

25-5323

No. \_\_\_\_\_

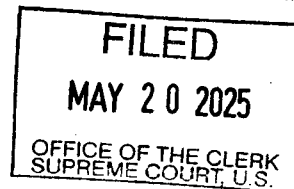
IN THE

SUPREME COURT OF THE UNITED STATES

ORIGINAL

Clarence B. Jenkins Jr — PETITIONER  
(Your Name)

Office of South Carolina<sup>vs.</sup>  
Governor, et al — RESPONDENT(S)



ON PETITION FOR A WRIT OF CERTIORARI TO

United States Fourth Circuit Court of Appeals, Richmond, VA  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

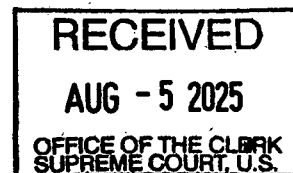
PETITION FOR WRIT OF CERTIORARI

Clarence B. Jenkins Jr  
(Your Name)

945 Wire Rd  
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Neeses, South Carolina 29107  
(City, State, Zip Code)

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### QUESTIONS PRESENTED

- I. Is a Charge filed with U.S. Employment Opportunity Commission required to bring a lawsuit in federal court against an employer(s).
- II. Is it lawful to deny a citizen of these United States of America the right to work, earn an income and privileges guaranteed by U.S. Constitution.
- III. Is it lawful for The US. District Court to dismiss a Rightful Complaint with substantial evidence and facts against Defendants
- IV. Is it lawful for U.S. District Court to dismiss a Complaint even when Defendants Offers an Admission Of Guilt to evidence and facts as stated in Complaint by Pro Se Petitioner
- V. Is it lawful for Judge Paige J. Gossett of U.S. District Court to issued a Second Report and Recommendation to Deny Justice after Pro Se Petitioner filed a Motion to Accept In Part and Objection In Part
- VI. Is it lawful for U.S. District Court Judge, Jacquelyn D. Austin to accept the Second Report and Recommendation instead of First Report and Recommendation by U.S. Magistrate Judge Paige J. Gossett which was accepted In part and objected in part.
- VII. Is it lawful for a State of South Carolina Government to caused Deprivation by denying employment, denying a right to work and denying to earn income without cause using a secret blackballing
- VIII. Is it lawful for State of South Carolina Government to purchase and apply a secret blackballing affect of "BARRED FROM APPLYING" against I as a African American of this state to deny employment impunities.
- IX. Is denying a Right To Work by SECRET BLACKBALLING of "BARRED FROM APPLYING" a Civil Rights Violations of Title VII of the Civil Rights Act of 1964
- X. Is it lawful to dismiss a Complaint when Defendants are aware of the harm by an ADMISSION TO GUILT with applying a SECRET BLACKBALLING of "BARRED FROM APPLYING" to deny employment opportunities

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#### S.C. JUDICIAL COURT RULES

Rule 13 of SUPREME COURT OF THE UNITED STATES makes this WRIT  
OF CERTIORARI proper before the COURT.

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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 A13 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 \_\_\_\_\_ 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 February 25, 2025

☐ 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: February 25, 2025, and a copy of the order denying rehearing appears at Appendix A13.

☐ 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).

## **STATEMENT OF THE CASE**

I as a Pro Se Petitioner filed this WRIT OF CERTIORARI before Supreme Court of The United States pertaining to Employment Discrimination, Retaliation, Cover Up, Obstruction of Justice, Judicial Misconduct, Racism, Denied Due Process, Conflict of Interest and Denied Justice by U.S. District Court, Columbia Division along with U.S. Fourth Circuit Court of Appeals of Richmond, VA even having substantial evidence. The U.S. District Court authorized a COMPLAINT AND SUMMONS against South Carolina Department of Employment Workforce(herein SCDEW) Liable for Civil Rights Violation to be served by U.S. Marshals Office. The U.S. Marshals Office served COMPLAINT AND SUMMONS on SCDEW on November 17, 2023. The U.S. District Court and U.S. Fourth Circuit Court of Appeals of Richmond, VA violated DUE PROCESS even with an ADMISSION OF GUILT BY DEFENDANTS on December 21, 2023 regarding actions to deny employment opportunities within State of South Carolina. The ADMISSION OF GUILT BY DEFENDANTS on December 21, 2023 is a violation of U.S. Federal and State of South Carolina Laws which is incorporated in U.S. Constitution. And even U.S. Magistrate Judge Paige J. Gossett in her REPORT AND RECOMMENDATION of November 8, 2023 based on COMPLAINT, FACTS, SUBSTANTIAL EVIDENCE with an ADMISSION OF GUILT BY DEFENDANTS that South Carolina Department of Employment Workforce(SCDEW) should be held LIABLE for TITLE VII OF CIVIL RIGHTS ACT OF 1964.



I filed a Motion to ACCEPT IN PART to SOUTH CAROLINA DEPARTMENT OF EMPLOYMENT WORKFORCE BEING HELD LIABLE FOR TITLE VII OF CIVIL RIGHT ACT OF 1964 as stated in REPORT AND RECOMMENDATION on November 8, 2023. AND OBJECTION IN PART to all other DEFENDANTS BEING DISMISSED. Judge Paige J. Gossett issued a SECOND REPORT AND RECOMMENDATION DISMISSING COMPLAINT AGAINST ALL DEFENDANTS. The SECOND REPORT AND RECOMMENDATION by Judge Paige J. Gossett February 2, 2024 went against her PREVIOUS REPORT AND RECOMMENDATION November 8, 2023 therefore Judicial Misconduct, Racism, Obstruction of Justice and Denied Due Process as an Officer Of The Court.

The Case No. 3:23-CV-4593 was transferred to U.S. District Judges Terry L. Wooten and Sherrie A Lyndon before taking a pass therefore removing themselves. And Case No. 3:23-CV-4593 was transferred to U.S. District Court Judge Jacquelyn D. Austin for adjudication. U.S. District Court Judge Jacquelyn D. Austin in a CORRUPT MANNER of JUDICIAL MISCONDUCT accepted the SECOND REPORT AND RECOMMENDATION without considering the prior actions of the COURT holding SCDEW LIABLE for Civil Rights Violations of authorization of COMPLAINT AND SUMMONS by U.S. Marshals Office. And U.S. Magistrate Judge issued in the FIRST REPORT AND RECOMMENDATION that SCDEW was LIABLE for Civil Rights Violations which a Motion filed by Petitioner to ACCEPT IN PART AND OBJECTED IN PART therefore Case No. 3:23-CV-4593 should have still proceeded. A RECONSIDERATION was filed for Case No. 3:23-CV-4593 but denied by Judge

Jacquelyn D. Austin even with aboved stated facts. The actions of U.S. District Judge Jacquelyn D. Austin and U.S. Magistrate Paige J. Gossett was JUDICIAL MISCONDUCT OF EGREGIOUS MANNER. And all within violations of following laws:

The U.S. Fourth Circuit Court of Appeals denied a PETITION FOR REHEARING on February 25, 2025.

18 U.S.C. 242 Prohibit individuals acting under color of law from willfully depriving others of their rights(DEPRIVATION).

Title VII of the Civil Rights Act of 1964 of Employment Discrimination and Retaliation

The 14<sup>th</sup> Amendment of U.S. Constitution providing equal rights to all citizens.

### **STATEMENT OF FACTS**

I as Pro Se Plaintiff makes DECLARATION by law that a Complaint is not require to be filed with U.S. Equal Employment Opportunity Commission(herein USEEOC) to bring a lawsuit against an employer Civil Rights Violations of Employment Discrimination and Retaliation which has stated by Courts to unlawfully dismissed rightful lawsuits against Defendants. Also a DECLARATION that a DISMISSAL OF NOTICE OF RIGHT TO SUE from USEEOC has exhausted ADMINISTRATIVE PROCEDURES and is INTENTIONAL JUDICIAL MISCONDUCT for the COURT to states such claims. All illegal actions were all violations of State of South Carolina under S.C. Code Ann. 15-3-550, S.C. Code Ann. 15-78-10, S.C. Code Ann. 15-78-30(C,)

S.C. Code Ann. 15-78-40, S.C. Code Ann. 15-78-60(17), S.C. Code Ann. 15-78-70(B) and S.C. Code Ann. 41-27-20.

Petitioner became unemployed and was seeking employment with the State of South Carolina due to having previous employment as part of Workforce Investment Act Program through Lower Savannah Council of Government under the authority of SCDEW. Appellant applies on-line and continued to do seeking opportunities but constantly received rejection emails from South Department of Employment Workforce(herein SCDEW). Appellant believed that he was being blackballed because of the constant email rejections letters. Petitioner received an email from Sharlayne Bellamy of S.C. Judicial Center on July 24, 2013 stating that my application can no longer be considered for employment due to receiving notification from the State of South Carolina. An additional email was sent by Sharlayne Bellamy on July 24, 2013 providing a actual computerized screen link of the employment notification showing that I had been "BARRED FROM APPLYING" a secret blackballing affect by State of South Carolina to deny employment state wide.

The notification provided by Ms. Bellamy was authorized by SCDEW stating that candidate has been marked "Barred from Applying". Petitioner did not have any knowledge of the "Barred from Applying" and notification was not provided because there were not any reasons for the illegal employment stipulation. Petitioner provided Defendants with notification of the "Barred from Applying" therefore all stated it was system error. Petitioner filed a complaint with S.C. Human Affairs Commission and U.S. Employment Opportunity Commission(herein USEEOC) because of illegal employment

practices as stated in S.C. Code Ann. 1-13-80(A)(1)(2))B) and continued to seek additional responses because of distortions from Respondents. Petitioner received a packet from Brian Gaines of South Carolina Budget & Control Board that included "Barred From Applying" was intentionally applied by Adrienne Sorenson of SCDEW on July 19, 2013 to expired on December 30, 2018 without any notification. S.C. Code Ann. 41-27-20 Declaration of State Policy: States economic security due to unemployment is a serious menace to health, morals and welfare of the people of this state etc. I filed a Complaint in 2013 with USEEOC that was transferred to S.C. Human Affairs Commission an unlawfully dismissed on October 31, 2014 with substantial evidence.

Respondents knew that it was not a system error because pertinent records were available to them but promoted a distortion to hide a conspiracy which evidence disputes claims. Respondents provided distortions to Petitioner of documented emails records verifying their corruption to deceived with regards to "Barred From Applying" that I received April 6, 2015 from Brian Gaines of S.C. Department of Administration I filed another Complaint with S.C. Human Affairs Commission an unlawfully dismissed on August 18, 2015 with substantial evidence. I was still denied Justice.

I as a Petitioner filed a Complaint in U.S. District Court, Columbia Division in 2018 as 3:18-CV-1874-TLW-PJG regarding the substantial evidence received on April 6, 2015 from Brian Gaines of S.C. Department of Administration regarding an internal investigation by State of South Carolina in 2013 therefore knew that Barred From Applying" was intentionally applied to applicant master profile to deny employment opportunities. U.S. District Court, Columbia Division issued SCDEW a COMPLAINT

AND SUMMONS on August 14, 2018 with service by U.S. Marshals Office for Civil Rights Violations on August 23, 2018 in Case No. 3:18-CV-1874-TLW-PJG. U.S. District Court, Columbia Division unlawfully dismissed Complaint as 3:18-CV-1874-TLW-PJG as UNTIMELY which is JUDICIAL MISCONDUCT because lawsuit was never based on a Charge filed with USEEOC. And UNTIMELY was never proper in Case No.3:18-CV-1874-TLW because lawsuit against Defendants were not based on Charge filed with USEEOC nor required to do so. I was still denied Justice...

I as a Petitioner received substantial evidence from NEOGOV on May 22, 2019 and May 23, 2019 that 'BARRED FROM APPLYING' was a feature of the product therefore not a system error. I as Petitioner filed a Complaint with USEEOC in June, 2019 that was unlawfully dismissed on June 11, 2019 with a DISMISSAL OF NOTICE OF RIGHT TO SUE. I as a Petitioner received substantial additional evidence from NEOGOV from May, 2019 to August, 2019. I as Petitioner filed a Complaint with USEEOC on September 17, 2019 that was unlawfully issued a DISMISSAL OF NOTICE OF RIGHT TO SUE on September 21, 2019. I as Petitioner received additional evidence from Kelley Coakley of S.C. Department Administration in January, 2021 regarding the fraudulent application of "NEPOTISM" on applicant master profile to deny employment opportunities along with documentations from NEOGOV of 2019 therefore filed Case No.3:21-CV-1606-PJG in 2021. I was still denied Justice..

I as Petitioner filed a lawsuit 3:21-CV-1606-PJG based on new evidence from NEOGOV in 2019 and S.C. Department of Administration in 2021 that included a Charge No. 436-2021-00092 filed with USEEOC on January 21, 2021. Petitioner

received a DISMISSAL NOTICE OF RIGHT TO SUE on March 3 , 2021. The U.S. District Court, Columbia Division unlawfully dismissed Case No. 3:21-CV-1606-PJG as FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES which is JUDICIAL MISCONDUCT based on Charge No. 436-2021-00092 with USEEOC. I as Petitioner upon receiving a DISMISSAL NOTICE OF RIGHT TO SUE on March 3 , 2021 had EXHAUST ADMINISTRATIVE REMEDIES with USEEOC which gives ninety days(90) to bring lawsuit against an employer. A Complaint filed USEEOC is not require to bring a lawsuit in federal court against an employer for Civil Rights Violations. I was still denied Justice. To further show JUDICIAL MISCONDUCT of U.S. District Court, Columbia Division with Case No. 3:21-CV-1606-TLW-PJG therefore U.S. Magistrate Judge Paige J. Gossett to go forward with a SCHEDULING ORDER without a COMPLAINT AND SUMMONS being authorized by Clerk of Court. And neither SERVICE OF PROCESS by U.S. Marshals Office. It was dismissed without DUE PROCESS.

I as Petitioner received a job announcement for a Workforce Specialist by email on October 27, 2022 from SCDEW inviting to Orangeburg SC Works November 2, 2022 to be interviewed because of direct professional work experience. I went to Orangeburg SC Works November 2, 2022 with resume and professionally dressed as announcement stated. I was greeted by staff therefore presented my resume and assisted with creating an account at Orangeburg SC Works Center but never received an interview when having the required professional skills along with education. I waited to hear back from Orangeburg SC Works Center but never did after several months therefore did follow up

by going to center on March 28, 2023 seeking to speak with supervisor but she was there. I was provided the name of supervisor, Tomeka Johnson and her phone number. I. and

Tomeka Johnson spoke on March 29, 2023 for thirteen minutes(13) on cellular phone which is documented about Workforce Specialist Position, my resume, interview and hiring procedures. Ms. Johnson stated that she never saw or received my resume after informing her of my direct professional work experience with SC Works Center. Ms Johnson stated all resumes and applications are sent to SCDEW Human Resources Office in Columbia, SC to be reviewed and that department selects the candidate then forward the names with information packet to her for interviews. And so based on the information from Ms. Tomeka Johnson and denied an interview when having direct professional work experience along with education means that I as Petitioner was still being secretly blackballed by State of South Carolina Government to deny employment opportunities. And Defendants by their ADMISSION OF GUILT on December 21, 2023 were aware of the harm

I as Petitioner received substantial from NEOGOV on May 22,2019 through August 12, 2019 stating that "BARRED FROM APPYING AND NEPOTISM'were not system errors but features of the product that is use to flag an applicant which provides verification to the Admission of Guilt by Defendants on December 21, 2023 in their Reply per Case No. 3:23-CV-4593. And all within violations of following laws:

Rule 13 of SUPREME COURT OF THE UNITED STATES makes this WRIT OF CERTIORARI proper before the COURT

18 U.S.C. 242 Prohibit individuals acting under color of law from willfully depriving others of their rights(DEPRIVATION).

Title VII of the Civil Rights Act of 1964 of Employment Discrimination and Retaliation

The 14<sup>th</sup> Amendment of U.S. Constitution providing equal rights to all citizens.

### **REASON FOR GRANTING A WRIT OF CERTIORARI**

I Pro Se Petitioner has established the foundation for granting a Writ of Certoorari by Rule 13 of The Supreme Court of United States, 18 U.S.C. 242, Title VII of the Civil Rights Act of 1964 and 14<sup>th</sup> Amendment of U.S. Constitution...

### **LEGAL ARGUMENT AND CITATION AUTHORITY**

Rule 13 of SUPREME COURT OF THE UNITED STATES makes this WRIT OF CERTIORARI proper before the COURT.

18 U.S.C. 242 Prohibit individuals acting under color of law from willfully depriving others of their rights(DEPRIVATION).

Title VII of the Civil Rights Act of 1964 of Employment Discrimination and Retaliation

The 14<sup>th</sup> Amendment of U.S. Constitution providing equal rights to all citizens.



**CONCLUSION**

For the foregoing reasons, Petitioner respectfully requests this COURT issued an order granting the PETITIONER for a WRIT OF CERTIORARI in this case as stated per Rule 13 of SUPREME COURT OF THE UNITED STATES makes this WRIT OF CERTIORARI proper before the COURT.

May 20, 2025

July 28, 2025



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