NO. 24-7284

IN THE
SUPREME COURT OF THE UNITED STATES

CHARLES L. BURGETT,

Petitioner,

vs.

JANET L. YELLEN, SECRETARY, DEPARTMENT OF THE TREASURY,

Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

Whether the lower courts applied the correct summary judgment standard of review for *prima facie* and for pretext in assessing a case of employment discrimination under 42 U.S.C. § 2000e et. seq. (Title VII).

LIST OF PARTIES

All parties **do** appear in the caption of the case on the cover page.

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Petitioner, Charles L. Burgett, respectfully petitions for a writ of certiorari to review the judgment of the United States Court of Appeals for the Eighth Circuit. This case raises fundamental issues concerning whether indigent *Pro Se* parties receive justice in the federal court.

OPINION BELOW

A panel of the court of appeals, on its own motion, affirming the district court's judgment and summarily disposing of Mr. Burgett's appeal without allowing briefing (App., at 1a) is unpublished. The court of appeals denied Mr. Burgett's petition for rehearing en banc and panel rehearing (App., at 15a). The district court's opinion (App., at 2a-14a) is unpublished.

JURISDICTION

The judgment of a panel of the court of appeals was filed on December 5, 2024. A timely petition en banc and panel rehearing was denied on February 21, 2025. Id. at 15a.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Seventh Amendment of the United States Constitution:

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

42 U.S.C. Section 2000e et. seq. (Title VII of the Civil Rights Act of 1964):

Prohibits employment discrimination based on race, color, religion, sex and national origin.

STATEMENT OF THE CASE

I. FACTUAL BACKGROUND

African Male, Mr. Burgett was first employed as Collection Tax Examining Technician at the IRS from November 1990 until he was removed on August 25, 2006 for alleged absent without leave (AWOL). App., at 3a-4a, 18a-19a. Mr. Burgett passed the pre-hire suitability check and was rehired as Tax Examining Technician from January 2012 until he was terminated during probation on May

20, 2012 for alleged failure to perform at an acceptable level of performance. Id.

More than six years later, Mr. Burgett applied for and was found best qualified for five vacancy announcements *infra*, which are the subject matter of Mr. Burgett's lawsuit. App., at 5a, 19a.

On October 2, 2018, the IRS did not select nor rehire Mr. Burgett for a Contact Representative position under Vacancy Announcement No. 18CS3-WIX0102-0962-05-GM ("Vacancy Announcement 1"); On October 3, 2018, the IRS did not select nor rehire Mr. Burgett for a Contact Representative position under Vacancy Announcement No. 18CS3-WIX0104-0962-05-TS ("Vacancy Announcement 2"); On November 21, 2018, the IRS did not select nor rehire Mr. Burgett for a Tax Examining Technician position under Vacancy Announcement No. 18CS3-WIX0153-0592-05-CP ("Vacancy Announcement 3"); On November 28, 2018, the IRS did not select nor rehire Mr. Burgett for a Remittance Perfection Technician position under Vacancy Announcement No. 18CS3-WIX0174-0503-05- HS ("Vacancy Announcement 4"); and, On or about June 27, 2019, the IRS tentatively **selected** but did not rehire Mr. Burgett for a Collection Contact Representative position under Vacancy Announcement No. 19CW2-SBX0029-0962-05-NY(KC) ("Vacancy Announcement 5"). App., at 5a, 8a, 25a.

On March 8, 2023, Mr. Burgett filed a Third Amended Complaint (Doc. 30). Mr. Burgett alleged that he was refused rehire by the IRS based on his Race-Sex,

Race, Sex, and retaliation [Counts I, II, III, and IV]; and, the IRS was or is engaged in a conspiracy not to rehire him. App., at 2a, 17a.

II. PROCEEDINGS BELOW

A. Proceedings in the district court

On March 25, 2024, district court judge Brian C. Wimes (the Wimes court) granted summary judgment in favor of the IRS and against Mr. Burgett. App., at 2a.

On April 19, 2024, Mr. Burgett filed a motion for reconsideration of the granting of summary judgment. App., at 16a-30a. Mr. Burgett gave the district court the opportunity to correct the erroneous grant of summary judgment. Mr. Burgett argued that the Wimes court's order and the judgment therefrom were grounded in bias and prejudice against him; and were predicated under the influence of passion for the IRS and its counsel. App., at 16a. Further, Mr. Burgett argued that the error made by the Wimes court is apparent to the point of being indisputable; and, the error made by the Wimes court amounts to a complete disregard of the controlling law and the credible evidence in the record. App., at 29a.

In granting summary judgment to the IRS, the Wimes court found:

> The IRS maintains an Automated Labor Employee Relations Track System ("ALERTS") "to record all disciplinary action proposed or taken against any IRS employee." . . . The IRS utilizes ALERTS to screen potential rehires for prior disciplinary actions . . . On December

> 19, 2011, the IRS adopted Employment Operations Alert 300-31 ("Alert 300-31") which states the IRS will not extend final offers of employment to external job applicants until a "pre-hire suitability check" is completed. (Doc. #45-3). Part of the pre-hire suitably check includes reviewing a potential applicant's ALERTS hits.

App., at 4a.

Mr. Burgett informed the district court that the Wimes court **misapprehended** that the Federal Records Act (44 U.S.C. Chapter 31) and corresponding Code of Federal Regulations (36 CFR § 1227.12) require all federal agencies to maintain records . . . and dispose of records according to agency schedules — that the General Records Schedule (GRS) 1, 30b (Adverse Action Files (5 CFR 752) and Performance-Based Actions (5 CFR 432) mandates that case files and records related to adverse actions and performance based actions are to be, "DESTROY [ED] 6 years after case is closed." Doc. 56-1, Exhibit 2, at 3; Doc. 56, ¶ 76, at 12. **The foregoing facts are undisputed by the IRS** (Doc. 58, ¶ 75, at 3; Doc. 58, ¶ 76, at 3), and are deemed admitted for the purpose of summary judgment. Local Rule 56.1(c). App., at 18a.

Regarding, Vacancy Announcement 2, the Wimes court found that, "King included Plaintiff on the best qualified list, but King did not forward Plaintiff's name to the selecting official because he was one of fourteen applicants who also appeared on an ALERTS list. Id. at ¶ 22; (Doc. #45-11-12-13)." App., at 6a. Mr. Burgett advised the district court — the Wimes court **omitted** that Robert Jones'

and Mr. Burgett's names appeared both on the Applicant Listing and ALERTS list. Doc. 56-5, Exhibit 12, at 2; Doc. 45-12, Exhibit L. Doc. 58, ¶ 86, at 5; and, the Wimes court **totally disregarded** that Marchelle King considered the ALERTS Hit regarding Robert Jones [caucasian] and she **forwarded** Robert Jones' name for selection. Doc. 45-10, Exhibit J, ¶ 22; Doc. 45-12, Exhibit L. Doc. 58, ¶ 85, at 5. **The foregoing facts are undisputed by the IRS**, and are deemed admitted for the purpose of summary judgment. Local Rule 56.1(c). App., at 20a-21a.

In regards to Vacancy Announcement 4, Mr. Burgett advised the district court that the Wimes court **improperly accepted as true** — "Bigby intentionally did not select Plaintiff [allegedly] because of Bigby's "prior experiences associated with working with [Plaintiff] as a front-line manager under [Bigby] for one filing season in the 1990's." (Doc. #45-16 at ¶ 32) . . . (App., at 7a)" Doc. 30, at ¶¶ 14, 22-23; Doc. 56-2, Exhibit 5, at ¶¶ 93-97; Id., at 17-18; Doc. 56-3, Exhibit 7, at ¶ 2.a.-b.,d.-e; Id., Attachment 1. App., at 23a. Further, the Wimes court **totally disregarded** Mr. Burgett's experience as manager and interactions regarding John Bigby, Jr., to wit:

> 2. From the outset, I was not aware of John Bigby, Jr. [in 1993 or 1994] and did not work with him during the same (Exhibit Q). When I did work with John Bigby, Jr. [in 2000], I did not interact with employees in the way he falsely asserts (Exhibit Q). I never attempted to or disciplined employees based on pettiness as described by John Bigby, Jr. (Exhibit Q). I treated all employees in a fair and appropriate manner. I disciplined employee only for cause and observed the applicable collective bargaining agreement, IRS policy, and law.

> a. I accepted a detail for Mail and File Supervisor, Kansas City Submission Procession Division, Receipt and Control Branch, Extracting Section for the 2000 tax filing season–effective December 19, 1999. Attachment 1. In January 2000 [after training], Jacqueline Kapeller, Chief Extracting/Batching assigned me to nightshift. John Bigby, Jr. was Section Chief Extracting/Batching and I met and became aware of him then. John Bigby, Jr. evaluated me at the end of the detail—I met the Responsibilities (Leadership, Employee Satisfaction, Customer Satisfaction, Business Results, Equal Employment Opportunity), and I met the Commitments.
>
> c. In 2003, John Bigby, Jr. testified on behalf of the IRS in a discrimination case I filed against it. Exhibit P, at ¶¶ 10-11.
>
> d. On August 11, 2005, I provided an affidavit to an EEO Investigator regarding, *inter alia*, a sexual harassment complaint filed by another employee. Derrick Davis and I understood from the employee that John Bigby, Jr. were named as Responsible Management Officials. Attachment 4, 5; Exhibit P, ¶ 2.

(Doc. 56-3, Declaration of Charles L. Burgett (Exhibit 7), at ¶ 2.,a.,c.-d.) App., at 23a.

Regarding, Vacancy Announcement 5, the Wimes court found:

> Pursuant to the Selecting Official Guidance provided to Kindergan, for all external candidates seeking an IRS position and who has an ALERTS hit, a selecting official wishing to hire such an individual is "required to provide justification for selecting an applicant with an ALERTS case." (Doc. #45-23). However, Kindergan did not complete a justification to rehire any of the applicants listed in the ALERTS spreadsheet. (Doc. #45-28 at ¶ 55). In the absence of any justification from Kindergan (or any resulting approval from the IRS Business Commissioner or the IRS Human Capital Officer), all of the applicants tentatively selected by Kindergan with ALERTS issues, including Plaintiff, were automatically non-selected. (Doc. #45-18 at ¶¶ 55-58); (Doc. #45-19 at ¶ 47). The only factor in Plaintiff's non-selection was his ALERTS issues. (Doc. #45-18 at ¶ 29).

App., at 8a-9a.

Mr. Burgett advised the district court — the Wimes court **improperly accepted as true** that, "The only factor in [Mr. Burgett's] non-selection was his ALERTS issues." Doc. 30, at ¶ 14; Doc. 56-2, Exhibit 6, at ¶¶ 162-164. App., at 24a. Additionally, the Wimes court ignored that Employment Operations Alert 300-62, Attachment B – MATRIX states, "This matrix is to be used as a guide. As a general rule, **with the exception of AWOL** . . . applicants who were removed . . . will not be recommended for rehire [Mr. Burgett was previously removed in 2006 for alleged AWOL – App., at 3a-4a]. Doc. 45-4, Exhibit D, at 230[4]." **This fact is undisputed by the IRS.** Doc. 58, ¶ 98, at 6. The fact is deemed admitted for the purpose of summary judgment. Local Rule 56.1(c). App., at 24a-25a. Further, the Wimes court **totally disregarded** that Melody Boatright, Kyiesha Hydara, Erica Mincey, Demisha Robinson, Cortney Rowe, and Marcus Smith names appear on the list selected by Walter Kindergan [Doc. 45-21, Exhibit U] also the foregoing individuals appear on the applicants list as, "HIRE" [Doc. 45-20, Exhibit T], further all of the foregoing individuals appear on the ALERTS list [Doc. 45-22, Exhibit V]. **This fact is undisputed by the IRS. Doc. 58, ¶ 100, at 6.** The fact is deemed admitted for the purpose of summary judgment. Local Rule 56.1(c). App., at 25a.

In granting summary judgment to the IRS, the Wimes court concluded:

> The IRS did not concede that Plaintiff has established a prima facie case of discrimination and/or retaliation, rather, the IRS conceded that Plaintiff has established all aspects of a prima facie case except that Plaintiff cannot demonstrate a causal connection between protected activity and his non-selection and/or any materially adverse employment action. (Doc. #45).

App., at 10a, note 2.

Mr. Burgett explained to the district court — the Wimes court's assertion is without merit. The IRS conceded that Mr. Burgett established a *prima facie* case but claims that Mr. Burgett cannot establish causation (pretext). Doc. 45, at 4,7. Although, the Wimes court mentioned the burden-shifting framework articulated in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 802-05 (1973) (App., at 10a-11a), it misunderstands the same. Regardless, the record indisputably demonstrates that Mr. Burgett established a *prima facie* case of discrimination because (1) he is a member of protected groups [African Male, African, Male], (2) he applied for the available positions, (3) he was best qualified for the positions, (4) he was not hired, and (5) similarly situated individuals, not part of his protected groups [Non African Males, Non Africans, Females], were hired instead. *Farver v. McCarthy*, 931 F.3d 808, 812 (8th Cir. 2019). Mr. Burgett has also established a *prima facie* case of retaliation because (1) he engaged in statutorily protected activity, (2) a reasonable employee would have found the action taken by the employer (i.e., refusal to rehire) to be materially adverse, and (3) the materially

adverse action was causally linked to the protected conduct. *Mahler v. First Dakota Title Ltd. Partnership*, 931 F.3d 799, 805 (8th Cir. 2019). App., at 26a.

Additionally, the Wimes court concluded:

> To be sure, neither the Federal Records Act nor the GRS state that the IRS is prohibited from retaining a prior employee's disciplinary history in the ALERTS system. Here, the IRS is specifically charged with considering the prior conduct of former employees before rehiring them. Consolidated Appropriations Act of 2016, Pub. L. No. 114-113, § 110, 129 Stat 2242, 2430 (2015). Yet even assuming the IRS had violated federal record-keeping laws, this is not enough to demonstrate pretext.

App., at 13a.

Mr. Burgett explained to the district court — **The Consolidated Appropriations Act of 2016 cannot supercede the Federal Records Act (44 U.S.C. Chapter 31), enacted in 1950.** Additionally, it is undisputed that Mr. Burgett's alleged disciplinary history in the ALERTS system (2006, 2012) were recorded in said system **before** the 2016 Consolidated Appropriations Act. There is a genuine issue of material fact as to whether the IRS properly retained case files and records related to adverse actions and performance based actions beyond the mandatory time [6 Years] for the disposition of records; and, There is a genuine issue of material fact as to whether the IRS properly maintained adverse actions and performance based actions histories in its electronic tracking system (ALERTS) beyond the mandatory time [6 Years] for the disposition of records. The Wimes court is forbidden by law from weighing evidence and resolving the foregoing

matter—This dispute of material fact is for the jury to decide. The 2016 Consolidated Appropriations Act **cannot** mandate the listing of prior IRS alleged disciplinary history of Mr. Burgett for employment decisions by the IRS in 2018 and 2019 that should not have existed and was unlawfully retained in the first place. Whether the IRS violation of the Federal Records Act or GRS was motivated by discriminatory animus or done for a retaliatory reason is for the jury to decide not the Wimes court. App., at 27a-28a.

Finally, the Wimes court concluded . . . for Vacancy Announcements 1-3, and 5 Plaintiff was not rehired due to his ALERTS issues; and . . . for Vacancy Announcement 4, Plaintiff was not rehired due to the selecting official's previous experiences working under Plaintiff. Plaintiff has not demonstrated a prima facie case of discrimination and/or retaliation nor otherwise shown a genuine issue as to any material fact. App., at 14a.

Mr. Burgett made it clear to the district court that the Wimes court's summary judgment order is manifestly unjust (App., at 28a-30a):

It is indisputable that the IRS Personnel Security adjudicated Mr. Burgett's 2006 removal—Mr. Burgett passed the pre-hire suitability checks—Mr. Burgett was found suitable and considered qualified for rehire (January 2012) and could not have been used to make hiring decisions thereafter. App., at 28a.

It is indisputable that the Audit dated 08/17/2018 for ALERTS shows that there was a decision made to continue selection for Mr. Burgett. The decision was not followed. App., at 28a-29a.

It is indisputable that the IRS violated the Federal Records Act and corresponding Code of Federal Regulations (CFRs) requiring disposal of case files and records [including electronic-ALERTS] related to adverse actions and performance based actions. This violation of law by the IRS has been used exclusively against Mr. Burgett since 2012 to made unlawful employment decisions in not hiring him. App., at 29a.

It is indisputable that similarly situated applicants, who had ALERTS issues were selected/hired and treated more favorably for Vacancy Announcements 1-3, and 5 than Mr. Burgett. *Liles v. C.S. Mccrossan, Inc.*, 851 F.3d 810 (8th Cir. 2017). The Wimes court has a pattern and practice of totally ignoring indisputable disparate treatment by the IRS against Mr. Burgett, who has been denied numerous positions between 2012 and 2017. See *Burgett v. Yellen*, 4:18-CV-00309-BCW, Doc. 104, at 3, 7-10; Doc. 56-3, Exhibit 7, ¶¶ 3, 7-10; Id., at Att. 7-12. App., at 29a.

It is indisputable that John Bigby, Jr.'s assertion regarding why he did not select Mr. Burgett for rehire for Vacancy Announcement 4 is supported only by self-serving statements without documentary support. The Wimes court should

have rejected John Bigby, Jr.'s self-serving statements without documentary support. John Bigby, Jr.'s assertion could be appropriately rejected by a reasonable jury. *Reeves v. Sanderson Plumbing Products, Inc.*, 530 U.S. 133, 151 (2000). The facts asserted in Mr. Burgett's declaration with support (Doc. 56-3, Exhibit 7) are based on his personal knowledge; and, Mr. Burgett is competent to testify on the matters regarding his experience as manager and interactions regarding John Bigby, Jr. (Doc. 56-3, Exhibit 7, at ¶ 2.,a.,c.-d.). App., at 29a.

B. Proceedings in the court of appeals

A panel of the court of appeals, on its own motion, affirmed the district court's judgment and summarily disposed of Mr. Burgett's appeal without allowing briefing. App., at 1a.

C. Denial of Panel Rehearing and Rehearing En Banc in the court of appeals

The court of appeals denied rehearing and rehearing en banc. App., at 15a.

REASONS FOR GRANTING THE WRIT

Flagrant abuses of justice and flagrant disregard for accepted legal doctrine by a district court—supported by a court of appeals poses a clear threat to similarly situated indigent *Pro Se* parties' Constitutional right to a jury trial. This Court should take the opportunity to overrule the egregious conduct of the district court—supported by the eighth circuit court of appeals.

I. THE DECISION BELOW INFRINGES ON THE RIGHT TO TRIAL BY A JURY IN DECIDING A TITLE VII EMPLOYMENT DISCRIMINATION CASE UNDER THE SEVENTH AMENDMENT OF THE UNITED STATES CONSTITUTION

The Wimes court consideration of, and reliance on the self-serving testimony and affidavits of IRS' own agents, which a jury would be free to disbelieve in their entirety, deviates so extensively from the common law notion of the right to a jury trial as to demonstrate a Constitutional violation.

The Seventh Amendment directs, "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law." When the first version of the Constitution was distributed for ratification, the Anti-Federalists demanded the addition of civil juries, on the grounds that they would be an effective defense against overreach and corruption from the legislative, executive, and judicial branches of the federal government. By its very nature, the right of civil jury trials supplemented the Constitution in the Seventh Amendment. *Baltimore & Carolina Line, Inc. v. Redman*, 295 U.S. 654 (1935). Thus, This Court should exercise its Supervisory Power and grant certiorari to ensure that the right to a jury trial afforded by the Seventh Amendment is not involuntarily waived.

II. The Decision Below Violates The Summary Judgment Standard In Assessing A Case Of Employment Discrimination Under Title VII

The Wimes court—supported by the court of appeals severely misapplied the facts and made erroneous conclusions of law to the detriment of Mr. Burgett. This Court has granted review to correct a lower court's mishandling of factual issues in *Tolan v. Cotton*, 572 U.S. 650, 134 S. Ct. 1861 (2014).

A. The district court—supported by the eighth circuit court of appeals erroneously found that Mr. Burgett did not demonstrate a prima facie case

The first step of the *McDonnell Douglas Corp. v. Green*, 411 U. S. 792 (1973) framework requires a plaintiff to "establish[] a prima facie case." 411 U. S., at 802; and, the third step requires the plaintiff to show that the employer's proffered reason is pretext for discrimination. Id., at 804. The Wimes court—supported by the eighth circuit court of appeals clearly confused the third step of the McDonnell Douglas framework (pretext) with being included with the first step of said framework (elements of establishing a prima facie case). App., at 26a. Additionally, the Wimes court concluded, "Even if [admitting] Plaintiff could establish a prima facie case of discrimination and/or relatiation (sic), the IRS [allegedly] has articulated legitimate, non-discriminatory reasons for its actions (App., at 12)."

B. The district court—supported by the eighth circuit court of appeals wrong conclusion that Mr. Burgett did not show that the IRS' reasons for its actions were pretext for discrimination and retaliation

The Wimes court grant of summary judgment in favor of the IRS and against Mr. Burgett is improper because there are genuine issues as to material fact in dispute and genuine issues as to the credibility of witnesses. The IRS is not entitled to judgment as a matter of law. The Wimes court reliance on the testimony of interested and biased IRS witnesses contained in the paper record; and, for it to act on the IRS' version of facts that a jury is not required to believe, poses a clear threat to Mr. Burgett's Constitutional right to a jury trial.

This Court in applying the summary judgment standard under Rule 56 of the Federal Rules of Civil Procedure have ruled that the district court must review the record "taken as a whole."—*Matsushita Elec. Industrial Co. v. Zenith Radio Corp.*, 475 U.S.574, 587 (1986); *Anderson v. Liberty Lobby, Inc.*, 477 U.S.242, 250–251 (1986); *Celotex Corp.v. Catrett*,477 U.S.317, 323 (1986). This Court also asserted that in making a summary judgment determination, a court must view the evidence "in the light most favorable to the opposing party [Mr. Burgett]." *Adickes v. S. H. Kress & Co.*, 398 U.S. 144, 157 (1970); see also Anderson, supra, at 255. Further, "Credibility determinations, the weighing of the evidence, and the drawing of legitimate inferences from the facts are jury functions, not those of a judge." *Reeves v. Sanderson Plumbing Prods., Inc.*, 530 U.S. 133, 150 (2000), quoting

Liberty Lobby, Inc., 477 U.S. 242, 255 (1986). In fact, the language of the eighth circuit court of appeals in *Quick v. Donaldson Company, Inc.* match the law, to wit:

> At the summary judgment stage, the court should not weigh the evidence, make credibility determinations, or attempt to determine the truth of the matter.... Rather, the court's function is to determine whether a dispute about a material fact is genuine, that is, whether a reasonable jury could return a verdict of the nonmoving party based on the evidence.... The evidence of the non-movant is to be believed, and all justifiable inferences are to be drawn in [the non-movant's] favor.... 'If reasonable minds could differ as to the import of the evidence, "summary judgment is inappropriate".'

Quick v. Donaldson Company, Inc., 90 F.3d 1372, 1376-77(8th Cir. 1996).

The Wimes court—supported by the eighth circuit court of appeals merely disregarded the law and refused to follow its own precedent.

Mr. Burgett presented sufficient evidence that material fact issues remain as to whether the IRS' proffered reasons for not hiring him were pretextual. Material factual disputes turn on evaluation of witness credibility, which is an injustice to not permit the matter to be tried. Here, the Wimes court—supported by the eighth circuit court of appeals has seized the jury's role by conclusively resolving disputed genuine issues of material fact, and genuine issues as to the credibility of witnesses. Mr. Burgett is not required to disprove the IRS' proffered reasons for its adverse employment action to survive summary judgment on his discrimination claims. At the summary judgment stage, Mr. Burgett need only offer enough evidence to create a genuine dispute of material fact, which he has. See Celotex

Corp. v. Catrett, 477 U. S. 317, 322 (1986). Mr. Burgett's case should have been allowed to proceed because a reasonable jury could find in his favor on the underlying claims.

This Court should grant certiorari because the opinion below reflects a clear misapprehension of summary judgment standards in light of its precedents.

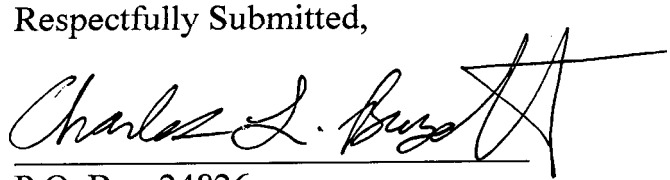
CONCLUSION

This Court is symbolic of our entire judicial system. This case presents the opportunity for the Court to exercise its Supervisory Power to guarantee the fundamental principles of fairness is untarnished; to uphold the right to a civil jury trial; and, to secure the public's perception of the right of similarly situated indigent *Pro Se* parties receive justice in the Federal Court.

For the foregoing reasons, the Petition for Writ of Certiorari should be granted.

Dated: May 15, 2025

Respectfully Submitted,



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