

26-5259

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

FILED

APR 22 2026

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SUPREME COURT U.S.

ORIGINAL

JUNIOR ORLANDO ANDREW — PETITIONER
(Your Name)

vs.

WASTE PRO OF FLORIDA, INC..
WASTE PRO USA, INC. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

UNITED STATE Court of Appeals
FOR the Eleventh Circuit

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

JUNIOR ORLANDO ANDREW

(Your Name)

79 Dogwood Loop

(Address)

Ocala, Florida 34472

(City, State, Zip Code)

(352) 441-6700

(Phone Number)

QUESTION (S) PRESENTED

- 1) Whether tampered with work truck hydraulic hoses, multiple time sabotage natural gas line leaks on truck, others sabotage of truck and cutting tires, drawing of penis and and writing on personal vehicle, violates Title VII of the Civil Right Act of 1964 and case meet framework in McDonnell Corp. v. Green, 411 U.S. 792 (1973).
- 2) Whether failed to pay hourly wages and overtime wage in accordance with FLSA Pursuant to 29 U.S.C. § 216(b) from 2018-2021 August. Helix Energy Solutions Group, Inc. v. Hewitt 598 U.S. __ (2023) and replacement was paid accordance with FLSA.

LIST OF PARTIES

- [x] 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:

WASTE PRO OF FLORIDA, INC.

WASTE PRO OF USA, INC.

RELATED CASES

- Junior Orlando Andrew v. Waste Pro of Florida, Inc. and Waste Pro USA Inc.
No. 5:23-cv-102-TJC-PRL, U.S. District Court for the Middle District of Florida.
Judgment entered Jan. 30, 2025.
- Junior Orlando Andrew v. Waste Pro of Florida, Inc., Waste Pro USA Inc.
No. 25-10584, U.S. Court of Appeals for the Eleventh Circuit.
Judgment entered Feb. 3, 2026.

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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 _____ 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☒ is unpublished.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 3, 2026.

☒ 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: _____, 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. § 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

14th Amendment (Equal Protection Clause) this the central constitutional provision used to combat discrimination base on race, gender, and characteristics. Discrimination Title VII of the Civil Right Act of 1964 as codified 42 U.S.C. 2000e-17 (race, color, gender, religion, national origin). (App. C at 7,9,10,11,57)

The Fair Labor Standards Act (FLSA) 29 U.S.C. 201-219, Employees are entitled to overtime compensation of at least one-and-one-a-half times their regular wage for any hour worked beyond the 40-hour work week. Fair Labor Standards Act ant-retaliation provision [29 U.S.C. 215(a)(3) which protect any employee who has filed any complaint from adverse action because of complaint. FLSA protect employees from retaliation for oral complaints as well as written ones. (App. C at 41,45)

5th Amendment (Due Process Clause) Protects discrimination by federal government. 18 U.S.C. 666, only criminalizes bribes received in exchange for official act. 18 U.S.C. 201(b) requires and official to have a corrupt state of mind and to accept (or agree to accept) a payment intending to be influenced. (App. C)

STATEMENT OF THE CASE

The lower courts failed to read or consider the full complaints due to personal bias or prejudice. The following statement will show from U.S. Court of Appeals for the Eleventh Circuit belief filed with court. Appendix C , pg13-38

Defendant: Waste Pro of Florida Inc.,

1) Ninth Affirmative Defense: Defendants are entitled to set off any amounts paid to plaintiff that were not earned, including wages when he did not work.

2) Tenth Affirmative Defense: pursuant to 29 U.S.C 213 and 49 U.S.C. § 13501(1)(a), ~~§ 13502~~, to the extent that plaintiff was employed as a driver subject to the jurisdiction of the secretary of transportation and engaged in activities directly affecting the safety of operation of motor vehicles in the transportation of property on the public highway interstate or foreign commerce within the meaning of the motor carrier act, plaintiff was exempt from the FLSA's overtime requirements.

3) Eleventh Affirmative Defense: pursuant to 29 C.F.R. 778.108, 29 C.F.R. 778.112 is an interpretive bulletin that merely provides an "example [] of the proper method of determining the regular rate of pay in particular instance," and does not provide the the exclusive method for the calculation of the regular rate in all instances.

4) Twelfth Affirmative Defense: to the extent that the calculation of overtime was incorrect for a day rate employee, it was correctly calculated as work at two or more rates, an alternative compensation approach.

5) Thirteenth Affirmative Defense: Any act or omission giving rise to plaintiff's claims was made in good faith, and defendants had reasonable grounds to believe that any such act or omission was not a violation of federal or state law.

6) Fourteenth Affirmative Defense: to the extent any intentional acts of discrimination occurred, the occurrence of which defendants deny, those actions occurred wholly and entirely outside the scope of course of the actor's employment with defendants and

were not authorized, sanctioned, or ratified by defendant. (App. C at 13-14; App. F at 1,2.)

On July 9, 2019, Junior Andrew reported to former district human resource Ms.

Beth about 14,15,16,17, long hours working and ask for help before I kill someone or

myself while driving Waste Pro USA Inc., Waste Pro of Florida Inc., front end loader truck

Ms. Beth came and filed report. Every time Junior Andrew would talk to someone in

corporate office or lawyer about working conditions at Ocala Waste Pro USA, employees

would retaliate against Junior Andrew. After seeing a pattern of truck mishap and saying

this no failure to truck, Junior Andrew started taking notes and dates of retaliations.

1) Employees would disable cameras in work truck that are for safety reasons and one for

backing up.

2) July 11, 2019. employees cut hoses to make hydraulic leaks.

3) Employees would tamper with brakes after getting them fix.

4) November 8, 2021, Junior Andrew was sick and reported it to supervisors Steve and

Robert Mclean stated I would have to bring a doctor's note if I take off. Although

Junior Andrew had sick time to use, I stated other employees that call in sick didn't

need note from doctor, I called Joe Lourenco he said I need note also. Junior Andrew

came to work sick next day.

5) March 15, 2022, truck curotto #982 bucket dumpster control slide arm was tampered

with, mechanic said he couldn't fix, when telling him how to fix it, got into argument

and was called a bitch, caucasian worker were good ole boy and only help others

caucasian, manager was trying to discipline about what took place but after explaining

my side and seen I didn't start it.

6) June 15, 2022, Robert Mclean and Joe Lourenco falsify documents about damage

pole and wire so Junior Andrew didn't receive safety bonus of \$ 10,000

7) June 21, 2022, Employees took screws out of grill of truck.

8) July 11, 2022, Employees place book uses to write routes down was place on motor of
to catch on fire.

9) August 23, 2022, back from funeral, rear door on curotto truck open up causing
materials to spill, only happens when someone keeps hitting control buttons few time
after closing.

10) August 25, 2022, Sponge was found in between part of motor, hoping it would start
fire.

11) September 12, 2022, hole was put in cylinder seal on front lifter to make hydraulic fluid
leak on to muffler to start fire, (There is a youtube video of a worker getting burn in
garbage truck cab when it catches on fire from leaking hydraulic fluid.

12) September 20, 2022, Cylinder hose broke behind blade of truck, looked like it was
tamper and cut to fail when Junior Andrew cleaned behind blade, same week a Waste

Pro USA Inc., Waste Pro of Florida Inc., employee at other location was killed by blade

decapitate him.

13) October 7, 2022, bolts were loose to come off front end fork arm that holds dumpster bucket, one bolt was missing.

14) October 13, 2022, truck curotto #982 compress natural gas or cng , that plaintiff drive smelled gas, mechanic said there was no leak, finally supervisor smelled gas. Truck was tamper with to explode. Corporate CNG mechanic came to fix.

15) October 14, 2022, truck curotto #982 had oil change done.

16) October 17, 2022, #982 starting leaking oil, a gallon of oil leaked for 2 months anytime I drove truck.

17) October 19, 2022, Joe Lourence came out on route and ask me Junior Andrew why I said truck are being sabotage, Told him about oil leak and more.

18) October 24, 2022, Personal SUV; employees cut front tire valve stem that my tire was flat and did not blow back up.

19) November 7, 2022, Employees draw a picture of a penis with writing on front of hood of personal suv vehicle.

20) Every time I reported retaliation nothing was done.

21) November 7, 2022, #982 truck, employees tamper with gas lines that was week ago, was tampered to explode again (was fix on 10-13-22)

22) November 10, 2022, sent out in hurricane in rear loader, which I had to get out and dumps cans, other rear loaders trucks drivers were told to go home or told not to come into work.

23) November 12, 2022, In Stanford, FL, corporate office, told head safety personal what was happening to trucks, so employees started tampered with personal suv truck.

24) November 14, 2022, personal suv truck was spitted on the rear right window.

25) November 19, 2022, personal suv truck, air was let out of tire left rear.

26) November 21, 2022, personal suv truck, air was let out of right rear tire.

27) January 2, 2023, truck #10920 had brakes problem, plaintiff had them fix. January

3, 2023, brakes were tampered, almost causing wreck because of delay in braking.

28) April 2023, Hernando elementary citrus county, Florida school teacher questions

daughter about Junior Andrew working at Waste Pro USA Inc., Waste Pro of Florida Inc.

after visiting her grades when down and was failed retaining her to the 4th grade.

29) Waste Pro of Florida Inc., employees by use of phone constantly call plaintiff's phone

using app. to disguise voices to harass.

30) After termination from Waste Pro of Florida Inc., Waste of Pro USA Inc., while

walking dog on railroad track close to house, plaintiff walked everyday racial slur was

written on tracks along with writing, same writing the was on suv vehicle along with

drawing of penis. (App. C at 16-19; App. D; App. E)

31) Defendants symbolic 33 pages response to plaintiff's petition appeal in 11th circuit

court of appeals.

appeal

From 2018-2021, August defendants fail to pay plaintiff all overtime wages earned in accordance with the fair labor standards act, plaintiff claims retaliation under both the FLSA and Title VI does not fail. Defendants denied plaintiff worked as front-end loader truck driver and long hours work. When other employees did same job, defendants gave help to and had shorter routes. When plaintiff made complain, defendants retaliated by sabotage work trucks that plaintiff drove or plaintiff's personal vehicle. Defendants place of work or work yard where trucks and personal vehicles are park are surrounded by cameras. Defendants refused to look at cameras video. Defendants are in a cover-up to hide truth, wrong doing of employees retaliations and discrimination by caucasians employees. Afro-American worked more hour than caucasians. Defendants falsify document. Plaintiff was not promoted he was moved to other jobs with longer hours, such as front-end loader.

Supervisor Robert Maclean falsify document stated that plaintiff had damage of over

\$1000 to not to be eligible for company safety bonus. Caucasians has damaged car,

property and were eligible for company safety bonus and got it, Jollimore, William

Strykowski and others. Plaintiff had never had incident report filed. Plaintiff never admitted

to engaging in misconduct. Plaintiff only complained about work conditions dicrimination,

FLSA, hours worked, pay claims. (App. C-17-20; App. D at 1-2; App. E, at 16)

Plaintiff viable claims for hostile work discrimination, FLSA, and claims. Plaintiff did

experience severe harassment that rised to an action-able claims. Plaintiff did not receive

higher pay than similarly caucasian employees working less hours of 80 hours in two weeks,

plaintiff was force to work hour of 10-17 at difference driving position at company.

Overtime hours of 58,55,50,30, after 80 hours regular hours only until August 2021 plaintiff

started receiving FLSA wages and overtime.

Defendants violated federal law FLSA, defendants have settled with former

employees on FLSA overtime wages. Willful violation occurred if an employer knew or showed reckless disregard for the matter or whether its conduct was prohibited by FLSA

29 U.S.C. 216(b); *Id.* Section 256.

Defendants were told about the retaliation, human resources manager, manager Ocala for defendants, supervisor Robert Mclean, Steve Gonzales, Ms. Barreiro question plaintiff about claims of retaliation. Plaintiff did complain to defendants about FLSA overtime to no avail. (App. D at 2-6) Plaintiff provided evidence that his belief was objectively reasonable by pay sheets of hours work after 80 hours in two weeks. (App. C at 20-22; App. G at [Ex. A].

Plaintiff was driver that dumped recycled dumpster at federal court building in Ocala Florida 2019, defendants Matthew J. Pearce, esq., stated that Mr. Andrew fails to distinguish between residential driver and commercial drivers, Waste Pro's position statement stated that all full-time residential drivers were paid a day rate until August,

which they were as shown by the pay records that we submitted to FCHR. Commercial driver (such as Mr. Rivera), on hand, were converted to hourly rates in 2019 (regardless of race) because other companies started paying hourly rates to that type driver.

Plaintiff was replaced by Rivera, plaintiff was driver of commercial front-end loader same truck Rivera drove. Defendants discrimination against plaintiff because of race and did not pay plaintiff as said commercial drivers was paid. (App. C at 22; App. D, at 7,19,23)

Defendants retaliated against plaintiff by sabotaging back-up cameras, cutting cylinders seal on cylinder, hydraulic leaks, brakes, propane gas lines. Robert Mclean when cylinder seal leaks, to drive trucks while broke until parts came or until fix. Plaintiff statement and claims are facts.

Employees cut tires and value stems of plaintiff personal suv vehicle, spit tobacco juice on, draw penis on hood of vehicle. After getting in argument with mechanic Jordan about putting hydraulic fluid and fixing defendant truck. (App. C at 23; App. D at 8)

Co-worker that died told plaintiff that management were stealing dumpster from Waste Pro Florida Inc., and painting them different colors and used for under the table companies they had in county, other counties and information about management and employees that were in racist groups. (App. C at 23; App. D at 10,11,23)

Co-worker told plaintiff some were racist and are member of KKK and white power related groups. Plaintiff told supervisor Steve and Eli about the steal of dumpster by management. (App. C at 23; App. D at 10,11)

Supervisor Robert Mclean on arm have made man tattooed, which mean a member of the mafia in general and an inducted member of a particular mafia crime family. (App. C at 23; App. D at 10)

Ask three different workers how did co-worker died, plaintiff was told three different reason how co-worker died.

October 2022, repair man from corporate fixed natural gas leak, November 2022

same truck had a leak again repair man from corporate came and fix. In December

2022 plaintiff smelled propane coming from same truck and conform with two

defendant employees, who stated gas leak is very strong and that they are trying you,

Justin Williams and Shawn Network propane leak was fix by defendants, Waste Pro

Florida mechanic Tommy. (App. C at 24; App. D at 8)

Defendants slander plaintiff when other jobs called about prior of former job.

(App. C at 24; App. G at 9-13,24)

(Q) What time would you get to work 4:00,4:30,5:00,5:30. Normally leave work, 5:00,

6:30,8:00,9:45, It varies. (App. C at 24;App. G at 16,17)

Front end loader was out there 16,17 hours when the truck breakdown (App. G at 17,23)

(Q) Did you receive any pay raised during your employment with Waste Pro? When

they move me they try to give extra five dollars, but then the put more hour time I was

out there longer. So, I kept telling them when i was driving front end loader I said this

don't up cause if I am out there fifteen hours and I'm making like 135 that like seven dollars and while driving a front-end loader, too some time I was out there like sixteen, seventeen hours. (App. C at 24; App. G at 25)

All the driver moved to an hourly rate at that time (2021) every driver to hourly rate, yeah, well before that it was certain persons working hourly during that time from 2019 to 2021 before everyone. (App. C at 24; App. G at 26)

Pay stub June 16, 2019 ending June 29, 2019, said they paid me 150 front-loader, plaintiff worked 80 regular hrs. paid 1500 for 2 weeks and overtime 58.52 hours paid \$315.92 no FLSA wages. (App. C at 25; App. G at ex. 26; App. F at 10)

When I complained about long hours situation when corporate would come they would give you a raise but two or three weeks later your company would put it right back down (App. C at 25; App. G at 28)

(Q) Did you receive a raise from 150 a to 160. (A) for the truck I operate and the hours

you see is increasing the hours too. (App. C at 25 ; App. G at 29)

(Q) well I'm going to show you exhibit 1 again, Mr. Andrew because you said that the hours increase. Where exactly do you see an increase in hours between these two earning statements. (A) Claim overtime hours, fifty-six hours add that up so plus the eighty hours worked. (Q) So. Exhibit 1, (A) Have you seen have you seen look at your overtime hours and they overtime pay, that's like for fifty-eight hours, when you get a overtime pay someone 300 for fifty-eighty hours that's more than two weeks, sir, (App. C at 25; App. G at 29).

(Q) So. (A) If you were paying someone for two weeks \$ 315 for two weeks of overtime employment, that's fifty-eight hours. (Q) All right. (A) You see the overtime hours sir (Q) I see that there. (A) So when you pay a person a 350 for overtime hours; is that correct, sir for 58 hr. overtime. Side loader truck. (App. C at 25,26; App. G at 30-32)

I do my research they said over in 2019 Waste Pro went to a system of paying the

employees hourly wages at the time of 2019 for most of the truck driving big commercial

over 33,000 pounds, I have in my discovery and those over. (App. C at 26; App. G at 32)

Side loader. (Q) well do you see on the document it's an employee action form, it has your

name at the top and then in middle it says that your pay has changed from the old rate of

160.48 to new rater of 170. Do you see that? (A) They say that but I don't even sign my

paper, my handwriting like this. (Q) Increase in pay is a merit and then at the bottom of the

a

form there's a date that says September 30, 2020. Do you see that? (A) Yeah. (Q) So in

September of 2020 did Waste Pro raise your daily rate from \$160 to \$170. (A) But this not

my handwriting. (App. C at 26; App. G at 32-35)

Give you a raise from Sanford division manager but as soon as they leave a week, I

hate to say it, but in realty this manager you all have running you all business in Ocala

he's a crook and he got the secretary riding alone Ashley then Debbie. (App. C at 27; App.

G at 35)

Was getting day rate 170 overtime if they was counting seventeen hours by eight hours, that would be approximately like a day and half or day and 7 hours and you pay possibly approximately \$148 overtime. (App. C at 27; App. G at 38)

(Q) Let me ask you about this document first Mr. Andrew on or about March 9th of 2021 did you receive a promotion from recycle to driver to curotto driver? (A) No he told me I had no choice but do it or I get fired cause I was driving the side loader. That's when I guess that's Mr. Mobley probably left, I said I don't want to drive it. I don't want to be out there all them hours, he say I have no choice. Either drive it or go home. (App. C at 27; App. G at 39)

(Q) Now do you see here it says that your daily rate increase to \$180 per day?

(A) Yes, but how many hours I was working. (Q) So are you disputing the accuracy this stub? (A) I see but look at my overtime hours and you pay me I work that's close to twenty-one hours, that's how many days was that? (App. C at 27; App. G at 41,42)

I told the two gas leaks on this. It was natural gas. It was putting my life in danger.

They came and fixed it twice. (App. C at 27; App. G at 47)

I know what smell of a gas leaks and I know I called they fix it, about two weeks after

that it's same problem again and they came and fix it again. And I know every time I

made a complaint and tell what was going and tell them what was going on damage

was done to the truck, it was they was tampering truck or damage to the truck. After

they seen a video of a truck catching on fire with hydraulic line being broken couple

days they tried to, they did the same example that was on the you-tube video. They

stabbed some of the hydraulic on the cylinder started leaking over muffler, someone

look like they punch it on the seal in cylinder. (App. C at 28; App. G at 48)

One instance a driver got decapitated or his head was cut off by the blade of the

truck. The same next same week they know I go in the back of the and clean the truck

every Thursday, the line was cut the hydraulic line was. (App. C at 28; App. G at 48,49)

My car tires was slashed someone drew a penis on my car in the dust, a picture of a penis on my car. (App. C at 28; App. G at 49)

Harass retaliation when I would make complaint to your corporate office one they would disable camera that would use for safety value to back-up in the truck.

(Q) Issue with backup camera (A) Employees would go and mess with the back-up

camera. I seen with my own eyes when I would tell them this camera, I can't to out

with this truck because it's required. They would do it to every truck, even the side-

loader. (App. C at 29; App. G at 51,52). (Q) Can you recall any of these employees names?

(A) Robert McClain. He supposed to be my supervisor. (Q) And do you believe that Robert

McClain was interfering with the backup camera? (A) Several of the employees was doing it.

Who else? Doug, you got Jason, you got Billy. (App. C at 29; App. G at 53). (Q) How was the

cameras tampered with. (A) They would be disabled, would not be able to work. But one

time I knew they was messing with it, cause McClain when I told I can't drive this truck

the camera's not working, he said all right Ah, come on. He got mad, so went to the truck and I don't know if they fixed the fuse wrong, backwards, but he went in the truck, and it started back working. (App. C at 29; App. G at 54).

(Q) So if there was an issue if you found an issue if you found an issue pre-inspection would you notify Waste Pro before beginning your route? (A) cause sometimes I used to work early in the morning and I would tell them, but they said oh, the guy wouldn't be here for at least a month in order to come fix it. Tell the mechanic, they said oh, you know they don't come to about every other blue moon and fix the truck or the cameras. Some time they would mess with both cameras, it's a camera for record see if you got in accident! One for backup purpose. (App. C at 29; App. G at 57)

About the situation when I was driving so many hours and stuff, other complaints, I think her name was Ms. Bess. When I first got down there at the corporate office, I sometime when I was driving the rear loader, they would send me down to take a truck

that needed fixing in Sanford. I would tell them my issues and stuff. And I guess, some way they must complain to Joey and Joey tell the other guy around. That the little stuff with the truck would start happening. When they told me not to drive the truck no more with the back-up camera not working. (App. C at 30; App. G at 59,60). Sometime like I said one time one of the employees; I didn't say mechanic. I said Robert Mc clean he went and did something to the fuse and it started back working. (App. C at 30; App. G at 61)

(Q) Is it your belief that Waste Pro intentionally interfering with the operation of the back-up camera on your truck? (A) I put it in my claims already stated it in my claim yes.

I would talk about I might be telling them the pay ain't right and stuff, whenever I talk about to the corporate lady cause you know how it feel to be out there fifteen, sixteen hours and you can't stop and try to take no break cause you're trying to finish in order to go home, so you keep on pushing till you get done. This company been doing this for several years to they employees, you know they try to settle with a lot of employees for

this mishap they been doing this for years. That was my second time complaint employees was tampering with the brakes. (App. C at 30; App. G at 62,62,64)

(Q) So if I heard you correctly, you testified earlier that somebody was decapitated?

(A) Yeah one of the employees at the company someone I guess he was ---someone cut something on and he went in the back of the truck, before you know and his head got cut off or something. (Q) This happened? So is it your testimony is it your testimony that you believe waste pro was trying to kill you? (A) Yes. From the reason I have put with the gas leak and when I complained they had to fix it again at corporate, when they see that youtube video they try to mess with the lines. (App. C at 31; App. G at 65).

(Q) Waste Pro's motivation to try to kill you? (A) Cause I complained. They think they run it like, I won't say they think they been doing it so long they don't want you to break that little circle up they got, they think you can't go against them. They try to teach you a lesson. Just like one employee, he no longer with us, he would tell me how they was

doing, how they was stealing the dumpster and selling them and painting them and this employee tell me that and was doing a lot of the dumpsters the roll-off dumpsters, they were painting them over and selling them. (Q) This employee that was allegedly decapitated how did you hear about this? From the mechanics around in the office at waste pro. (App. C at 31; App. G at 66)

(Q) Do you know the name of the employee who was apparently or allegedly decapitated? (A) It was somewhere up in the panhandle or Pensacola. (Q) So walk me through how did Waste Pro attempt to kill you? (A) By cutting that line when I go back and clean it the blade would go back on me, by grinding (pinching) the hydraulic line. Told about decapitate? Tommy and other mechanics one name Tommy. Waste Pro should know what they doing to trucks, cause waste pro has so many trucks that went down, they say they couldn't fix. But when they sold it to Mr. Jerry Lorenzo, they all be working perfectly, so they should know what they were doing to the trucks.

(App. C at 32; App. G at 67,68)

(Q) Are you talking about the hydraulic line to your truck? (A) Every time Andrew would talk to someone in corporate office or lawyer about the work condition at

waste pro. (Q) When was the first time that your noticed issue with one of the

hydraulic lines on your truck? (A) I spoke to Ms. Beth (App. C at 32; App. G at 69)

(A) I know hose usually break but, sometimes they get cold, they get break they get dry rotten, and break, but this mis-haps, these several times over and over. Told

Samantha, first was Ms. Beth. (Q) That's the hydraulic line was are you saying that it

was cut? (A) Yes, yes I think it was. (Q) How would that impact your ability to drive the

vehicle? (A) You won't be able to the arm/ move the arms and lift it up without the

hydraulic line. (Q) How would that be dangerous? (A) If it fall on the muffler, hydraulic

it's a liquid and it flammable, if it fall on the muffler, the muffler is right there, if it

fall on top the muffler, it can catch fire. There's a video on you-tube going around

showing a busted hydraulic line that it fall on the muffler and it catch the guy in the cab, the guy had to jump out of the cab before it blew up. (App. C at 33,48; App. at G at 70,71)

District court erred (Q) So if you found an issue with hydraulic line you would address it before leaving on your route? (A) Sometime on the route he would have to come out to route and fix it cause you can't move the truck or you can't do your job unless it's fixed, but some time he do make you go out their with leaking hydraulic and keep going. (App. C at 49; App. G at 74)

District court erred in ruling that plaintiff said waste pro was responsible for dead of employee? Plaintiff did not say management was responsible for decapitated of employee at other location. One instance a driver got decapitated or his head was cut off by blade of truck. The same, next week (employees) they know I go in the back of the truck and clean the truck every Thursday, the line was cut the hydraulic line

was cut. (App. C at 49; App. D at 9; App. G at 49,65,66)

District court erred about plaintiff saying they were parts of mafia. Supervisor Robert Mclean, on his arm have Made Man tattooed on it. Wikipedia definition ; a member of the mafia in general and an induced member of a particular mafia crime family. (App. C at 49; App D at 10; App G at 104,105).

District court said plaintiff said waste pro was responsible for employee death, employee died a week after plaintiff told another co-worker what employee had told plaintiff about other caucasian employees. Ask three different workers how did co-worker die, plaintiff was told three different reasons how co-worker die. Co-worker that died, told plaintiff that management were stealing dumpsters from waste pro florida and painting them different colors and used for under the table companies they had in county, other counties and information about mangement and employees that were in racist groups. Co-worker told plaintiff some were

racist and are members of KKK and white power related groups. Plaintiff told

supervisor Steve and Eli about sealing of dumpster by management.

(App C at 50; App. D at 10,11; App. G at 66).

District court stated it was far-fetch for claims, employees calling phone and tracking phone, plaintiff states when driving truck, camera was broken and I when do the wrong street they would call me on the phone an say you going down the wrong street, track phone, Shawn Nework co-work told me they got app. that change voice when they call you, they called my phone and harass my phone me.

One time, couple five time I guess they forgot to put the app. on, and I heard

Mr. Robrt Mclean voice. After getting fired plaintiff walk his dog on railroad

track close his home someone dug a hole close to tracks and put racist slur

n-work and signed on railroad track, it was the same writing that was left on suv

vehicle when employee draw penis on hood of vehicle. (App C at 51; App G at

115-119).

October 13, 2022, curotto truck #982 compress natural gas or CNG plaintiff smelled gas, mechanic said there was no leak finally supervisor Steve Gonzalez smelled gas. Truck was tampered with to explode. And again in November 2022 truck, employee tamper with gas lines again that was two weeks ago was tamper to explode again. (App. C at 51; App G at 75-77). December 2022 again plaintiff smelled gas coming from same truck and conform with two employees, who stated gas leak is very strong and that they are trying to kill you Justin Williams and Shawn Network. (App. D at 37; App. C at 51).

October 19, 2022, Joe Lourenco came out on route and ask plaintiff why I said truck are being sabotage. Told him about oil leak and more. Had oil change done on truck, started leaking oil, a gallon of oil leaked for 2 months anytime I drove truck. Mechanic drive it until we fix. (App. C at 51; App. D at 17).

Route sheet book and big old sponge was on the motor of the truck hid in and packed up in the motor, I know sometimes when you dump the truck trash might fall on motor but this was a waste pro book used to write the routes down.

Radiator cap was missing one morning. Tires were mess with. (App. C at 51 ; App.

G at 81-82). Employees were tampering with truck brakes after getting them fix.

On January 3, 2023, brakes were tampered, almost cause wreck because delay in braking. (App. C at 52; App. G at 64;)

November 7, 2022, employees draw a picture of a penis with writing on front of hood of personal suv vehicle, group of caucasian employees and supervisor Robert Mclean were laughing while plaintiff was looking and taking pictures of the drawing on hood of suv vehicle. Showed pictures to human resource manager Samantha Barreiro. Employees spitted tobacco fluid on window of suv, cut front tire valve stem that tire was flat and did not blow back up, let air out the tires on two different

times, After getting into argument with caucasian mechanic Jordon. (App. C at 52;

App. D at 17; App. G at 49)

When I kept complaining over and over about trucks, they really started tampering pickup after March 2022, after filing with EEOC when me and this mechanic got in argument when I was asking about the truck, fix the control arm on the curotto truck and again about putting hydraulic fluid in truck, told me I had to do myself but had just put hydraulic in caucasian employee truck. Mechanic called plaintiff a bitch and to put hydraulic in myself. Waste pro and district court twisted arguments plaintiff put in claims and used it for reason saying why plaintiff was terminated. Waste Pro told plaintiff termination was for conduct for calling Nathaniel Mclendon an uncle tom. (App. C at 53; App. D at 10)

Employee Jason roll-off driver wife works as a teacher where daughter attended school. Teacher questions daughter about her father and working at

waste pro, after that daughter grade went down and test scores and making

her not moving to next grade. (App. C at 53; App. D at 9)

Supervisor Robert Mclean falsify documents stated that plaintiff had damaged
of over \$1000 to not be eligible for company safety bonus, caucasian has damaged
car, property and were eligible for company safety bonus and got it Douglas Jollimore,
William Strynkowski and other had accidents. (App. C at 53; App. E at 16)

November 10, 2022, Plaintiff was sent out in hurricane in rear loader which he
had to get out and dumps cans, others rear loader trucks were told to go home or
told not to come work. (App. C at 53; App. D at 17)

Plaintiff was sick and told supervisor and manager that he was not coming work
next day, plaintiff was told he needed a doctor note when he returned, although
stating that he had sick time or PTO and that no other employees needed a doctor's
note if taken a sick day. (App. C at 53)

REASONS FOR GRANTING THE PETITION

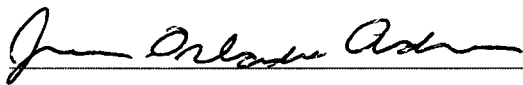
This case presents an ideal vehicle for the Court to clearly define tampered with work truck hydraulic hose had cut, object left on truck motor to ignite multiple times sabotage natural gas line leaks on truck, tampered of brakes, others sabotage of truck cutting tires, drawing of penis and writing on personal vehicle also violation of FLSA overtime law. See if this case meets in Mc Donnell Corp. v. Green, establishing a three-step burden-shifting framework for evaluating circumstantial evidence in Title VII of the Civil Rights Act of 1964 employment discrimination cases.

This case can prevent victim of employment discrimination cases from taking justice into owe hands by Aequitas Court .

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: April 23 2026