

NO. 25-305

IN THE
SUPREME COURT OF THE UNITED
STATES

ORIGINAL

LOUISE DEBERRY

Petitioner,

v.

BOARD OF EDUCATION OF THE CITY
OF CHICAGO,

Respondent,

FILED
JUL 06 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

On Petition for Writ of Certiorari to the
Illinois Appeal Court First District

**PETITION FOR WRIT OF
CERTIORARI**

Dated: September 4, 2025
Louise DeBerry
10047 S. Luella
Chicago, IL 60617
Phone: (773) 931-3167
E-mail: louisedeberry@gmail.com

QUESTIONS PRESENTED

Does the Due Process Clause of the Fourteenth Amendment provide a mechanism for relief in administrative hearings when evidence is introduced that is unduly prejudicial that it renders the hearing fundamentally unfair?

Did the Board violate the Petitioners Due Process rights of the Fourteenth Amendment when they elicited inadmissible evidence during the Boards hearing?

Whether the Due Process Clause of the Fourth Amendment is violated when fabricated inadmissible hearsay evidence is used and the record shows a conspiracy by the witness to determine facts.

LIST OF PARTIES

All parties do not appear in the caption of the case on the cover page. A list of all parties to the proceedings in the court whose judgment is the subject of this petition is as follows:

The Chief Executive Officer of the Chicago Board of Education, Pedro Martinez;
The Board of Education of the City of Chicago President, Jianan Shi;
The Illinois State Board of Education; ISBE Hearing Officer, Brian Clauss,

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Statutes

Due Process Clause of the Fourteenth Amendment

PETITION FOR A WRIT OF CERTIORARI

Petitioner Louise DeBerry respectfully requests the issuance of a writ of certiorari to review the judgment of the Illinois Appeal Court First District.

DECISION BELOW

The decision of the Illinois Appeal Court First District is attached appendix A.

JURISDICTION BELOW

The Illinois Supreme Court denied the petition for leave to Appeal rehearing on April 8, 2024. This Court's jurisdiction is invoked under 28 U.S.C. § 1257

**CONSTITUTIONAL AND STATUTORY
PROVISIONS INVOLVED**

Due Process Clause of the Fourteenth Amendment

STATEMENT OF THE CASE

This action was brought by DeBerry, a tenured teacher with over 20 year's experience in the Chicago Public School system, for review of the decision of the Illinois Appeal Court first district affirming the decision of the Chicago Board of Education to terminate her employment as a result of incidents that occurred during the 2015- 2016 and 2017-2018 school years. The Hearing Officer found that DeBerry engaged in conduct and that the Board had cause to dismiss DeBerry. The Board subsequently entered a resolution that dismissed DeBerry, partially based on the findings of the Hearing Officer. DeBerry questions the fairness of the hearing that used a stale case to advance a theory that she has a history of violence and the sufficiency of the evidence provided by the Board for the non-stale case, which included the participation of the Principal in the investigation. In addition, the report that was put forward by the Board

of Education investigator Cherly Smith, appears to be a fraud report, used to dismiss DeBerry.

REASONS FOR GRANTING THE WRIT

Ms. DeBerry as a tenured teacher has a property interest in continued employment that is protected by the due process clause of the fourteenth amendment. DeBerry have worked as a teacher for the Board of Education for 20 years earning her tenure status. *Board of Education v. Weed*, 281 Ill.App.3d 1010, 1018, 217 Ill. Dec. 538, 667 N.E.2d 627 (1996), citing *Dusanek v. Hannon*, 677 F.2d 538, 542 (7th Cir.1982). *Board of Regents v. Roth*, 408 U.S. 564, 92 S.Ct. 2701, 33 L.Ed.2d 548 (1972); *Perry v. Sinderman*, 408 U.S. 593, 92 S.Ct. 2694, 33 L.Ed.2d 570 (1972).

Ms. DeBerry did not waive her constitutional protection because of an administrative hearing, nor does the US Constitution say they are lowered because of an administrative hearing. The due process rule is applicable to administrative as well as judicial adjudications, *Gibson v. Berryhill*, 411 U.S. 564, 579, 93 S.Ct. 1689, 1698, 36 L.Ed.2d 488 (1973). Indeed, the absence in the administrative process of procedural safeguards normally available in judicial proceedings have been recognized as a reason for even stricter application of the requirement that administrative adjudicators be impartial. *NLRB v. Phelps*, 136 F.2d 562, 563-64 (5th Cir. 1943).

Essential to a fair hearing is the right to an unbiased judge. In *Hummel v. Heckler*, 736 F.2d 91 (3d Cir. 1984). The Petitioners attorney objected to any hearsay evidence for any witness that did not

testify. The Board investigator Cheryl Smith did not testify, and the Board did not provide an explanation. A reasonably prudent person would have produced the witnesses if the party believed that the testimony would be favorable, and no reasonable excuse for the failure to produce the witness is shown." Schaffner, 129 Ill. 2d at 22, 133 Ill. Dec. 432, 541 N.E.2d 643. Simmons v. University of Chicago Hospitals & Clinics, 162 Ill. 2d 1, 7, 642 N.E.2d 107, 110 (1994).

Ms. DeBerry's due process rights were clearly violated and the hearing proceedings were unfair. The Board has used the false report of Cheryl Smith to prevent DeBerry from having a fair hearing. This would lead a person to believe that Principal Shabazz constructed the investigative report themselves, due to the CBE investigator, Cheryl Smith to the truthfulness of her report. DeBerry was not able to

cross-examine the Board witnesses to prove that the report of Cheryl Smith was false and fabricated and was part of the retaliation from Principal Shabazz because of DeBerry's participation in union activity Appendix ??, To conceal the truth the Board did not have Cheryl Smith testify and the Board knowingly knew that the investigative report was false. The investigative report alleged that Jo.J. were interviewed by the investigator Cheryl Smith, but Jo.J. testified that he was not interviewed by the investigator, although the investigator indicated in her report that he was. (R.051 Tr.176 11-14; R.053 Tr. 182 21-24 -Tr.183 1-3; R.054, Tr.185 13-15) Appendix 52; 231) Also, Shabazz testified that J.B. did not speak to the investigator, although he appears on the investigator report as if the investigator, Cheryl Smith, had spoken with him (R. 109 Tr. 363-364). Jo.J also testified that he forgot, he was not supposed to

tell anyone about Shabazz and his secret meeting to discuss the case at the end of the school year. (R.058 Tr. 202: 4-22 see A-52). The Board could not obtain the alleged specifications for Jo.J. without him being investigated by the investigator prior to the hearing. The 2018 incident was based on a school policy implemented (Buddy System) by Principal Shabazz in which teachers should handle their own student behavioral issues by sending the student to the buddy teacher. DeBerry sought the assistance of her buddy teacher Alphonso Brown and asked M.M. to go to Mr. Brown's classroom. (R 141 Tr. 491-492.) M.M. refused to go to Mr. Brown's classroom and told DeBerry to shut up that he was not going to Mr. Brown. Id

Shabazz testified that he participated in the investigation and selected the students to be investigated (R.109 Tr.362 7- Tr.363 19 (See Appendix

44)). Principal Shabazz harbored unlawful motive against the Petitioner because of Union activity. DeBerry were a member of the Professional Problem Committee (PPC) at Wadsworth Elementary from 2016-2018 school year.

Shabazz had a certain bias against DeBerry, because of the CTU meeting in October, 2017 that took place at the school pertaining to the behavior of the students in the classroom. DeBerry was a member of the Professional Problem Committee (PPC) at Wadsworth School. He took this incident as an opportunity to build a case against DeBerry. Creating specification 2 with Ms. L and her son Jo.J (student of DeBerry) to fabricate false claims against DeBerry. It appeared that he wanted to taint DeBerry's character as a teacher. In this meeting, *Shabazz stated that he could have fired all of us (referring to the teachers in the meeting) and he didn't like the fact that we put a*

knife in his back in the Union meeting telling lies on him. He said, I thought we were family (R.146 Tr.511 9 – 512 24; Appendix 43).

Principal Shabazz after reporting the 2018 incident to the Board administration and after the Board had assigned an investigator to the incident, he continued to ensure that it had a certain outcome by directing and influencing the students what to say in their statements. Principal Shabazz testified that J.W. and M.M. wrote their statements on May 18, 2018 when Ms. W. (J.W. mom) came to the school, but the alleged statement of M.M. had three separate dates, May 18, May 24, and May 21st which Shabazz and the Board had no explanation. (R 099 Tr. 323-325; (See Appendix 40)). Shabazz testified that he collected statements from J.W. and M.M. (R.095 Tr.307 5-8; Appendix 41) and testified that he was upstairs

talking to DeBerry when J.W. was writing his statement (R.098 Tr.319 11-20; Appendix 39). DeBerry was removed from school by Shabazz on May 21, 2018 around 8:30 a.m. (R 107 Tr. 357). J.W. testified that he wrote his statement on May 24, 2018 (R.010 Tr.32 13-18 (See Appendix 42)). This clearly demonstrates that Principal Shabazz influenced students in fabricating lies to carry out his retaliation against DeBerry's due to her union activity using this situation as an opportunity.

The Plaintiffs dismissal hearing further violated DeBerry's due process rights by adding a stale case to the specifications. The Board added the 2015 stale incident with the intent to unduly influence the hearing officer during the hearing process, which has negatively impacted the fairness of DeBerry's hearing, causing the hearing officer to make decisions

favorable to the Boards narrative. The alleged tape of the 2015 incident were concealed and was not provided until four years later in 2019. The fact that the video of the 2015 incident was included had a negative effect of the perceived demeanor of DeBerry. The stale case were only raised after DeBerry participated in the PPC and union activity during 2016-2018 school year.

The inclusion of 2015 evidence by the Plaintiff was clearly prejudicial to DeBerry and clearly affected the outcome which was the intent of the Board when they added such specifications. The arbitrary inclusion, by the Board, of allegations from December 3, 2015, in its Amended Dismissal Charges and Amended Specifications tainted the hearing proceedings against DeBerry. (C 032 – C 034). The 2015 stale case was added for retaliation and anti-union activity, and only brought up after union

activity during 2016-2018 when DeBerry was on the PPC.

The Board added the 2015 stale incident that could no longer be pursued, with the intent to unduly influence the hearing officer during the hearing process, which has negatively impacted the fairness of DeBerry's hearing, causing the hearing officer to make decisions favorable to the Boards narrative. The alleged tape of the 2015 incident were concealed and was not provided until four years later in 2019.

The Board continued with the stale incident, even after the hearing officer found that the case was stale. In addition, like the 2015 stale incident, the Board also added the alleged 2017 specifications pertaining to student, Jo.J in specification 2 incident, to bolster the 2018 incident. The fact that the video of the 2015 incident was included could negatively affect the perceived demeanor of DeBerry, especially in the

2017 allegations which could very well be a stand in for the 2015 incident. The addition of the 2015 allegations were unfairly prejudicial.

However, relevant evidence is inadmissible "if the prejudicial effect of admitting that evidence substantially outweighs any probative value." (Emphasis in original and internal quotation marks omitted.) Shaw, 2016 IL App (4th) 150444, ¶ 63, 52 N.E.3d 728; see also Ill. R. Evid. 403 (eff. Jan. 1, 2011) (relevant evidence is inadmissible if it is unfairly prejudicial). "In this context, prejudice means 'an undue tendency to suggest decision on an improper basis, commonly an emotional one, such as sympathy, hatred, contempt, or horror.' " People v. Eyler, 133 Ill. 2d 173, 218, 549 N.E.2d 268, 288 (1989) (quoting Michael H. Graham, Cleary and Graham's Handbook of Illinois Evidence § 403.1 (4th ed. 1984)).

Article 29 of the Collective Bargaining Agreement between the Board of Education of the City of Chicago and Chicago Teachers Union Local 1, American Federation of Teachers, AFLCIO, effective December 7, 2016, in pertinent part states, "The BOARD shall not rely on active employees' records of disciplinary action for any labor relations purposes... three years after the issuance of the disciplinary action" See Resp. Ex. 2, E 218. In its initial Dismissal Charges, dated August 14, 2019, the Board only included the charges from the 2017-2018 school year. C 007 – C 009. The board did not amend its Dismissal Charges until after DeBerry had submitted her Answer and Affirmative Defenses. The arbitrary inclusion, by the Board, of allegations from December 3, 2015, in its Amended Dismissal Charges and Amended Specifications tainted the hearing proceedings against DeBerry. C 032 – C 034. The

allegations were used demonstratively in the Board's ultimate Opinion and Order after the Hearing Officer declared it to in fact be a stale allegation. See Resolution, Opinion, and Order, 23-1025-RS5, C 338 – C 339. The prejudicial nature of the inclusion of the 2015 allegations is amplified by the Board using the surveillance video from the day of the incident in the evidence presented to the Hearing Officer. As the conduct alleged in the 2015 allegations so clearly are stale by the definition of the CBA and are thus barred 21 from use, the only reason to include them is to prejudice the Hearing Officer and any subsequent judicial officer against DeBerry by insinuating that she is a violent person.

The Boards dismissal hearing violated DeBerry's due process rights. M.M., M.M's mom,

Assistant Principal Swain-Store, and the Board Investigator Cheryl Smith did not testify, and the Board did not provide an explanation. DeBerry was not able to cross-examine the adverse witness, and no reasonable excuse for the failure to produce the witness is shown. DeBerry's has no way to confirm that student M.M. spoke to the investigator and made such allegation without cross examining him and or the investigator, Cheryl Smith. Also, the investigator, Smith included documents in the case with DeBerry's signature that was not signed by her. During the interview with DeBerry and her Union Representative, Investigator Smith never presented any documents to sign about the incident. DeBerry's signature was forged by the investigator (R.144 Tr.504 3-16, TR.505 1-16, R.145 Tr.506 23-24, Tr.507 1-11). Jo.J also testified that he didn't speak to an investigator (R.051 Tr.176 11-14; R.053 Tr. 182 21-24

-Tr.183 1-3; R.054, Tr.185 13-15), the investigator report is not reliable and appears to be fabricated. The appellate Court's decision is contrary to *Kimble v. Illinois State Board of Education* (Ill. App. Ct. 2014) 16 N.E.3d 169 the Court held that the dismissal hearing violated her due process rights to cross-examine adverse witnesses and was originally reversed explaining that the record contained inadmissible hearsay and prior incidents evidence. The Petitioners attorney objected to any hearsay evidence for anyone that did not testify. When considering documentary evidence, the courts are not bound by the hearing officer's findings of fact but are free to examine the evidence and reach an independent conclusion. (*National Boulevard Bank v. Citizens Utilities Co.* (1982), 107 Ill. App.3d 992, 1005-06, 438 N.E.2d 471, 481.)

As mentioned above, the stale case in 2015 was added based on retaliation and anti-union animus, so was the allegations of 2017 in specification 2 for Jo.J to convolute the proceedings. Jo.J testified that at the end of school year, Principal Shabazz pulled him into his office to ask him questions, some of the same questions asked during the hearing. (R.058 Tr. 202: 4-22), Jo.J also testified that he forgot he was not supposed to tell anyone about Shabazz and his secret meeting to discuss the case. Shabazz manipulated students like Jo.J to advance his retaliation against DeBerry because of her union activity. Jo.J also testified that he didn't speak to an investigator (R.051 Tr.176 11-14; R.053 Tr. 182 21-24 -Tr.183 1-3; R.054, Tr.185 13-15). The Board did not get information for specification 2 from student Jo.J. As mentioned above, Jo.J and his mom provided prejudicial evidence to taint the proceedings. Furthermore, the Board is

hiding the truth by concealing the witness and not having the investigator Cheryl Smith testify.

The safe guards of DeBerry's due process rights were ignored

The unfairness continued during the hearing, clearly depriving DeBerry of a fair hearing and her due process rights. Indeed, the absence in the administrative process of procedural safeguards normally available in judicial proceedings has been recognized as a reason for even stricter application of the requirement that administrative adjudicators be impartial. *NLRB v. Phelps*, 136 F.2d 562, 563-64 (5th Cir. 1943).

The prejudicial evidence of the Board denied DeBerry of a fair hearing and violated her due process rights. Shortly after the Boards witness Charity L (Jo.J. mom) was sworn in, the Boards Counsel

knowingly raised an issue beyond the scope of the charges. The hearing officer stated he wanted Charity L to finish her answer before he addressed the objection (see R.127 434-435; Appendix 36). The hearing officer allowed prejudicial evidence from the Board that violated the Petitioners due process rights. Although the hearing officer sustained the objection the prejudicial evidence was allowed in the record by the hearing officer. The Appellate Court in ¶ 35 (Appendix A-36) determined there was no prejudicial error because the testimony was brief, and the objection were sustained by the hearing officer. The appellate court's decision is contrary to that of the Illinois Supreme Court decision in *Bale v. Chicago Junction Ry. Co.* (1913), 259 Ill. 476, 102 N.E.2d 808. "Its deliberate purpose was to arouse sympathy and excite prejudice, and this purpose was not defeated by the sustaining of an objection or the withdrawal of one

remark to be immediately followed by another of like character. This kind of argument cannot be justified, and if willfully persisted in will justify the reversal of a judgment even though the court has sustained objections to it. It is, of itself, sufficient reason for granting a new trial." In PAYNE v. TENNESSEE No. 90-5721. 501 U.S. 808 (1991), this court held that "the Due Process Clause of the Fourteenth Amendment provides a mechanism for relief against the introduction of evidence "that is so unduly prejudicial that it renders the trial fundamentally unfair."

Furthermore, there were several occasions during the hearing in which the hearing officer refused to rule on the objection. The objection by DeBerry's Counsel was made timely before the answer. The testimony of Jo.J was clearly not brief (see R.052 Tr. 178-182; Appendix 34-35), the hearing officer overruled twice and the Petitioners counsel

had to object and renew his objections several times at least three times before the hearing officer finally sustained. The Boards attorney stated that "I am not trying to play hide the ball." (see R.053 Tr. 181; Appendix 35). Such actions by the Board's counsel were prejudicial and deprived DeBerry of a fair and impartial hearing. In *Rutledge v. St. Anne's Hospital* 230 Ill. App. 3d 786 (Ill. App. Ct. 1992) 595 N.E.2d 1165 the Court held that sustained objections still have a prejudicial affect and found that plaintiff was denied a fair trial. The Board elicited inadmissible evidence from Jo.J. and Jo.J. mom. The conduct by the Board caused irreparable harm to the Petitioner; the hearing officer could not un-hear the evidence once it is out and it also became part of the record.

The impact is also found in the examination of the alleged incident of J.J. in which the circumstances of the incident mirror the 2015 incident, except for the

absence of other witnesses and video surveillance. The fact that the video of the 2015 incident was included could negatively affect the perceived demeanor of DeBerry, especially in the 2017 allegations which could very well be a stand in for the 2015 incident. The inclusion of any physical or testimonial evidence for a stale allegation, is *per se* irrelevant and unfairly prejudicial. It is irrelevant because stale allegations are grounds that can not be used to determine "any labor relations purposes" such as cause for termination. See Collective Bargaining Agreement, Article 29, Section 9, E 218. And because they cannot be used as grounds for termination, the inclusion is irrelevant to that of any other cause for termination. Evidence is relevant when it has the tendency "to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence"

People v. Martin, 2017 IL App (4th) 150021, 80 N.E.3d

94 (Ill. App. 2017). Because the evidence of the 2015 allegations is not of any consequential nature to the later allegations, they are simply not relevant.

The evidence is similarly unfairly prejudicial. Evidence is unfairly prejudicial if “the prejudicial effect of admitting that evidence substantially outweighs any probative value” Id. This means that the evidence has “an undue tendency to suggest decision on an improper basis, commonly an emotional one, such as sympathy, hatred, contempt, or horror.” Id. (quoting People v. Eyler, 133 Ill. 2d 173, 218, 139 Ill.Dec. 756, 549 N.E.2d 268, 288 (Ill. 1989)). It is clear that the Board sought to develop a sense of contempt for DeBerry through its inclusion of an allegation they knew would be declared stale simply because there was a video that the Hearing Officer would have to watch prior to making his decision. This is further

enflamed in the Board's final decision which includes the 2015 incident although the Hearing Officer declared it stale and thus unable to be used. The Illinois School Code was enacted to provide procedural safeguards to tenured teachers such as Ms. DeBerry in order to ensure that she did not face arbitrary and capricious dismissal from her employer, the Chicago Board of Education. *Newman v. Board of Ed. of Bluffs Community Unit School Dist. No. 2 of Scott County, Ill.*, 98 Ill.App.3d 976, 983, 424 N.E. 2d 1331, 1337 (Ill. App. 1981); 105 ILCS 5/34-85. A local board violates those safeguards when it subjects a tenured employee to "political, partisan, capricious, fickle and irregular decision-making." *Id.* at 984. In this case the Board has violated those safeguards by bringing charges against DeBerry based in part on charges that were over seven years old at the time of hearing and which the Board's agents in charge of initiating a dismissal

proceeding, had full knowledge of yet chose not to act.

Those actions related to an incident involving student Ja.J. on December 3, 2015. Those allegations were fully investigated and allegedly substantiated in early 2016 and reported to the head of the Board's employee discipline unit. See Investigative Report, dated January 4, 2016, E 075 – E 078; R. at 91, Tr. 293 – R. at 92, Tr. 294. Petitioner then took absolutely no action on those allegations 23 until it amended the charges adding this allegation to the others. See Signed Amended Dismissal Charges, C 030 – C 034, E 003 – E 007, and Signed Dismissal Charges, C 004 – C 009. At hearing, the Petitioner offered no explanation as to why it waited so many years to decide that DeBerry's actions in relation to Ja.J. warranted her discharge and instead allowed her to keep teaching for three more years at the same school as Ja.J. These allegations were stale and thus never

should have formed any basis for Ms. DeBerry's discharge. Essentially, what the Board is arguing in this case is that because there is neither a statutory nor contractual timeframe for filing Dismissal Charges against a tenured teacher then it can prefer such Charges at any future time "regardless of any delay.

It was the hearing officer duty to prevent prejudicial conduct.

It is the court's duty to prevent prejudicial conduct at trial. *Manninger v. Chicago Northwestern Transportation Co.* (1978), 64 Ill. App.3d 719, 381 N.E.2d 383. When arguments become unreasonable and highly prejudicial in character and counsel indulge in misleading statements, improper innuendos and inflammatory remarks, reversal must

follow as a matter of course. See *Owen v. Willett Truck Leasing Corp.*, 61 Ill. App.2d 395, 209 N.E.2d 868.

The Hearing Officer continually allowed the Petitioner's counsel to ask questions well beyond the scope of the specifications and charges, while overruling objections DeBerry's Counsel made against the line of questioning. (R. at 8, Tr. 23-24; Appendix 37).

On direct examination of J.W., DeBerry's Counsel objected to a question beyond the scope of the dismissal charges, but the HO allowed such evidence to the record (R.008 Tr.23; Appendix ??). The HO then suggested to Petitioners Counsel (Ms. Sanford) "Let's talk about the day of occurrence, Ms. Sanford" (R.008 Tr. 24 11-12; Appendix 54), Ms. Sanford replied "Certainly" (R.008 Tr.24 13; Appendix 54). Then the HO took over the questioning of the witness J.W. to prevent the Petitioners Counsel from objecting (R.008

Tr.24 – R.009 Tr. 25 1-7; Appendix 38). The HO asked J.W. leading questions on direct examination and prevented DeBerry's Counsel from objecting. The HO was acting as the fact finder, attorney and witness. The Hearing Officer was assisting the Board, although they had their own attorney, the attorney (Ms. Sanford) were replaced by Mr. Little in the case. It is not the hearing officers duty to step in for the board and help their attorney and support the Boards narrative. The hearing officer was showing bias in favor of the Board showing unfair and violated DeBerry Fourteenth Amendment Constitutional Rights.

On cross-examination of J.W. the Boards Attorney, Ms. Sanford had made an objection, the HO did not reply to the objection. Instead, the HO took over the questioning and started asking J.W. leading questions to prevent the impeachment of J.W.

Regarding DeBerry's Counsel questioning, J.W. speaking to Mr. Brown, he was in the process to impeach J.W. on his prior statements (R.013 Tr.43-44 – R.014 45; (See Appendix 56)). The H.O. as the fact finder was not being impartial, he was limiting the true facts in the hearing in favor of the Board. The leading questions did not allow J.W. to answer on his own which the HO is playing the fact finder, attorney and witness. This violates DeBerry's Fourteenth Amendment Constitutional Rights and clearly makes the hearing unfair.

CONCLUSION

WHEREFORE, for the reasons set forth herein, the Petitioner respectfully request the Court to issue a writ of certiorari.

/S/ Louise DeBerry
Louise DeBerry

Louise DeBerry
10047 S. Luella
Chicago, IL 60617
Phone: (773) 731-3167
E-mail: louisedeberry@gmail.com

NO. _____

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LOUISE DEBERRY

Petitioner,

v.

BOARD OF EDUCATION OF THE CITY OF
CHICAGO,

PROOF OF SERVICE

I, Louise DeBerry certify that on this date September 4, 2025, as required by Supreme Court Rule 29 I have served 3 copies of the enclosed Petition For A Writ of Certiorari on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing and envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid.

Thomas Doyle, Senior Assistant General Counsel
Board of Education of the City of Chicago
1 N. Dearborn St., 9th Floor
Chicago, IL 60602
Tadoyle2@cps.edu

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on September 4, 2025.

/S/ Louise DeBerry
Louise DeBerry
10047 S. Luella
Chicago, IL 60617
Phone: (773) 731-3167
E-mail: louisedeberry@gmail.com