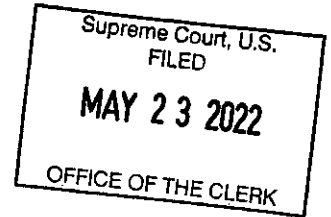


✓  
21-8003 ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



Loretta Jean Alford PETITIONER  
(Your Name)

vs.

Elizabeth Ward Fletcher et. Al. - RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for the Federal Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Loretta J. Alford  
(Your Name)

15190 Brickwood Dr. #103  
(Address)

Woodbridge, VA 22193  
(City, State, Zip Code)

(703) 867-0411 (cell)  
(Phone Number)

✓

## QUESTIONS PRESENTED

- 1) Did the Merit Systems Protection Board violate Petitioner's civil rights of due process when an administrative judge failed to provide Petitioner a hearing request with witness as requested, after not receiving any responses from the Committee for Purchase, as held by this Court in *Opp Cotton Mills v. Administrator*, 312 U.S. 216 (1941), haven't been met?
  
- 2) Why has my case reached the US Supreme Court if my Case was never heard by the District or Circuit Court?

**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:

US Supreme Court of the United States  
Washington, DC 20543  
Attn: Clerk

Elizabeth Ward Fletcher  
Office of General Counsel  
US Merit Systems Protection Board  
1615 M St., NW  
Washington, DC 20419

Tristan L. Leavitt  
US Merit Systems Protection Board  
1615 M St., NW  
Washington, DC 20419

Katherine Michelle Smith  
Office of Special Counsel  
US Merit Systems Protection Board  
1615 M St., NW  
Washington, DC 20419

Solicitor General of the United States  
Room 5614  
Department of Justice  
950 Pennsylvania Ave., NW  
Washington, DC 20530-0001

**RELATED CASES**

Loretta Alford v. Committee for Purchase  
No. 2021-2151, US Court of Appeals for the Federal Circuit  
Judgment Entered March 11, 2022

Loretta Alford v. MSPB  
No. DC-3443-21-0448-I-1, US merit Systems Protection Agency  
Judgment entered June 30, 2021

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APPENDIX B.....US COURTS OF APPEALS DENIES ME DUE PROCESS

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APPENDIX E..... DISTRICT COURT (MSPB) COMPLAINT SUBMITTED REQUESTING A TRIAL WITH WITNESS & COMMITTEE FOR PURCHASE GENERAL COUNSEL

## TABLE OF AUTHORITIES CITED

Cases	Page
Fuentes v. Shevin, 407 U.S. 67 (1972) Court held that a claimant must provide that his ability to obtain the truth was severely prejudiced in order to claim a denial of due process.	<u>4</u>
Opp Cotton Mills v. Administrator, 312 U.S. 216 (1941) Court held that due process does not require a hearing at the initial stage of the administrative process so long as a hearing is held before the agency's final order becomes effective.	<u>i</u>
Kwock Jan Fat v. White, 253 U.S. 454 (1920) Court held that decisions made based on a record that omitted relevant evidence was not a fair hearing)	<u>4</u>

### STATUTES AND RULES

### OTHER

Committee for Purchase From People Who Are Blind or Severely Disabled Fiscal Year 22 Budget Justification Report

National Council on Disability) (NCD) Letter Responding to Abilityone Commission (Committee for Purchase) Correspondence, dated December 17, 2018 (By Neil Romano, Chairman of NCD)

National Council on Disability) (NCD) October 14, 2020 – Federal Advisory agency recommends phase out, replacement of federal employment program for people with disabilities.

Note: Committee for Purchase from People Who Are Blind or Severely Disabled and the Abilityone Commission is the same agency.

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 D to the petition and is

reported at Justia - Alford v. MSPB, No 2151; 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 A20 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 March 11, 2022

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 \_\_\_\_\_.  
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

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The Fourteenth Amendment United States Constitution says: No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The Fifth Amendment United States Constitution provides: Due process and relevant to both criminal and civil legal proceedings. In criminal cases, the Fifth Amendment guarantees the right to a grand jury, forbids "double jeopardy," and protects against self-incrimination.

42 U.S. Code 1983, also known as the Civil Rights Act of 1871, a federal law, which provides US Citizens to right to sue government officials and employees.

Title VII of the Civil Rights Act of 1964 (Title VII)	APPENDIX C
(42 US Code 12101)...Americans with Disabilities Act of 1990	APPENDIX C
18 US Code 1001(False Statements).....	APPENDIX C
18 US Code 1512 (Witness Tampering).....	APPENDIX C
18 US Code 1113 (Attempted Murder or Manslaughter).....	APPENDIX C
18 US Code 1503 (Obstruction of Justice).....	APPENDIX C
18 U.S. Code 201 (Bribery of Public officials and Witnesses).....	APPENDIX C



## STATEMENT OF THE CASE

Petitioner filed a complaint against the Committee for Purchase from People Who Are Blind or Severely Disabled on 5/28/21 for not being selected for a position that she qualified for and was not selected for an interview. My claim was retaliation for whistle blowing (50 US Code 2702) to the Government Oversight Committee that the District (MSPB) had copies of in my complaint. I requested a trial along with my witness information. At no time during this whole process to include the Order to Show Cause and the Initial Decision was I allowed due process nor did the Committee for Purchase ever respond to anything in furtherance, of retaliation in my complaint. At the time of the claim, the General Counsel was Timi Kenealy and in addition to in November 2020, the previous Executive Director, Tina Ballard transferred her authority over to Kimberely Zeich, the now Acting Executive Director whom is a named defendant .

The necessity of a hearing in this case is obvious because a plain text reading of 5 U.S. 7701(a), 1204(a), and 5 C.F.R. 1201.24(d) requires one. Without a hearing, the proper legal standard for assessing Respondent's defense was not applied. A verbal presentation of the standards and the evidence at a fair hearing, as required by law, would have mitigated the rampant error contained in the AJ's unlawful quasi-summary judgment decision making process. Plaintiff was not given the opportunity to learn the truth as held by this Court in *Fuentes v. Shevin*, 407 U.S. 67 (1972). The record does not support that the Petitioner waived her hearing right. Petitioner is entitled as a matter of law to a hearing on the merits of his claims. This did not occur. This demonstrates, Petitioner did not "believe the written record contained all the necessary information" for a decision to be made without a hearing. See *Alberg*, 804 F.2d 1238.

On January 21, 2022 the US Court of Appeals for the Federal Circuit sends my case to a 3-judge panel violating my civil rights of due process after denying me due process of a trial on January 2, 2022. The Circuit court had no information of a trial, no witness information and no responses from the Committee for Purchase. On February 7, 2022 I responded to the Memorandum in Lie of Oral Argument as held by this Court in *Kwock Jan Fat v. White*, 253 U.S. 454 (1920). This included death threats to my witness (18 US Cod 1113), Prohibited Personnel Practices (5 US Code 2302), Witness Tampering (18 US Code 1512), Obstruction of Justice (18 US Code 1503) and Bribery of Public officials and witnesses (18 US Code 201) and False Statements (18 US Code 1001). The US Courts of Appeals failed to prosecute for criminal acts conducted by the Committee for Purchase/Abilityone Commission.

The evident violation of Petitioner's due process right to a hearing renders this case ripe for Court intervention.

## REASONS FOR GRANTING THE PETITION

I was sent to the US Supreme Court due to a violation of my civil rights of due process. I am requesting the US Supreme Court to grant this petition to resolve important or significant questions presented.

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Loretta Alford

Date: May 23, 2022