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IN THE SUPREME COURT OF THE UNITED STATES

ERIN JONES,

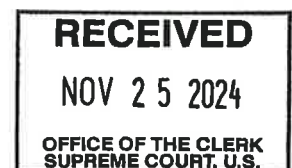
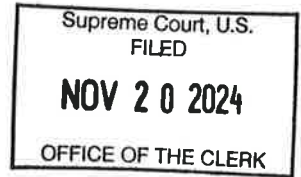
Petitioner,

v.

THE CITY OF NEW YORK,

Respondent.

MOTION TO DIRECT THE CLERK TO FILE
PETITION FOR WRIT OF CERTIORARI
OUT OF TIME



Petitioner Erin Jones requests this Court to allow her Motion to Direct Clerk to file an out-of-time petition and to consider her Petition for Certiorari in this case. Ms. Jones' Petition for Certiorari was returned by this Court stating that her final eligibility date was May 13, 2024. Due to erroneous information received from a previous court, failure to receive full and complete sets of Orders from the lower Court, and only receiving "partial" Summary Orders on multiple occasions following requests for documents, have delayed Petitioner's ability to fulfill this Court's obligations for application. Petitioner understood her final date for consideration to be May 22, 2024. The enclosed "Mandate" documentation specifies a date of February 22, 2024 with a ninety day response period. Petitioner would have immediately requested an extension for her Writ of Certiorari petition much earlier had she been adequately informed of her final date of consideration and right to do so. Petitioner requests this Court consider both her Motion and her Writ for Certiorari petition based on its truthfulness, relevancy, and level of importance.

Petitioner requests that this Court consider her Writ for Certiorari due to its failure to lawfully follow the established regulations for City employees regarding the reasonable accommodation process; leading to her eventual and wrongful termination under Civil Service Law Section 73. Upon Petitioner's attempt to return to duty following a year long sick leave of absence in July 2016, Ms. Jones was directed by her former employer to complete a reasonable accommodation

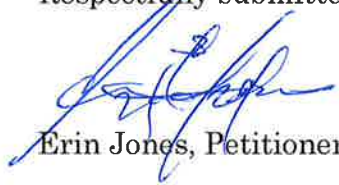
application citing her cardiac/asthma conditions. Respondent provided no return to duty work date for Petitioner either verbally or in writing. Petitioner was a permanent, subordinate civil service employee that did not possess the authority to issue her own preferential date to return to work; that was a managerial function and a responsibility outside of Ms. Jones' authority.

Despite Petitioner receiving medical clearance from Department of Citywide Administration Services (DCAS) in 2018 (municipal agency), Respondent continuously refused to reinstate Petitioner to her position. This action, combined with the City's previous bad faith practices, exhibit a reckless disregard and continual violation of employee rights following Ms. Jones' twenty-four years of service. The primary reasons the Motion and case should be considered for purposes of determining whether certiorari should be granted include: (1) the denial of disability rights for an eligible employee with physical hardship(s)/failure to timely process reasonable accommodation request (30 days); (2) Violation of civilian employees' rights and regulations regarding unlawful termination and due process and; (3) the impact and violation of employee rights under Civil Service Law Section 73 and Civil Service Law Section 81 (Preferred lists; certification and reinstatement therefrom).

CONCLUSION

For the foregoing reasons, Petitioner's Motion to Direct the Clerk to file an Out-Of-Time petition and request to consider the above captioned case for Writ for Certiorari should be granted. Dated this 20th day of November 2024.

Respectfully submitted,



Erin Jones, Petitioner pro se

105-04 101 Avenue - Unit #2

Ozone Park, NY 11416

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E-mail: erinchejones@gmail.com

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

May 28, 2024

Erin Jones
105-04 101st Ave., Unit #2
Ozone Park, NY 11416

RE: Jones v. New York
USCA2 No. 22-1867

Dear Ms. Jones:

The above-entitled petition for a writ of certiorari was postmarked May 22, 2024 and received May 28, 2024. The papers are returned for the following reason(s):

The petition is out-of-time. The date of the lower court judgment or order denying a timely petition for rehearing was February 13, 2024. Therefore, the petition was due on or before May 13, 2024. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

Your money order in the amount of \$300.00 is returned.

Sincerely,
Scott S. Harris, Clerk
By:

Lisa Nesbitt
(202) 479-3038

Enclosures

**SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001**

September 3, 2024

Erin Jones
105-04 101st Ave., Unit #2
Ozone Park, NY 11416

RE: Jones v. New York
USCA2 No. 22-1867

Dear Ms. Jones:

Returned are copies of the petition for a writ of certiorari in the above-entitled case, originally postmarked on May 22, 2024 and received again on August 27, 2024, which fail to reflect the changes requested in prior correspondence.

You must submit your petitions with a motion to direct the Clerk to file the petitions out of time.

The certificate of compliance must be separate from the petition. Rule 33.1(h).

The order(s) of the United States District Court must be included in the appendix. Rule 14.1 (i). Each order must be reproduced so that it complies with Rule 33.1.

Your petitions and money order in the amount of \$300.00 are herewith returned.

Kindly correct the petition and appendix so that it complies in all respects with the Rules of this Court and return it to this Office promptly so that it may be docketed. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,
Scott S. Harris, Clerk
By:

Lisa Nesbitt
(202) 479-3038

Enclosures