

24-6751  
No. \_\_\_\_\_

\_\_\_\_\_  
IN THE

SUPREME COURT OF THE UNITED STATES ORIGINAL

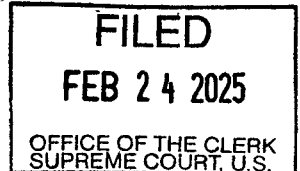
\_\_\_\_\_  
VICTORIA LUNN JONES,

Petitioner

vs.

SYKES ENTERPRISES INCORPORATED,

Respondent.



ON PETITION FOR A WRIT OF CERTIORARI TO  
THE UNITED STATES COURT OF APPEALS FOURTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

VICTORIA LUNN JONES, PRO SE

1128 BONNOITT STREET

DARLINGTON, SOUTH CAROLINA 29532

(843) 536-2845

### **QUESTIONS PRESENTED**

1. Was the Respondent's Reply to Plaintiff's Response In Opposition to Defendants Motion for Summary Judgment filed on September 13, 2023, but the process of service was not completed for service to a Pro Se Litigant that does not file electronically? This can be found on the page "Reasons for Granting the Petition."  
  
Will the Petitioners Opposition to Summary Judgment stand without opposition because the documents were not timely served?
2. Did the U. S. Equal Employment Opportunity Commission (EEOC) follow proper guidelines during the charge process?
3. How can the Federal Court System ignore and allow U. S. Senator Lindsey Graham to use his position as a sworn officer of the Courts to intervene and weaponize the U. S. Justice System during his tenure as Senate Judiciary Committee Chairman, U. S. Senator, along with the Respondents, their counsel and countless others to prevent justice from being served in this case?

### **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 follow:

### **RELATED CASES**

N/A

## **TABLE OF CONTENTS**

OPINIONS BELOW .....	1
JURISDICTION .....	2
CONSTITUTION AND STATUTORY PROVISIONS INVOLVED .....	3
STATEMENT OF THE CASE .....	4
REASONS FOR GRANTING THE WRIT .....	7
CONCLUSION .....	9

## **INDEX TO APPENDICES**

APPENDIX A	Decision of The United States Court of Appeals
APPENDIX B	Decision of The United States District Court and The Report and Recommendation of the United States Magistrate Judge
APPENDIX C	Timely Filed Petition Denial for Rehearing and Petition for Rehearing en banc
APPENDIX D	EEOC charge process
APPENDIX E	Copy of Complaint and copy of Plaintiff's Opposition of Defendant's Summary Judgment

## **TABLE OF AUTHORIES CITED**

### **CASES**

Victoria Lunn Jones vs. Sykes Enterprises Incorporated

Title VII of The Civil Rights Act of 1964, as amended

Legal Standing Plaintiff's Response to Defendant's Summary Judgment (pgs 5-6) Appendix E

Legal Argument Plaintiff's Response to Defendant's Summary Judgment (pgs 5-6) Appendix E

### **STATUES AND RULES**

Title VII of The Civil Rights Act of 1964, as amended. The (act) prohibits an employer from retaliating against an employee who has "made a charge, or testified, or assisted or participated in" any charge of unlawful discrimination under the act.

This information is referenced in the Complaint Appendix E (pg. 5)

Plaintiff's Response to Summary Judgment Appendix E (pg. 6)

### **OTHER**

U. S. Equal Employment Opportunity Commission (EEOC) Charge No. 511-2021-01785

The Petitioner satisfied all the procedural and administrative requirements set fourth by the (EEOC) to bring suit against the Respondent.

The Commission issued a Notice of Rights to Sue Letter

EEOC Process to file a charge Appendix D.

EEOC Website

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   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   B   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**: N/A

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

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

The date on which the United States Court of Appeals decided my case was December 23, 2024. Appendix A

[ ] 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: January 28, 2025, 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. \_\_\_\_.

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

[ X ] For cases from **state courts**: N/A

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 therefore 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**

This case was filed under Title VII of the Civil Rights act of 1964, as codified,

42 U. S. C. § 2000e to 2000(e) seq. Appendix E.

Title VII of the Civil Rights Act of 1964, as amended (the act) prohibits an employer from retaliating against an employee who has “made a charge, testified, or assisted or participated in” any charge of unlawful discrimination under the act. Appendix E.



## **STATEMENT OF THE CASE**

This case is an employment discrimination case. I began my employment with Sykes Enterprises Incorporated as a customer Service Representative in the credit card department in May 2016. On 4/20/2021, I was terminated by Latoya Walker-Cole, Human Resource Manager. Mrs. Walker-Cole stated my termination was due to me not signing the form to the 2021 Data Protection Acknowledgement that was required by their client Bank of America. I believe my termination was in retaliation for a former employment discrimination lawsuit Victoria Lunn Jones vs Florence County Tax Assessor's Office. On September 23, 2018, I wrote a letter to President Donald Trump requesting help with that case conclusion. I sent the case files for his review because a lot of powerful individuals in this state had a lot to do with the outcome. I received a letter back from President Trump. It stated the White House staff reviewed my correspondences and forwarded them to the appropriate Federal Agency for further review. On February 8, 2019, I received a letter from the United States Justice Department Civil Rights Division in their response to the correspondences and files forwarded from the White House. U. S. Senator Lindsey Graham's name was not mentioned.

On or around 2/15/2019, I believe Sykes Enterprises Incorporated and Bank of America Management was notified by the U. S. Department of Justice under the direction of Judiciary Committee Chairman U. S. Senator Lindsey Graham. This was due to my persistent request over the years to get help with the outcome of the previous case. Sykes and Bank of America Management began to view me as a trouble maker and began to retaliate against me leading to my termination. Sykes and Bank of America told the employees the site would be closed if I continued to work there. They tried everything they could to force me to leave my job. Sheena York, my immediate supervisor and her Manager Robin Balla tried to force me

## **STATEMENT OF THE CASE**

on numerous occasions to sign a form they said was the Data Protection Acknowledgment, but I would not sign it because I told them I believe the form was a document that would take away my legal rights to tell what they were doing to me at the Site. There was a hit taken out on my life during my employment at Sykes and it is continuing to this day. As I told them at Sykes and the Court I serve a mighty GOD that has a shield of protection around me and my family and to read Psalm 91.

I filed a charge with the EEOC on July 26, 2021. During the EEOC process the Respondents did not participate in the charge. The attorney of record filed in his Answer to Plaintiff's Complaint May 20, 2022, on question 29, denies his clients was provided an opportunity to respond to "the charge process." I had a lengthy interview with the EEOC's Investigator. I

have numerous emails and documents that was used during the process. The question is who in this state have the power to control an EEOC investigation to keep his name from going public? Appendix E. After the charge was closed, I requested the investigative files that was submitted by the Respondents in a timely manner. I submitted two faxes to the EEOCs Regional Attorney Melinda Dugas, but she would not respond back to me. Appendix D.

The entire Defendant's Answer to Plaintiff's Complaint was mailed on March 8, 2024, and March 11, 2024 filed with the United States Court of Appeals Fourth Circuit as my Informal Brief Response Reply Supplement.

The Appeals court refused to view any of my Briefs and denied my case.

During the District Court process the Attorney of record scheduled a Deposition to be held in his office on November 17, 2022. This was the same date that U. S. Senator Lindsey Graham was scheduled to testify in the Georgia Probe. His meeting was cancelled for that time. I was

## STATEMENT OF THE CASE

afraid to go to the Deposition by myself with my court documents because of what Senator Graham and the Defendants were doing to me this entire process to try and silence me.

I filed a Motion on February 23, 2023 to deny the Defendant's Motion to compel Plaintiff's deposition and deny all sanctions. On page two of the Motion I presented the Court with a Legal Authority, Moral Authority, and Argument. How can any Judge Order an individual to be forced into a situation where their life has been threatened? The Court stated in its Order filed June 8, 2023, Plaintiff did not Motion for a protective order under Rule 26(c) FRCP. I did not know of that rule but the Court knew on nearly every document filed with the Court I told them my life was being threatened. This goes back to my employment with Sykes, the EEOC until this date. The Magistrate Judge's role is to manage the case. There were several Motions the Court would not address and denied them all at once on paper. This included a Motion for Conference Hearing to Be Held In Open Court and Not by Phone filed September 19, 2022 Appendix B. During the entire case we never went into the Court room. After the Order to compel my Deposition, on July 6, 2023, my son went to the Deposition with me to make sure I was safe. He took time off his job to go with me. He waited in another area. I have not seen copies of the videotaped Deposition or the written transcripts. During questioning, I asked Defense counsel did he know U. S. Senator Lindsey Graham. He stated he did not know him or never spoken to him. I asked him how could this be. Senator Graham is one of the most powerful politicians in this state. They both have offices in the same building. Exhibit G in the Opposition to Summary Judgment shows a picture of the building where Senator Graham's address is the same, but with different suite numbers. This is the evidence that connects Senator Lindsey Graham to Sykes Enterprises Incorporated. Appendix E.

## **REASONS FOR GRANTING THE PETITION**

A Motion for Summary Judgment was filed by the Defendants on August 23, 2023.

On August 29, 2023, I received a letter from Christine K. Davis of Ogletree, Deakins, Nash, Smoak & Stewart, P. C. addressed to The Honorable Thomas E. Rogers, III, U. S. District Court. Judge Rogers is the Magistrate Judge assigned to the case. The letter stated "I am enclosing a courtesy copy of the Defendant Sykes Enterprises Motion for Summary Judgment [ECF 69], which was filed August 23, 2023 in the U. S. District Court for the District of South Carolina, Columbia Division in connection to the above reference matter." Why would the Magistrate Judge in charge of the case need a courtesy Motion sent to him? This question came up in Plaintiff's Opposition to Summary Judgment filed on September 7, 2023. Appendix E. (pg. 5).

On September 13, 2023, Reply to Plaintiff's Response in Opposition to Defendants Motion for Summary Judgment was filed by the Defendants. The documents were not mailed within the FRCP. I had to go to the Clerk's Office on September 19, 2023 to make copies of the Motions. At that time I asked the Clerk to print the updated docket to make sure I had the correct documents being filed. Appendix B. As of September 20, 2023, the Summary Judgment Response was not served within the specified time. On September 15, 2023, I received a letter from Christine K Davis, Litigation Practice Specialist, of Ogletree, Deakins, Nash Smoak, & Stewart, P. C. The letter stated "enclosed please find Defendant's Motion for Relief from Mediation Requirement in the above reference case." It did not mention any other documents. On September 22, 2023, I received a letter from Christine K. Davis of, Ogletree, Deakins, Nash, Smoak, and Stewart, P.C. stating "she was mailing filed copies of both ECF 74 and ECF 75 in connection to the case." Another letter dated September 25, 2023, was mailed concerning both NEF and ECF 77. The letters did not meet the requirements of a certificate of service.

According to the Court Docket 74 is Reply to response re 69 for Summary Judgment Response filed by Sykes Enterprises Incorporated. The Defendant did not file a Motion to extend time for service. The Summary Judgment Opposition Reply Motion was received out of time. Pro Se litigants do not file electronically. The completed process of service is by mail from the Defendants. Plaintiffs Opposition to Summary Judgment should stand because their reply was filed out of time. All correspondences are in Appendix B.

On October 19, 2023, the Plaintiff had to go back to the clerk's office and get another printout of the docket to see what else was being file in my case. Appendix B.

On December 21, 2023, The Magistrate Judge granted the Motion pending a ruling on the Summary Judgment and stated if the case survive Summary Judgment the Court may require the parties to participate in mediation. Plaintiff's Response to Defendant's Summary Judgment is located in Appendix E. The Magistrate Judge's Report and Recommendations Order is in Appendix B.

The United States Court of Appeals decision to deny the Petition for Rehearing and Petition for Rehearing en banc was based on my name not listed incorrectly in the opinion. Both opinions are located in Appendix C.

The Magistrate Judge's Report and Recommendation, The United States District Court, and The United States Court of Appeals Orders should be reversed.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

  
Victoria Lunn Jones

Date: 2/24/2025