

25-7104

No. _____

ORIGINAL

FILED
AUG 04 2025
OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE
SUPREME COURT OF THE UNITED STATES

Charles Carpenter — PETITIONER
(Your Name)

vs.

Louis DeJoy — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

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

PETITION FOR WRIT OF CERTIORARI

Charles Carpenter
(Your Name)

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Belleviewe Illinois 62221
(City, State, Zip Code)

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(Phone Number)

RECEIVED
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QUESTION(S) PRESENTED

1. Whether the Court of Appeals erred in affirming judgment against the petitioner by failing to view the evidence in the light most favorable to the non-moving party as required by Federal Rule of Civil Procedure 56, specifically by ignoring the material fact that the petitioner had an approved Office of Workers' Compensation Programs (OWCP) injury claim at the time of termination.
2. Whether a federal agency's termination of an employee "for failure to follow instructions" or attendance issues constitutes pretextual discrimination under the Rehabilitation Act when the agency (a) failed to investigate the injury scene according to protocol, (b) possessed conflicting supervisory statements regarding the injury's validity, and (c) ignored medical evidence provided to union stewards and Human Resources confirming the employee's inability to work due to the active injury.
3. Whether the lower courts denied the petitioner due process by ignoring evidence of admitted contractual violations regarding Covid-19 leave protocols and disregarding paramedic statements confirming the agency's failure to timely respond to the injury scene.

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:

RELATED CASES

No related cases are known to the petitioner at this time.

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- APPENDIX C *Order and Judgment of the United States District Court for the Eastern District of Missouri, granting Summary Judgment in favor of the Respondent.*
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TABLE OF AUTHORITIES CITED

CASES

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Anderson v. Liberty Lobby, Inc., 477 U.S. 242 (1986)

Peebles v. Potter, 354 F.3d 761 (8th Cir. 2004)

Carpenter v. DeJoy, No. 25-1144 (8th Cir. Apr. 9 2025)

STATUTES AND RULES

28 U.S.C. § 1254(1)

5 U.S. Code § 8151 - Civil Service retention rights

Employee and Labor Relations manual (ELM) 546.142 obligation

Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.

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 A 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 C 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 April 9, 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: June 6, 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 _____.
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

1. Fifth Amendment of the United States Constitution

Due Process clause: "No person shall be deprived of life, liberty, or property, without due process of law"

2. 5 U.S.C. § 8151 (Federal Employees' Compensation Act - Civil Service Retention Rights):

"An employee entitled to compensation under this subchapter shall be restored to the position held at the time of injury."

3. Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.:

"No otherwise qualified individual with a disability in the United States shall, solely by reason of their disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

STATEMENT OF THE CASE

A. **Factual Background** Petitioner Charles Carpenter is a former employee of the United States Postal Service (USPS) who worked at the Mackenzie Pointe Station. On November 25, 2019, Petitioner suffered an injury while on the job. Despite the severity of the injury, USPS management failed to follow established safety and accident protocols. Specifically, management failed to properly investigate the scene of the injury in a timely manner. Following the injury, paramedics were called to the scene. The paramedics provided a written statement confirming that there was a significant delay in their arrival or access to the petitioner because the Post Office failed to follow the necessary protocols to secure and manage the injury scene. Petitioner notified his Union Steward, Michael Mooney, via a written statement that he was injured, was continuing to receive medical treatment, and was unable to work due to said injury. The petitioner also provided documentation to Human Resources. Specifically, HRM Specialist Diane Brown received documents intended for the Department of Labor (DOL) regarding petitioner's injury but failed to report or forward them to the Mackenzie Pointe Station management, resulting in a breakdown of communication regarding petitioner's protected status. Furthermore, petitioner faced active obstruction from management. Supervisor Lisa Pittman falsified information provided to the hospital, claiming that petitioner's injuries did not occur on the job, despite the fact that she had personally signed the "injury on the job" form acknowledging the incident. The petitioner filed a claim with the Office of Workers' Compensation Programs (OWCP). While the claim was open and pending—and was eventually approved—the Respondent terminated petitioner's employment. The termination was ostensibly for failure to follow instructions or attendance issues, ignoring the medical reality that petitioner was disabled from working due to the service-related injury. Additionally, management admitted to a Contractual Violation regarding Covid-19 leave, a violation that was acknowledged in writing by Dawn Frenzler and Union Steward Michael Mooney. This violation further demonstrates the agency's disregard for binding agreements and proper procedure during the relevant time period. B. **Procedural History** Petitioner filed suit in the United States District Court for the Eastern District of Missouri, alleging wrongful termination and discrimination. Petitioner argued that it is unlawful to terminate a federal worker while an OWCP injury claim is pending and approved. Petitioner presented evidence of the procedural failures, the falsified statements by Supervisor Pittman, and the admitted Contractual Violations by management. The District Court granted summary judgment in favor of the Respondent, dismissing petitioner's claims. Petitioner appealed to the United States Court of Appeals for the Eighth Circuit. The Eighth Circuit affirmed the judgment of the District Court. In doing so, the lower courts failed to view the evidence in the light most favorable to the petitioner as the non-moving party. The courts disregarded material factual disputes, including the paramedic statements regarding safety delays, the written admissions of Contractual Violations, and the evidence of Supervisor Pittman's interference with petitioner's medical records. Petitioner now seeks a writ of certiorari to review the decision of the Eighth Circuit.

REASONS FOR GRANTING THE PETITION

Petitioner Charles, Sr respectfully submits that a writ of certiorari should be granted for the following reasons:

I. The United States Court of Appeals for the Eighth Circuit departed from the accepted and usual course of judicial proceedings by misapplying the summary judgment standard and resolving disputed issues of pretext. This Court should grant the writ because the courts below failed to adhere to the mandate established in *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242 (1986), by resolving genuine disputes of material fact against the petitioner, thus stripping him of his right to a jury trial. The Supreme Court held in *Anderson* that the fundamental inquiry at the summary judgment stage is whether the evidence presents a sufficient disagreement to require submission to a jury, or whether it is so one-sided that one party must prevail as a matter of law (477 U.S. at 251-52). A court must be guided by the standard of proof that would apply at trial and can justifiable inferences must be drawn in favor of the non-moving party. The Eighth Circuit's summary affirmance ignored this fundamental rule. The lower courts accepted the Respondent's articulated reason - "noncompliance with its substantiation rule" (as identified in the context of the McDonnell Douglas framework, see *Peebles v. Potter*, 354 F.3d 761 (8th Cir. 2004)) - as legitimate and non-discriminatory, but acted as fact-finders by resolving the Petitioner's counter-evidence of pretext. Petitioner presented distinct, material evidence that the agency's reason was pretextual, including evidence that agency officials falsified hospital records and suppressed critical Department of Labor documents. By ignoring this evidence of official misconduct, the lower court unlawfully resolved the central issue of pretext in favor of the Respondent. This clear departure from *Anderson v. Liberty Lobby, Inc.* warrants this Court's review.

II. The decision below undermines mandatory statutory protections for injured Federal employees and presents an important Federal question that should be settled by this Court. The Eighth Circuit's ruling allows the U.S. Postal Service to evade its mandatory duties under Federal law by utilizing an administrative reason ("noncompliance") as a pretext to terminate an injured worker, thereby vitiating protections under 5 U.S.C. § 8151 and ELM 546.142. The proper interpretation of the mandatory "make every effort" standard under ELM 546.142 is an important question of Federal law that remains unsettled. The Eighth Circuit's ruling sanctions the agency's failure to provide clear evidence of such efforts, effectively reducing the mandatory standard to a discretionary one and gutting the employee protections intended by Congress. This judicial error undercuts the fundamental protections afforded to injured Federal employees under 5 U.S.C. § 8151 (Civil Service Retention Rights) and the Rehabilitation Act of 1973. The lower court's ruling allows Federal agencies to frame a medical inability to work as a mere attendance issue, circumventing the legal rights that attach when an employee has an open OWCP claim. The misapplication of the McDonnell Douglas pretext analysis in this manner severely weakens the abilities of injured Federal workers across the country to secure protection under the Rehabilitation Act. This Court must intervene to clarify the evidentiary burden Federal agencies must meet when terminating an employee whose administrative "noncompliance" is inextricably linked to a compensable injury.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Charles Carpenter

Date: Mar 17, 2026