

26-5722

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

ORIGINAL

IN THE

SUPREME COURT OF THE UNITED STATES

FILED

JUN 04 2026

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

Samar Akins

PETITIONER

(Your Name)

vs.

Sysco Lincoln Inc

RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals for 8<sup>th</sup> Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Samar Akins

(Your Name)

1125 A St. Apt. 5.

(Address)

Lincoln, Ne. 68502

(City, State, Zip Code)

402 525-9200

(Phone Number)

### QUESTION(S) PRESENTED

1. Did the 8<sup>th</sup> Circuit abuse their authority when they affirmed the District Court granting of Summary Judgment.
2. Did the 8<sup>th</sup> Cir go against clearly established law in ruling the district court was correct for not appointing me counsel.
3. Did the 8<sup>th</sup> Cir abuse it's authority by not addressing several issues assigned and argued in his brief such as his issue concerning his deposition testimony being used against him on the respondent's motion for summary judgment. Because it was clear counsel should have been appointed.

## LIST OF PARTIES

A list of all parties to the proceeding in the court whose judgment is the subject of this petition is provided below. If a party is a corporation with a stock ticker symbol, that symbol is also included.

Samar Akins - petitioner

Sysco Lincoln Inc - respondent

## RELATED CASES

1. McDonnell Douglas Corp v Green  
411 U.S. 792 (1973)
2. Anderson v Liberty Lobby Inc.  
477 U.S. 242 (1986)
3. Frank v Bowman Transportation  
Co. Inc. et al (1976) 96 S.Ct 1251
4. State of Mississippi v. State of  
Tennessee. City of Memphis et al,  
No. 143
5. Brown v Board of Education of  
Topeka. 347 U.S. 483

## 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 | Judgment of United States<br>District Court For Nebraska      |
| APPENDIX B | Judgment of The United<br>States Court of Appeal For 8th Cir. |
| APPENDIX C |                                                               |
| APPENDIX D |                                                               |
| APPENDIX E |                                                               |
| APPENDIX F |                                                               |

## TABLE OF AUTHORITIES CITED

### CASES

### PAGE NUMBER

1. McDonnell Douglas Corp vs Green  
411 US 792 (1973)
2. Anderson vs Liberty Lobby Inc.  
477 U.S. 242 (1973)
3. Frank v Bowman Transportation Co Inc. ET AL.  
46 S.C.T. 1251
4. State of Mississippi vs State of Tennessee  
City of Memphis et al. NO 143
5. Brown vs Board of Education of Topeka  
347 U.S. 483

### STATUTES AND RULES

1. Title VII of the Civil Rights Act of 1964
2. Federal Rule of Civil Procedure 32(a)(5)(B)
3. 28 U.S.C. § 1915(c)(1)
4. 14th Amen Sect. 1
5. UN Charter I.C.C.P.R § 1 ICESCR
6. F.R.C.P. Rule 56

### 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 B to the petition and is

☐ reported at 91; 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 A 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 March 6, 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**

1. U.S.C.A 14

## STATEMENT OF THE CASE

In September 2022 I applied for out bound selector at Sysco. It's relevant that I was offered the job by two non-white non resident ~~employees~~ of Nebraska Sysco employees. So when I get scheduled for my interview as I'm sitting and waiting I over hear a white Sysco employee from F.R. tell the guy who was conducting my interview not to hire me because I file lawsuits and was a trouble maker. So the guy who conducted my interview said he wanted to hire me but had to discuss it with the same white lady who told him not to hire me. I then waited a month or two and no one contacted me for the job. So I filed a discrimination and retaliation case against Sysco with the N.E.O.C. Within a week or two after me filing the case I was contacted by a African American non Nebraska resident Sysco employee Charvon Morris and told that Sysco had been racist and discriminating against me and the only reason they were offering me the job was because I sued them.

She then scheduled me for a U.A. test. The white nurse at Sysco who was conducting my U.A. test said she felt I was acting suspicious because I told her I was wiping my mouth because I didn't want the residue of my medication showing.

She kept harassing me about it so I asked to speak to her supervisor. She then went and got both the V.P. of Sysco and the guy who did my interview, both white. To make a long story short, the V.P. told the nurse to reschedule it to conduct the U.A. she refused and wouldn't. So I called Charon again and she again told me they were being racist and she would fix the situation. I never heard anything again about the job from Sysco.

## REASONS FOR GRANTING THE PETITION

1. It would be in the interest of Justice, the Public, and Equality and a great service to the African American Community in Nebraska and America.
2. The record clearly identifies a general issue as to the material fact as to why I wasn't hired or the job was rescinded. Even though I was never given a reason why my U.A. test wasn't rescheduled and I wasn't allowed to start I was given a reason as to why I wasn't originally hired and that reason was racism, discrimination and retaliation.
3. That the lower courts clearly abused their authority when going against clearly established law to grant and affirm summary judgment.

### CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Samaru Atkins

Date: June 3, 2026