

25-5355
No. 24A715

ORIGINAL

SUPREME COURT OF THE UNITED STATES

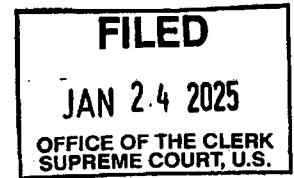
Toya M. Gibson

Petitioner

Vs.

Ridgewells Catering,

Respondent.



On Petition for a Writ of Certiorari to
The United States Court of Appeals
For the Fifth Circuit

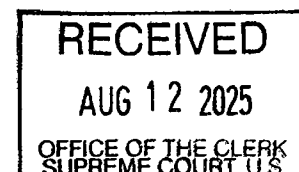
PETITION FOR A WRIT OF CERTIORARI

Pro Se Toya M. Gibson

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I. Question(s) Presented

Was employee Toya M Gibson discriminated against, considering she was hired and then denied the ability to work the guaranteed hours that was noted in the employment guide where both Ridgewells Catering, contracting with the United States Golf Association, and having a close and tenured history, had additional rules implemented, to prevent employees and players from contracting Covid 19 considering the 75th Women's Open was held during the height of the onset of the corona virus outbreak of 2020 ?

Additionally, can then manager Nick Rogers provide a copy of the draft, in his email account, confirming that a schedule was in fact made for me, that he assumed went through where I should have received the email?

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1. Before now, unrepresented inquiry and request for review of related case no. 4:21-CV-03428 Gibson vs USGA.....	
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A. Golf has a history of racism, including exclusion of Black golfers from gaining memberships, attending and performing in tournaments and having access to courses. While no one can deny this hurtful fact and efforts are being made to change the narrative, there is still a shared	

and bias inherited sentiment existing that prevents those of color from having the same privileges. Under God and Jesus Christ, the Supreme Court has been invested and granted authority to have the final say on many important issues to protect civil rights and ensure equal justice under the law. The Supreme Court is the highest court in the United States where Judges have been seated considering their judicial temperament, peer reviews, integrity and professional competence.

I, Toya M. Gibson, am presenting this case, after five years, knowing that there is no such thing as coincidence. I wholeheartedly believe this happen to me, as God knows that I would share his word, with the hope and prayer that hearts are changed to ensure what I am alleging is probed. Humbly and in prayer, I believe this court should grant this petition.

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III. **Table Of Authorities**

Cases

Civ. No. 1:20-cv-00661 (M.D. Pa. May 5, 2021)

Ojo, Petitioner

Vs

Brew Vino, LLC., Respondent

Civ. No. 1:20-cv-00666 (M.D. Pa. May 5, 2021)

Harrison, Petitioner

Vs

Brew Vino, LLC.

.....**Statutes**.....

28 U.S.C. § 1257.....

IV. Petition for Writ of Certiorari

I, Pro Se Toya M. Gibson, a former employee of Ridgewells Catering, in faith to God, through his Son Jesus Christ respectfully petitions this court for a writ of certiorari to review the judgment of the Fifth Circuit Court of Appeals.

V. Opinions Below

Entered on and signed by Judge George C. Hanks, Jr. on August 7, 2023, the Memorandum Opinion and Order.

That in which was not previously designated for publication, Judge (s) Graves, Willett, and Wilson's reiteration of my claims failing on the merits and being time-barred, which has now respectively been proved to be untrue filed on August 27, 2024.

Since I was available, and consistently contacted Manager Nick Rogers for my schedule yet was ultimately denied the guaranteed hours, the respondent still claims their innocence. However, since Ridgewells Catering was contracting under the United States Golf Association, this brings into question who was at fault considering that the USGA, according to their' attached "Notice Regarding Covid-19" in the appendix, specifically notes that " Credentials will be activated once a negative test result is verified by Eurofins Scientific". Therefore, the related case, in which I was directed by the EEOC to separate, will need to be reviewed. For this reason, I am humbly pleading with the United Stated

Supreme Court to review the reasoning behind the Order entered on March 6, 2022 by Judge Kenneth M Hoyt in Civil Action No. 4:21-cv-03428.

The decision by the U.S. District Court, Southern District/Houston denying me, the plaintiff's motion, the Fifth Circuit Court of Appeals also denying my appeal.

VI. Jurisdiction

I, Pro Se Toya M. Gibsons' appeal to the Fifth Circuit Court of Appeals was decided on the 27th day of August, in 2024. I invoke this Court's jurisdiction under 28 U.S.C. § 1257, having timely filed this petition for writ of certiorari within ninety days of the Fifth Circuit Court of Appeals judgment. I am seeking review of the order dated August 27, 2024.

VII. Constitutional Provisions Involved

United States Constitution, Amendment XIV

No state shall make or enforce any law which shall abridge the privileges of 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 any person within it's jurisdiction the equal protection of the laws.

VIII. Statement of the Case

I, Pro Se Toya M. Gibson, Plaintiff, was hired by Ridgewells Catering, a company contracting with the United States Golf Association since 1993, to work at the 75th U.S. Women's Open at Champions Golf Club. In order to access the U.S. Women's Championship, it was a requirement to follow measures implemented by the USGA with respect to COVID-19. I agreed to take the test and adhered to the directions and the schedule upon which was set for December 03, 2020. On the day of the test, after arriving at the Springhill Suites by Marriott Houston Northwest, a female employee or volunteer for the United States Golf Association used a temperature gun on me. After pointing the temperature gun at me, and retesting it on me twice, she lastly stated "It doesn't like you!" in a rude manner as if she was gritting her teeth. I remember distinctly, the same man that got in line behind me when I first pulled up and park at Springhill Hotel, started talking to her stating that he remembered her from another tournament, and she agreed. Once she allowed me to go on, I continued the testing check-ins and eventually took the PCR test. A representative that I believe worked for Eurofins Scientific assisted me with taking the test by holding and guiding my hand to complete the test. Once completed, I noticed that same man was now in front of me. I was told to place the test on a desk where another representative was sitting. Immediately after

placing it down in a test crate I went to the last table as directed, to pick up my credentials for the tournament and was told that I should receive my test results via email the following day however I didn't. After contacting my Manager Nick Rogers, for Ridgewells Catering about not receiving the test results, he instructed me via text that he would get back with me with the results and my actual schedule in which the employment guide for the tournament noted were guaranteed hours. After contacting Mr. Nick Rogers via text again, I was eventually notified by him via text that my results were back and that I was "all set" to work. Still, no schedule was sent. Although I continued to contact him and wait for the guaranteed hours to be assigned, by December 11, 2020, a full 7 days, I still hadn't received any schedule however I contacted him via email, and he responded back noting that he assumed the schedule was sent. Considering I was ultimately prevented from working the tournament, I believe it was intentional and discriminatory due to my age, race, gender, color, and genetic information obtained. Probable cause exists to support the allegations of employment, race and gender discrimination.

- 1. Before now, unpresented inquiry and request for review of related case no. 4:21-CV-03428 Gibson vs USGA.** As a Pro Se litigant my personal experience in the lower courts involves a pattern where, in, also, unrelated case no. 4:21-CV-00793 Gibson vs Louis DeJoy, and related case no. 4:21-CV-03428 Gibson vs USGA the default judgement(s) were not granted

after the defendant's initial failure to respond to confirmed, received summons.

IX. REASON FOR GRANTING THE WRIT

A. Golf has a history of racism, including exclusion of Black golfers from gaining memberships, attending and performing in tournaments and having access to courses. While no one can deny this hurtful fact and efforts are being made to change the narrative, there is still a shared and bias inherited sentiment existing that prevents those of color from having the same privileges.

In the Ojo Vs Brew Vino LLC, two of the five women involved in the incident , Ojo and Crosby decided to file a lawsuit considering they felt discriminated against as the actions of those employed at the Grandview Golf Club were discriminatory. Player directly behind them in play agreed that they were not playing slow, contrary to the complaint of the employees whom called the police on the women. This action prevented them from continuing to play. In comparison, I wholeheartedly believe that I was prevented to work the 75th Women's Open as a schedule was never assigned to me even after numerous attempts to gain one.

X.CONCLUSION.....

Proverbs 21:2-3 King James Version (KJV)¹

**Every way of a man is right in his own eyes: But the LORD
pondereth the hearts. To do justice and judgment Is more acceptable
to the LORD than sacrifice.**

I Pro Se Toya M. Gibson respectfully request that The United States
Supreme Court issue a writ of certiorari to review the judgment of the Fifth
Circuit Court of Appeals. Although always in faith, I just received word two
(2) days ago that my request for extension of time was granted, two (2) days
before it was due.

Humbly, this is my second time appealing to this court for a review. In my
first Writ of Certiorari, it is both thorough and complete as I had adequate
time, resources and stable internet. Oddly, on tonight, even after using my
cell phone to confirm through Comcast if this address was experiencing
issues, their website claims it shouldn't be. I apologize to the Respondent and
to the court of any and all shortcomings however, I am no less invested in
this case as I feel that it deserves review and probing. Not just for myself, yet
for the multiple years that blacks in particular, and women have been
prevented from enjoying and working in Golf. It's hurtful and ridiculous that

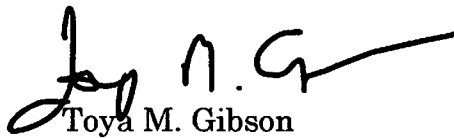
¹ Today is 8/6/2025, under the direction of Mr. Scott S. Harris, Clerk, no change to the substance of the petition was made. Therefore, the date and remark made on this page and the following was that of before I was granted the extension by the Honorable Judge Samuel Alito.

this is still happening. It is my prayer, that all is considered. This I pray in
Jesus name, Amen.

DATED this 24th day of January 25, 2025.

Respectfully submitted,

Dated this 6th day of August 2025


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XI.

APPENDIX.....

1. Case 4:21-cv-03828 Document 45 Filed on 08/07/23 in TXSD Page 1
of 7
2. Email from Manager Nick Rogers confirming schedule did not go
through.
3. Email from Court Clerk Rachel Wilborg confirming the summons
were in fact issued to the defendant USGA on October 25, 2021, in
related case 4:21-cv-03428.

4. Defendant United States Golf Association noting on record that they were not served with the Summons and complaint and only became aware of the lawsuit one week before 02/07/2022.

5. United States Court of Appeals for the Fifth Circuit Opinion Case: 24-20013 Document 76-1 Date Filed: 08/27/2024

**6. United States District Court Southern District Of Texas Hou-Div Order Case: 4:21-cv-03428 Document 10 Filed on 03/04/2022 in TXSD
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**7. United States District Court Southern District Of Texas Hou-Div Order Case: 4:21-cv-03828 Document 45 Filed on 08/07/2023 in TXSD
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8. Ridgewells Catering 75th U.S. Women Open employment guide notating guaranteed hours

9. The United States Golf Association 75th U.S. Women's Open "Notice Regarding Covid-19"

10. Depiction of Scene

Certificate of Compliance

I, Toya M. Gibson, certify that this Petition for Writ of Certiorari in the above-captioned case contains 1831 words (footnote 49 words). On August 6, 2025 this petition was respectfully shipped, and the postmark date is within time allotted.