITION FOR WRIT OF CERTIORARI

Andrew H Nguyen

(Your Name)

504 Juniper Dr

(Address)

Arlington, TX 76018

(City, State, Zip Code)

817-718-1399

(Phone Number)

QUESTION(S) PRESENTED

The upfront access to order tools and materials for the jobs

Why did Mr. Fulton and Puckett tried to block the upfront access to order tools and supplies for the jobs for a full 03 months 12/16/16 – 03/16/17 instead of 24 to 72 hours. I had to purchase the tools from the local stores and paid by myself. (I had the attached the detailed statements)

I was met and spoke with Fulton and Puckett in person regarding the upfront access for a several times. But they were still blocked it. On 03/16/17. I had to send an email to the third line manager (Mrs. Lindgren) for help

After, my email had reached to Mrs. Lindgren. Then, Fulton sent an email to Puckett and stated that "Andrew should not have access to order tools, only minor materials" while other (Non-Asian) employees ordered tools and the materials without restrictions

Fulton had told me that I did not follow the command chains. It's violated the Code of Business. Fulton knew that the employees have the right to skip level management. If I didn't contact Mrs. Lindgren. I didn't know when I could be accessed the upfront

The Non-Asian employees (my co-workers) were allowed to order the high cost of the fiber splicing machine with the advanced features and with a multiple fiber connections

The Asian employee (Andrew Nguyen) had to wait 18 months (04/2017 -10/01/18) and Fulton was asked Puckett to order for a cheap model with a single fiber connection

Why did Puckett had taken Andrew's ordered packages into Puckett's office and short the items on the orders and left other employees' ordered packages in the stock room

On the testing equipment (called as a sidekick)

The most employees (Non-Asian) had received the sidekick with the newer version (blue color) and Puckett assigned the older version (grey color) for 06 times with the malfunctional issues and the tester was out of date for re-calibrate

I got the problems to order tools such as: The drill driver, materials, the probe to check the dial tone and other employees had no problems with Puckett

Would you please refer to the Motion for Submitting the Statements to support for the Petitioner for a Writ of Certiorari for the detailed statements regarding the 06 sidekick that assigned to me. I had my coworkers stopped by and verified that my sidekicks did not working right

MISMATCHED COMMUNICATIONS

On 10/04/18. I had contacted and reported to the Hotline Department regarding the discrimination actions against Fulton and Puckett with case No: 1810ATT10053

On 11/14/18. At the meeting with Puckett had Michael Grey was the witness. Andrew had said "Hotline be coming". Puckett had blamed that Andrew said "your time is coming" and Puckett had filed the report to Access Protection Dept

Grey had stated that Andrew said "you will get what is coming". Then Puckett and Grey was adding more negative statements and submitted to the AP

On 11/26/18. The Access Protection's investigator Alisa Allen ran a background check on Andrew Nguyen based on the Allegation of Verbal Threat. **Zero Results from the background check**

On 12/14/18. Alisa Allen ran another extensive background check and **Zero Results, also**

On 01/22/19. Alisa Allen had asked Tracy Brewer (CWA Union steward). If he heard Mr. Nguyen say you are going to get what is coming to you or something close to that comment. Mr. Brewer said no he did not

Please refer to Case: 3:21-cv-0913-C, Doc. 18, Filed 07/15/22, Page 9 of 161, Page ID 141 for the clarification for the mismatched communications by Puckett and Grey

On 03/14/19. The Texas Workforce Commission had made the Determination on the unemployment benefits with the Reason as below:

Our investigation found that your employer fired you for a reason that was not misconduct connected with the work. We will charge your former employer's account if we pay you benefits

The EEOC cases:

The Appellee had tried to be claimed that the EEOC charge had filed outside of 300 day-period

On 10/04/18. The Hotline case No: 1810ATT10053 had filed against the managers Fulton and Puckett

On 11/21/18. The first charge against Fulton and Puckett, case No: 450-2019-01008

On 07/25/19. Andrew's former lawyer had filed another charge with the EEOC case No: 460-2019-05823. Then, the supervisor at the EEOC had said the last day to be filed the charge was on 09/22/19

On 01/21/21. The EEOC had issued the letter for the Right to sue the AT&T

The jobs performance and attendant

On 09/18/23. The Appellee had submitted the incorrected statement to the Court of Appeals and he had stated that I had the problem with the job performance and attendant issues

Would you please refer to the copy of the Appraisal statement had made by my manager Puckett on 09/12/18

The feedback from the customer regarding the service was provided from Andrew Nguyen with the user ID: AN9738

I was always got approval for any time OFF in advance and I had done with a good jobs with the best of my responsibilities

The incorreced statements

My last day with the AT&T was on 11/19/18. But the lead EEO Consultant Davis Stephanie submitted the untrue statements to the EEOC and stated that I was violated the company's policies through 08/22/19

My last day with the AT&T was on 11/19/18. But the Hotline investigator Analisa Lopez took the Oath and signed the untrue statements and submitted to the Court on 07/15/22 and stated that she was still communicated to me through 12/27/18

Mr. Puckett given the untrue statements to the Hotline investigator regarding the assigned vehicles to me, test equipment, parking lot issues, the assigned vehicles to Daniel was stolen overnight with the key chain left inside was not Puckett's knowledge or Not that he (Puckett) aware of... while Puckett who's first line manager of Daniel

Mr. Fulton given the incorreced statement to the Hotline investigator regarding the Daniel's company truck being stolen but the keys were not in it. Mr. Fulton had stated that the steering column was broken and Daniel did not leave his keys in the truck

After, Daniel company truck had recovered and parked on the working garage, I saw the driver side window was broken and the steering column was not damage as well as Mr. Fulton provided to the Hotline investigator, Fulton tried to avoid the discipline to Daniel

The police vehicles and the fire trucks showed up at the garage, Daniel was so worried and he said he forgot the key chain on the front seat of his assigned truck, Daniel had told me that Mr. Fulton told him that "Don't worry, let me take care it" while Daniel' struck was stolen with a full loaded of tools and supplies without a discipline by the managers

Mr. Fulton given the incorreced statement to Hotline investigator regarding the parking lot issues and Fulton tried to cover up the safety issue for Puckett regarding the loaded with a 28' ladder on mini Transit instead of a 24 foot per the safety of the specification by the vehicle's manufacturer

The safety issues:

At the meeting, Mr. Fulton and Puckett had used to say that the safety is the top priority safety policy of the AT&T company. Please refer to the unsafe statements as below:

On 03/08/17. Fulton and Puckett had still blocked to access the upfront to order the tools. Andrew got no flashlight, no drill driver and other tools to do the work at the jobsite. Puckett was denied the request for a support

Andrew had tried to get help from co-workers. When the helper arrived, Andrew had suffered with a very bad heat stroke

Fulton and Puckett knew the mini Transits which carried with a 24' ladder were not the right vehicles to work on the line load jobs. But they had assigned to Andrew with the Transit for two times

Puckett had tried to cover up the violation of the safety policy and he had blamed that Andrew had complaint with the shoulder pain. If Puckett made with the true statement. Puckett should assigned the Transit to Andrew in January, 2017

Other hand, Puckett assigned regular truck with a major mechanical issues to Andrew and continued to use that truck until it was listed onto the retired list

Puckett required Andrew picked up the combination ladder was waited for the recycling material from the dumpster

Puckett required Andrew loaded a 28' ladder onto the top rack of mini Transit and Puckett had ignored the Specification safety tag by the Transit manufacturer for the Maximum load with a 24' ladder

On 07/03/18. I got accident due from the wet weather. Puckett assigned the MDU truck to me. In the morning, Mr. Fulton walked by me and he was delivered a cryptic, unexplained warning: " Andrew, you need to be careful while driving that MDU truck "

Fulton walked away until I drove the MDU truck and I noticed the driver door kept unlocking. I had reported the unsafe condition from the MDU truck to Puckett and he had sent out an email to me and Puckett had stated that continue to drive the MDU truck until further notice. (*I have the copy of email from Puckett*)

In August, 2018. Puckett assigned to me another mini Transit (blue color). Puckett and Fulton knew that the mini Transit which carried with a 24' ladder was not safe to work on the line load jobs. They used to send me to work far away from the garage (North and West of Fort Worth)

On 10/01/18. I had requested for a meeting with Fulton and Puckett regard the unsafe issue to work on the line load jobs with the mini Transit with a 24' ladder. Puckett had denied my request and Fulton had told me that he will find a good and perfect working truck for me

On 10/24/18. They pulled a truck from the junk yard and assigned that truck to me. The handwriting with the color chalks all over the windows and windshield, the rust cans with leaked the chemicals, the trashes all over inside the truck with a very bad odor

Please refer to the case: 3:21-cv-00913-C, Doc 21-1, Filed 08/05/22, Page 17 of 52, Page ID 339 regarding the Vehicle History ID: 2035235, page: 04, the truck had assigned to me on 10/24/18 regarding the job ID 7955-180130, date of service 01/31/18 for the detailed descriptions

I was the only Vietnamese tech who's received the mini-Transits to me for 02 times while we worked on the same job title, the same line load and fiber jobs and the same working garage. The Non-Asian employees received with a brand new regular trucks

On the discipline issues

In April, 2017. My co-worker and I worked at the Dairy Queen. We both forgot to wear the hard hats, Puckett had stopped by and took a picture for both of us. I was received the discipline and stayed on file for 06 months and my co-worker received no discipline, just a reminder. It's not a fair decision

In May, 2017. My coworker Daniel forgot and left the keys chain on the front seat of the assigned company truck to him for overnight. Daniel's truck was stolen with a full loaded of the expensive tools and materials and Daniel had received no discipline from the first and a second line managers Puckett and Fulton

THE PARKING LOT ISSUES

In February, 2014. I was transferred from the NOC and worked with my former manager Robert Grow. I had parked my personal truck on the Southeast parking garage about 18 months. I had no problem with Mr. Crow at all. Then, on 07/31/15. I was out for a work related injury

On 12/16/16. I had returned to work with a new management team. Mr. Fulton and Puckett and Puckett begun to harass on the parking lot on the Southeast side of the garage within the legal paint had marked on the parking lots

I had seen the other employees had been continued to park their personal vehicles on the Southeast side with or without their personal trailer. I asked the owner of those vehicles. They had said they had not been heard anything from Fulton or Puckett

I had seen my coworkers had parked their personal vehicles under the covered parking garage. I had tried to park my personal truck on the vacant lots. Fulton came out and he had told me that the company would not want to be liability on the damage to my personal vehicle

When I met with the owner of the personal vehicles who had been parked their personal vehicles under the covered parking lots. They had told me that Fulton or Puckett had not been said anything about the liability to us

Puckett had told me that I could park my personal truck on the Southwest or West side of the parking garage for over a year. On 07/27/18. Then, Fulton had begun to harass me on the Southwest or West side parking lots.

I had asked Fulton where I could park my personal truck. Fulton was pointed his finger to the Northwest side of the parking garage and Fulton had told me that I could park my truck next to the corner of the fence. After, I moved my truck to the park next to the corner of the fence

In just a couple minutes later, I saw other employees drove with a Red car parking on the same spot was not allowed by Fulton. I asked the owner of the Red car and he had told me that so far I had not been heard anything from Fulton or Puckett and he was continued to park for weeks

After, Fulton had not allowed me to park my personal vehicle on the Southwest or West side of the parking lots. But another employee with a Red color vehicle was Okay with Fulton for months without a problem. I have the pictures as the evidence

In 10/24/18. Puckett had assigned to me with a regular truck. At the end of the shift, I had transferred the stuffs from the mini blue Transit to the truck and I parked the old truck on the Southwest side of the parking lots

I moved the mini blue Transit to park next to the passenger side of the MDU truck which has an orange toolbox on the rear trunk and I kept the corner parking lot opened for my personal truck per Fulton. Then, I had returned the keys of the mini blue Transit to Puckett and I went home

On 10/25/18. I returned to work. Fulton or Puckett moved the blue Transit from the passenger side of the MDU truck and parked on the corner parking lot and they had placed with an orange cone in front of the mini blue Transit to block my personal truck

On 10/24/18. I did returned the key of the blue mini Transit to Puckett. Then, I went home. In the next morning. Puckett had moved the blue Transit to block the corner parking lot with an orange cone had placed in the front by himself or by the instructions from Fulton

I temporarily parked my personal truck on the Southwest parking lots and Fulton came out from of his office and said to Andrew you are not allowed to park your truck in that area (Southwest parking lots). I have the picture to prove for the parking issues

I was asked by Fulton. Can you show me where, should I park my truck for now Fulton pointed his finger toward the gate. Then, Fulton had told me that from now on you need to park your truck out of the gate or on the front parking garage

After, I moved my personal truck out of the gate per Fulton. In a few minutes later, I saw a dark blue truck parked his truck on the Southwest area and other tech had no problem with Fulton. I had the picture of the dark blue truck

Fulton had been aware about the other three employees who parked their personal trucks in the front parking lots of the parking garage and their trucks were stolen and their trucks have never been recovered

I had to move my personal truck out of the gate and parked my personal truck on the Handicap parking lot with the permanent handicap permit under my name. Fulton and Puckett knew that they couldn't force me on the parking issue since then

I had the Handicap parking permit that had been issued by the State of Texas since 1996. If I had no Handicap parking permit. I didn't know where I could park my personal truck at work by Puckett and Fulton

I have been renewal the permit for every 04 years since then. I have the number of pictures regarding the parking issues

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

Civil Action No: 3:21-CV-0913-C

Case 3:21-cv-0913-C, Doc. 26, Filed 02/27/23, Page 1 of 1, Page ID 772. The Judge at the Dallas District Court had stated that Plaintiffs claim against Defendant Southwestern Bell Telephone Company, improperly named as AT&T, in the above style and numbered civil action are hereby DISMISSED WITH PREJUDICE

Since the case had filed to the Dallas District Court in April, 2021. My former lawyer had filed the case against the management teams of the AT&T company.. Because of the name had changed from the Southwestern Bell Telephone to SBC. Then, SBC had bought the AT&T company about 10+ years ago. The SBC had taken the name and logo of AT&T. Then, the SBC had changed from the logo AT&T to at&t (capital letter to a small letter case)

Civil action No: 23-10277

Case 23-10277, Doc. 00516985681, page 1-2, Date Filed: 11/30/23 and 01/03/24. The judges at the court of Appeals had repeated and stated that the district judge concluded that I had failed to create a genuine issue of material fact to show that I was treated differently because of race. Would you please refer to statements as above regarding the order tools, assigned test equipment, discipline, assigned vehicles, parking lot issues, etc.. Regarding the differences that had treated by the managers in between a Non-Asian and Asian employees

A summary judgement denying my claims of race discrimination and retaliation under Title VII because they are outside the 300 day period for bringing claims in a charge of discrimination. Would you please refer to the EEOC cases statements as above for the detailed information

The Court further found that I was suspension and terminated were for legitimate non-discriminatory reasons. The Court had stated that I was suspended "after making perceived threats of workplace violation to the supervisor." Would you please refer to the *MISMATCHED COMMUNICATIONS* section for the detailed statements

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TABLE OF AUTHORITIES CITED

Jackson, Ketanji Brown (Associate Justice) June 30, 2022 Chinn v. Shoop, No. 22-508 (U.S. Nov. 7, 2022)

Coney Barrett, Amy (Associate Justice) October 27, 2020 Fulton v. City of Philadelphia, No. 19-123 (U.S. June 17, 2021)

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Gorsuch, Neil M.(Associate Justice) April 10, 2017 Oil States Energy Services, LLC v. Greene’s Energy Group, LLC, No. 16-712 (U.S. Apr. 24, 2018)

Kagan, Elena (Associate Justice) August 7, 2010 Miller v. Alabama, 567 U.S. 460 (2012);
 Lucia v. SEC, No. 17-130 (U.S. June 21, 2018)

Sotomayor, Sonia (Associate Justice) August 8, 2009 Jenner v. Arab Bank PLC, No. 16-499 (U.S. Apr. 24, 2018)

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Roberts, John G.(Chief Justice) September 29, 2005 Parents Involved in Community Schools v. Seattle School District No. 1, 551 U.S. 701 (2007)

Thomas, Clarence (Associate Justice) October 23, 1991 NORTHEASTERN FLORIDA CHAPTER OF THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA v. CITY OF JACKSONVILLE, FLORIDA, ET AL

STATUTES AND RULES

I am so sorry; I am not sure where to get those statements

IN THE SUPREME COURT OF THE UNITED STATES PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully, I am pleading to the Judges to review the judgments had made from the previous Courts. I have not been feeling those judgements were fair while the management teams at the AT&T and the defendant lawyer had been tried to cover up the real problems that had been happened to me. I am pleading to the Judges at the Supreme Court be granting for a favorable considerations with a fair Judgements

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A 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 on 11/30/23

☐ 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: 01/03/24, 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 on
02/27/23.

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

I am so sorry; I do not sure where to get those statements

STATEMENT OF THE CASE

Dear. The Honorable Judges

My name is Andrew H Nguyen. I did not mean to file the lawsuit against the company which I had been employed. I had told Puckett and my coworkers that I have no enemy in my life. I had been so patient with Mr. Fulton and Puckett for years. But they had continued to ignore the safety policy of the company and the rules from the EEOC

I was a former employee of SWBT. I didn't file a suit against the SWBT for the discrimination. Because of the SWBT was an excellent management teams. I have been filed a suit against the AT&T management teams who had been violated the EEOC laws in term of discriminated and retaliated against me because of my race (I was the only one Asian employee in their crew), in violation of Title VII of the Civil Rights Act of 1964, Chapter 21 of the Texas Labor Code, and 42 U.S.C. § 1981, violated the company safety policy, the OSHA laws, the agreements of the Union local 6215, etc...

I am pleading to the Judges at the Supreme Court for a favorable consideration for a fair Judgement for the case. I hope that it will be sending a ringing bell to the CEO and other team leaders of the AT&T will has a chance to pay their attention on their management teams and they might need to make any necessary correction with the management teams to prevent the other employees might be filed the lawsuit with the same problem in the near future

The management teams at the AT&T and the defendant lawyer had been tried to hide the real problems and they had been submitted the untrue statements to the EEOC and to the previous Courts. They had been hurting our family and my personality

The attachment statements and a part of the evidence are in my hands. I am pleading to the Judges at the Supreme Court be granting for the case. I would like the Judges to see and hear the full evidence in my hands. I would like to be seeing and be heard the management teams at the AT&T and the defendant lawyer be explained their untrue statements to the Judges

In case of I was a bad employee as they had been described on their statements. I would not want to appeal from one Court to another and wasted the valuable times from the Judges

P/S.

Would you please refer to the Motion for Submitting the Statements to support for the Petitioner for a Writ of Certiorari. I had explained the Statement of the Case with the detailed statements

THE INTRODUCED PERSONAL HISTORY

By the way, I would like to introduce a part of my personal life. I hope that the Judges can recognize and understand a little bit about my personality. I was as the administrator for the school in South Vietnam. Later, I was jointed and worked for the dual American-Vietnamese Navy base in Southern of Vietnam. I was also a Navy veteran of the US-Vietnam before 1975.

After, I was successfully left Vietnam and came in the Malaysia on May 19, 1983. I volunteered to work for the UNHCR (United National High Commission Refugee). Then, I was volunteered to work for the Education Division of the Malaysian. At first, I was a volunteer teacher

A couple weeks later, the Advisor of the UNHCR, the Advisor and the Assistant Advisor of the Education Division of Malaysia had promoted me with the position as the Headmaster for the Zone D school in the Pulau Bidong, Malaysia (Sept 1983 – Jan 1986).

After, I left Malaysia on January 25, 1986. I came in the Morong Bataan, Philippines. I was volunteered to work for the JVA (Join Voluntary Agency (the INS agency), the American Delegation Interviewers). After, I left Philippines in July 1986. I came to the USA on July 24, 1986, as a political refugee

I volunteered to work for the State of Iowa (Governor Mr. Terry Branstad). I had received the awards, Certificates for each agency.

I have been keeping myself as a good citizen in life (In any countries). I have been keeping my personal credit history clean through the present time

Therefore, on November 26, 2018. The Access Protection (Ms. Allen) ran a background check on AT&T employee Andrew Nguyen based on the allegation of Verbal Threats. Zero results from the background check

On December 14, 2018. Access Protection (Ms. Allen) ran another extensive background check and Zero results

Please refer to the case 3:21-cv-0913-c, Doc 18, filed 07/15/22 page 9 of 161, Page ID 141 for clarification

REASONS FOR GRANTING THE PETITION

I have been found the management teams at the AT&T and the defendant lawyer had been submitted so many untrue statements to the previous Courts. I would like to submit the Petitions for a Writ of Certiorari to the Supreme Court. I am pleading to the Judges at the United States Supreme Court be granting the Petition with the reasons as below:

1/ In 2021. The defendant lawyer had requested to the Judge at the Dallas District Court to block the channel News. In case he had felt confidential and believed that the management teams at the AT&T had done the right jobs. He did not need to worry about the public viewers

2/. On 03/14/22. The defendant lawyer had filed the Protective order to the Dallas District Court. He was so worried that the case be on the public viewers, again. He had stated that the Protective Order, the "Confidential Information" designation means that the document is comprised of trade secrets or commercial information that is not publicly known

3/. On 09/18/23. The defendant lawyer had submitted the brief to the Court of Appeals and he had requested the Honorable Judges of this court evaluate possible disqualification or recusal. He's also tried to submit that this appeal should not be set for oral argument

4/. On 09/18/23. The Appellee had request to the Judges to block the list of persons listed under the Certificate of Interested Persons from the Appellant's brief (07/19/23). He was also requested to block the evidence in my hands. He knew that the negative problems could not be hidden and the management teams at the AT&T will have to be explained to the Judges regarding their untrue statements had submitted to the EEOC and to the Courts

5/. The defendant lawyer should be aware of when the Judges had found one untrue statement had submitted to the EEOC or to the previous Courts. The Judges might be voided the whole statements from their side

I am pleading to the Judges at the United States Supreme Court be granting the Petition for a favorable consideration for the case. The management teams at the AT&T and the defendant lawyer cannot hide the real problems which the managers had treated to me with the real personal actions

The managers had been tried to cover up the real problems that had happened at their working garage through my last day at work with the company on 11/19/18. The management team at the AT&T and the defendant lawyer had been tried to build up the untrue statements and submitted to the Courts and they had tried to blame that I was violated the company's policy through 08/22/19 while my last day at work was 11/19/18. They had been damaged my personality, also

They will be responsible for their statements had been submitted to the EEOC and to the Courts. I would like to prove the real evidence and the true statements to the Judges at the Supreme Court for a fair Judgement

CONCLUSION

I am pleading to the Judges at the Supreme Courts be granted the petition for a writ of certiorari. This is a serious case needs to be clarified the statements on the both sides on the Petitioner and the Respondent for a fair judgement

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'N. M. M. M.', written over a horizontal line.

Date: May – 25, 2024

United States Court of Appeals
for the Fifth Circuit

No. 23-10277

United States Court of Appeals
Fifth Circuit

FILED

November 30, 2023

ANDREW NGUYEN,

Lyle W. Cayce
Clerk

Plaintiff—Appellant,

versus

AT&T,

Defendant—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:21-CV-913

Before SMITH, HIGGINSON, and ENGELHARDT, *Circuit Judges*.

PER CURIAM:*

Andrew Nguyen, *pro se*, appeals a summary judgment denying his claims of race discrimination and retaliation under Title VII. In a careful and thorough ten-page opinion, the district judge concluded that Nguyen had failed to create a genuine issue of material fact to show that he was treated differently because of race. The court further found that Nguyen's suspension and termination were for legitimate non-discriminatory reasons.

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

No. 23-10277

The district court's detailed explanation included, for example, the following:

Plaintiff complains of several instances that he believes show that he was treated differently than other non-Asian employees. Those include: being assigned older work vehicles with various issues and not being given a "brand new" vehicle to drive, failure to receive a bucket truck that he requested after returning from leave (even though the doctor had released him with no restrictions for returning to work), being questioned by his supervisor as to the need for certain requested tools/-equipment, assignment of a parking slot for his personal vehicle, and disciplinary treatment for minor safety infractions when inspected at work sites. As argued by Defendant, none of these complained-of issues were "adverse employment actions, nor are they timely under Title VII because they are outside the 300-day period for bringing claims in a charge of discrimination.

The court also noted that Nguyen was suspended "after making perceived threats of workplace violence to a supervisor." And the court concluded that, regarding discrimination, "Plaintiff has merely proffered his subjective belief that it must have been because of his race."

There is no error. The summary judgment is AFFIRMED, essentially for the reasons given by the district court in its order of February 27, 2023.