No. 24-6087

IN THE

SUPREME COURT OF THE UNITED STATES

U.S.

OCT 2024

CLERK

__Magdalena Perez__ — PETITIONER
(Your Name)
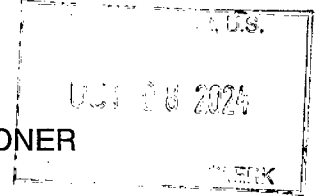
vs.

__Illinois Department of Employment Security__ — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

__Supreme Court of Illinois__
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

__Magdalena Perez__
(Your Name)

__8736 W. 26th St.__
(Address)

__Riverside, IL 60546__
(City, State, Zip Code)

__(708) 714-0771__
(Phone Number)

QUESTION(S) PRESENTED

The Illinois Department of Employment Security refused to send me my back pay of $4,164.00 from April of 2020.

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:

- Magdalena Perez Vs. The Illinois Department of Employment Security, No. 130491, Supreme Court of Illinois . Judgement entered July 25, 2024

RELATED CASES

- Magdalena Perez Vs. The Illinois Department of Employment security No. 1-22-1928, Appellate Court - 1st District. Judgement entered. January 26, 2024

- Magdalena Perez Vs. The Board of Review of the Illinois Department of Employment Security, et al. No. 22 L 5019, In The Circuit Court of Cook County, Illinois . Judgement entered October 7, 2022

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CASES   PAGE NUMBER

STATUTES AND RULES

Illinois legal Aid Online

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[ ] is unpublished.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[ ] is unpublished.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 __C__ to the petition and is

[✓] reported at *Supreme Court Clerk office* ; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

The opinion of the ___ Florida Appellate ___ court appears at Appendix __B__ to the petition and is

[✓] reported at *Appellate Court Clerk office*; or,
[ ] has been designated for publication but is not yet reported; or,
[✓] is unpublished.

1.

JURISDICTION

[ ] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[✓] 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 Supreme Court A copy of that decision appears at Appendix C.

[✓] A timely petition for rehearing was thereafter denied on the following date: July 25, 2024 , and a copy of the order denying rehearing appears at Appendix C.

[ ] 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

Illinois Legal Aid Online; www.illinoislegalaid.org: "If you file after your first week of being unemployed but within a year, you can request the IDES backdate your claim. Claims can be backdated if you can show you were unaware of your rights to benefits and there were other circumstances outside your control".

The Illinois Department of Employment Security refused to grant my back pay of $4,164.00, even when it was less than a year that I filed a Backdated form.

REASONS FOR GRANTING THE PETITION

Under legal Aid Online, Getting Unemployment benefits, it states that "you must File a benefits claim by the end of the first week in which you are unemployed. IF you file later and do not request backdating, your claim will Start the week it was Filed. IF you File after your first week of being unemployed but within a year, you can request the IDES backdate your claim. Claims can be backdated if you Can show: You were unaware of your rights to benefits & there were other circumstances outside your control".

I applied For benefits in March, 2020. Illinois Department of Employment Security Sent me a letter on April of 2020 to Certify on April 6, 2020. The letter did not explained that I had a year to receive any back pay if you miss the ceritification date. I called Illinois Department of Employment Security more than multiple times but due to Covid there was no answer. Finally, on December 2020, I spoke to a IDES representative & they ensured me that I will receive my back pay after Filling their Backdating Questionnaire. They said Someone will call me within a month. However, no one ever did.

I deserve my back pay because their rule says less than a year.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Magdalena Purey

Date: 10/8/24

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