

No. 25-5581

FILED

JUL 31 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Brian Mckens — PETITIONER
(Your Name)

Berry Global, Fisher Phillips LLP vs. Unemployment Review Commission
Attorney General Dave Yost No(0056290) — RESPONDENT(S) Commission
ON PETITION FOR A WRIT OF CERTIORARI TO
Senior Asst. A.G Michelle C Brizes No(0076808)

Supreme Court of Ohio
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Brian A. Mckens
(Your Name)

1325 Riverview St. NW
(Address)

Warren, Ohio 44485
(City, State, Zip Code)

330-883-6003
(Phone Number)

QUESTION(S) PRESENTED

What is at Stake? If a person with a disqualifying conflict of interest or bias participates in a matter the legal results will depend on the kind of matter at hand. (It is important to note here that if no one challenges the board's decision in court the only consequences are the political ramifications of eroded Justice, where the principles and integrity of the Justice System are weakened or undermined, leading to a decline in public trust and fairness. This can manifest in various ways, including: delayed or inefficient legal processes, compromised independence of the Judiciary, unequal access to Justice, and a weakening of fundamental rights.)

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:

Attorney General Dave Yost No.(005L290)
Senior Assistant Attorney General Michelle C. Brizes No(0076808)
Unemployment Review Commission
Berry Global
Fisher Phillips LLP

RELATED CASES

Mickens V. Berry Global Case No. 2023-1194

Mickens V. Fisher Phillips LLP case No. 2024-T-0016

Mickens V. Unemployment Review Commission case No. 2025-0622

TABLE OF CONTENTS

OPINIONS BELOW.....	1
JURISDICTION.....	
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	
STATEMENT OF THE CASE	
REASONS FOR GRANTING THE WRIT	
CONCLUSION.....	

INDEX TO APPENDICES

APPENDIX A	Supreme Court of Ohio Opinion
APPENDIX B	Affidavit for Default
APPENDIX C	Replied answer Fisher Phillips LLC/not a Pleading
APPENDIX D	Opinion Ohio Court of Claims/Tenth District Court of Appeals Opinion
APPENDIX E	
APPENDIX F	

5

TABLE OF AUTHORITIES CITED

CASES

PAGE NUMBER

*Mickens v. Unemployment
Review Commission*

STATUTES AND RULES

28 U.S.C. § 1346(b),
1402(b), 2401(b) and 2671-2680

OTHER

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 AD to the petition and is

reported at Supreme court. ohio. gov/AD/docs/; 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 D 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 DA to the petition and is

reported at Supreme court. ohio. gov/AD/docs/; or,
 has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the Ohio Claims court appears at Appendix D 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 July 22, 2025
April 22, 2025

No petition for rehearing was timely filed in my case.

April 22, 2025

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: July 22, 2025, and a copy of the order denying rehearing appears at Appendix A.

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 July 22, 2025
A copy of that decision appears at Appendix A.

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).

*The court declined
to hear case*

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

~~FTCA Act 1946~~

FTCA Act 1946
full capacity

FTCA, 28 U.S.C § 2671-2680

STATEMENT OF THE CASE

Pursuant to Civ. R 20 Joinder
Pursuant to Civ. R 55(b) / Default
Respondents did not respond by
No such pleadings in Supreme Court
Dave Yost is slowing due process
in a defamation case.

REASONS FOR GRANTING THE PETITION

3.23 Ohio Revised Code - The oath of office of each Judge of a court of record shall be to support the Constitution of the United States and the Constitution of this State, to administer Justice without respect to person's and to perform all the duties incumbent on the person as such Judge, according to the best of the person's ability and understanding. The Oath of office of every other officer, deputy or clerk shall be to support the Constitution of this State, and faithfully to discharge the duties of the office. Attorney General Dave Yost has failed to uphold the oath of office, ~~instead~~ instead the platform that the A.G holds is being used for favors to Lower Courts, attorney's and for businesses while black Americans are defamed with injustices. Slowing down Due Process. Petitioner is within the ~~at~~ ninety days after July 22, 2025 Judgement for granting petition.

This Attorney General has gangstated petitioner financially, electronically, has had people break in my house while i'm on the job at work. has had companies fire me to lose income. This is organized crime by a politician.

Petition request The United Supreme Court to address this Attorney General, for

Dave Yost is one of this country's own. Respondent(s) already have court documents to these cases in their possession.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Brian H. Mckens

Date: 7/30/2025