

Supreme Court, U.S.
FILED

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No. 26-80

In the Supreme Court of the United States

FELICIA SCROGGINS,

Petitioner,

v.

CITY OF SHREVEPORT,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

Felicia Scroggins
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JUNE MMXXVI

QUESTIONS PRESENTED

1. Whether the Fifth Circuit erred in affirming summary judgment where the record contains genuine disputes of material fact, in conflict with this Court's precedent requiring that evidence be viewed in the light most favorable to the nonmoving party.

2. Whether the Fifth Circuit misapplied the burden-shifting framework under *McDonnell Douglas Corp. v. Green*, 411 U. S. 792 (1973), by effectively requiring Petitioner to disprove the employer's stated reasons rather than allowing a jury to determine pretext.

3. Whether the Fifth Circuit improperly applied forfeiture principles to a pro se litigant in a manner inconsistent with this Court's directive that pro se filings be liberally construed.

PARTIES TO THE PROCEEDINGS

Petitioner, and plaintiff-appellant below is Felicia Scroggins.

Respondent, and defendant-appellee below is the City of Shreveport.

RELATED PROCEEDINGS

United States District Court (WD La.):

Felicia Scroggins v. City of Shreveport, No. 5:18-cv-00201-SMH-KDM (Nov. 13, 2024) (summary judgment and dismissal with prejudice)

United States Court of Appeals (CA5):

Felicia Scroggins v. City of Shreveport, No. 24-30777 (Oct. 17, 2025) (district court affirmed)

Felicia Scroggins v. City of Shreveport, No. 24-30777 (Jan. 6, 2026) (rehearing denied)

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OPINIONS BELOW

The Fifth Circuit's opinion is published, but not yet reported, and is reproduced in the Appendix at App. 1–9. The district court's memorandum ruling is reproduced in the Appendix at App. 10–38.

JURISDICTION

The Fifth Circuit's decision was entered on October 17, 2025. The Fifth Circuit denied rehearing on January 6, 2026. This Court has jurisdiction under 28 U. S. C. § 1254(1).

STATEMENT OF THE CASE

Petitioner, Felicia Scroggins, brought claims of employment discrimination arising from promotional decisions within the Shreveport Fire Department. Petitioner alleged that she was denied promotions under circumstances suggesting unlawful discrimination and disparate treatment.

The district court granted summary judgment in favor of Respondent. The court concluded that no genuine dispute of material fact existed, and that Respondent was entitled to judgment as a matter of law.

Petitioner appealed to the Fifth Circuit. On October 17, 2025, the Fifth Circuit affirmed the district court's judgment. A dissenting opinion concluded that the record contained substantial factual disputes and that summary judgment was inappropriate.

Petitioner timely filed a petition for rehearing and rehearing en banc, which was denied on January 6, 2026. This petition follows.

REASONS FOR GRANTING THE PETITION

I. The Decision Below Conflicts with this Court's Summary Judgment Precedent

This Court has consistently held that summary judgment is inappropriate where a reasonable jury could return a verdict for the nonmoving party. See *Anderson v. Liberty Lobby, Inc.*, 477 U. S. 242, (1986), *Tolan v. Cotton*, 572 U. S. 650 (2014).

In *Tolan*, this Court emphasized that courts must view the evidence in the light most favorable to the nonmovant and must not resolve factual disputes or weigh credibility.

The decision below conflicts with these principles. The record contains disputed issues regarding the promotion procedures, qualifications of candidates, and the consistency of evaluation criteria. These disputes should have been resolved by a jury.

II. The Decision Below Misapplies the *McDonnell Douglas v. Green* Framework

Under *McDonnell Douglas Corp. v. Green*, 411 U. S. 792 (1973), and *Reeves v. Sanderson Plumbing Prods., Inc.*, 530 U. S. 133 (2000), a plaintiff may survive summary judgment by presenting evidence from which a reasonable jury could find that the employer's stated reasons are pretextual.

The Fifth Circuit required Petitioner to disprove the employer's explanation rather than allowing a jury to evaluate credibility. Evidence in the record reflects inconsistencies in the promotion process and disputed qualifications.

Under *Reeves*, such evidence is sufficient to allow a jury determination.

III. The Decision Below Improperly Applies Forfeiture to a Pro Se Litigant

This Court has instructed that pro se filings be liberally construed. See *Erickson v. Pardus*, 551 U. S. 89 (2007.)

The Fifth Circuit applied forfeiture principles to limit review of Petitioner's claims, despite the fact that the issues were raised and challenged in substance.

This rigid application conflicts with this Court's precedent.

IV. A Published Dissent Demonstrates the Importance of Review

The Fifth circuit's decision included a dissent concluding that the record contained genuine disputes of material fact and that summary judgment was improper.

The presence of a dissent highlights disagreement among reasonable jurists and underscores the need for this Court's review.

V. This Case Presents Important and Recurring Questions

The issues presented arise frequently in employment discrimination cases and affect the application of summary judgment standards nationwide.

This Court's review is warranted to ensure uniform application of federal law.

CONCLUSION

This Court should grant certiorari.

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