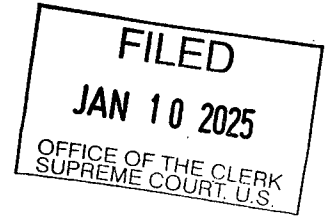


No. 24-6804



IN THE  
SUPREME COURT OF THE UNITED STATES

Lawrence White — PETITIONER  
(Your Name)

vs.

Office of Personnel Management — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

U.S. Court of Appeals For The Federal Circuit  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Lawrence White  
(Your Name)

3201 Buchanan<sup>ST</sup> #204  
(Address)

Mount Rainier MD. 20712  
(City, State, Zip Code)

301-825-3460  
(Phone Number)

# Questions Presented

Was the Court of Appeals for the Federal Circuit aware of the discrepancy and deliberately chose not to disclose that they would be using a different final order in deciding this case.

Why did the Court of Appeals agree with the Agency and not with the Supreme Court ruling that the Agency must provide sufficient proof that a person did receive money.

Why would an Agency representative over the phone tell the petitioner that people like you or cases like yours usually don't win.

Why was it permitted that the Agency mailed one of their responses to the petitioner 7 days late not delayed in the mail but post-dated their response 7 days late.

Why would the Agency take all the extra retirement money from a retiree and never disclose how much money it was.

## 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

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is unpublished.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is unpublished.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 October 8-2024.

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: November 25-2024, 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).

# STATEMENT OF THE CASE

I Lawrence White the petitioner

I could NOT AFFORD legal representation

This CASE HAS wide APPLICATION that would the Supreme Court ACCEPT A CASE like mine when the petitioner does NOT HAVE legal representation

BECAUSE this CASE will show where the lower Court interpreted the LAW differently THAN the Supreme Court precedent

This CASE will show where the lower Court erred in its ruling AND the lower Court decision WAS legally FLAWED

This CASE will show even though the Supreme Court overturned the Chevron Doctrine the lower Court still Abided by the Agencies interpretations of AMBIGUOUS LAWS

There ARE issues in this CASE that maybe you would WANT to know ABOUT the lower Court AND the Agencies THAT works for you

This CASE involves :

OFFICE of PERSONNEL MANAGEMENT "Respondents"

Administrative Judge LINDSAY YOUNG HARRELL

Merit System Protection Board

U.S. Department of Justice

U.S. Court of Appeals for the Federal Circuit

▶ The two main arguments in this case involves  
▶ 5 years 9 months of extra retirement service  
▶ money never given by the Agency And A failure  
▶ to disclose how much money it was

▶ The other argument involves one retirement  
▶ refund check the petitioner received in the  
▶ amount of about \$1,300 in the year 1979  
▶ The Agency said this amount was \$4,178<sup>58</sup>

▶ During the appeals there were some unfair  
▶ practices  
▶ There were lack of disclosures  
▶ There were lack of due process

▶ 5 years 9 months of extra retirement service  
▶ money was because I worked 46 years 1 month  
▶ for federal government service  
▶ I retired with 3418 hours of sick leave  
▶ That's 4 years 2 months past the retirement years  
▶ of 41 years 11 months before you get all that  
▶ retirement service money back

▶ The 3418 hours of sick leave turned into about  
▶ 1 year 7 months of government service time

▶ All total 5 years 9 months of extra retirement  
▶ service money  
▶ That I should have received in March 2020  
▶ when I retired with interest

HAVING worked 46 years 1 month Federal service  
6 years I worked for the U.S postal service  
from April 28, 1973 until June 13, 1979  
In June 1979 I resigned from the postal service  
but in March 1980 About 9 months later I began  
to work for the Dept. of Army until I retired March 31, 2020

In June 1979 I received one retirement refund  
check in the AMOUNT OF ABOUT \$1300  
Agency said this AMOUNT WAS \$4178<sup>58</sup>

Right before I retired in March I wrote the OPM  
Agency two letters of reconciliation  
to let them know this AMOUNT WAS incorrect

I went to the Agency headquarters at 1900 E<sup>st</sup> N.W  
to see what the Agency had in there system concerning  
A retirement refund AMOUNT for the year 1979  
And the Agency had NO record

Doing the case the Agency search at the Department  
of Treasury AND could NOT FIND A PAYMENT or record

There were NO records found at the National Personnel  
Records Center  
within the National Archives AND Records Administration



Dept. of Justice said OPM suffered material prejudice in that additional evidence showing proof of payment is not available from 1979

The Agency said OPM has no ability to provide a copy of a 1979 check for proof of payment

OPM retirement center said we are not able to provide you with further information on this payment

Administrative Judge Lindsay Harrell Initial Decision Judge Harrell Decision seem to have been based on social security and annuity payment

my petition to the Court of Appeals had nothing to do with social security and an annuity payment

but Judge Harrell said although the Agency did not produce a voucher indicating that it paid the appellant the authorized amount

Is it a Supreme Court ruling that if an agency of the court does not have sufficient proof that a person received money they cannot simply assume it happened courts are required to exercise independent judgement and cannot automatically defer to an agency interpretation of the law even if the statute appears ambiguous essentially meaning they must have concrete evidence to establish receipt of funds before taking action

Is it the Supreme Court ruling that if an Agency cannot provide sufficient proof that a person received money the court is likely to rule against the Agency and not allow them to take action based on that lack of evidence essentially upholding the principle that a person is innocent until proven guilty

This aligns with the substantial evidence standard that courts often apply to administrative Agency decisions

In most cases the burden of proof lies with the Agency to demonstrate that a person did receive money not with the individual to prove they did not

recent rulings have indicated a trend towards more rigorous scrutiny of Agency actions especially when substantial evidence is lacking

Loper Bright Enterprises v Raimondo

So where did the Agency and the Court of Appeals get that I received a refund of 4178<sup>58</sup> even though there's no proof that I did

## Appendix A

In the FINAL decision of the Court of Appeals  
October 8, 2024 on page 6

The Court used A copy of STANDARD Form 2806  
to MAKE A decision ABOUT A refund PAYMENT

This document is NOT A refund PAYMENT FORM  
It is used for service history Fiscal record purposes  
It is called AN Individual Retirement Record  
All federal government employees who are subject  
to the "CSRS" receives A STANDARD Form 2806  
It self does NOT determine PAYMENT

This form says PAYMENT \$4178<sup>58</sup> refund AUTHORIZED  
This form shows All six years  
A total of how much I made in six years  
Accumulative total SALARY deduction 4178<sup>58</sup>  
with A SIGNATURE that is NOT mine FROM year 1979  
This is used to MAINTAIN Accurate records for  
retirement benefits

There are 5 documents in APPENDIX A  
that says STANDARD Form 2806  
is NOT A retirement refund PAYMENT

Nevertheless the Agency used this Standard Form 2806  
AGAINST me when I retired in 2020  
The Agency took the amount of \$4,178<sup>58</sup> and they  
Added interest  
The Agency took \$6,049 in deposits \$13,791 in redeposits  
From me for something that they had absolutely  
No proof that I ever received

They used the deposits and redeposits and reduced  
my ANNUITY

The 3418 hours of sick leave that turned into about  
1 year 7 months of government service time  
Agency said they put this toward my ANNUITY

HAVING worked 46 years 1 month that's 4 years 2 months  
past the retirement years of 41 years 11 months  
before you get all that retirement money back  
the extra 1 year 7 months of government service time

All Total 5 years 9 months of extra retirement  
service money  
All of this total should have earned interest

The Agency failed due process to show how much my  
total of extra retirement service money was and  
failed to disclose how much interest my money  
should have earned

The Court of Appeals for the Federal Circuit  
decision agreed with the board

What would the Supreme Court do if the lower court used a different final order in deciding a case

Would this be a lack of disclosure

On March 8, 2024 my petition for review to the Court of Appeals for the Federal Circuit whose decision being appealed: Merit System Protection Board  
Date of final decision being appealed February 13, 2024

On March 25, 2024 I submitted my Informal brief of petitions to the Court of Appeals  
It was accepted not rejected

On June 18, 2024 in the Respondent's Informal Response Brief the Respondent submitted a different final order and said seeks judicial review of the Merit System Protection Board  
Initial decision dated March 14, 2022

On September 19, 2024 in my memo in lieu of oral arguments I asked the Court of Appeals to dismiss the respondent's Informal response brief because this was not the case that I appealed to the court but there was no response

It wasn't until the final decision October 8, 2024 that the court said:

The board denied Mr. White petition for review and thus the Administrative Judge initial decision became the board's final decision

Court of Appeals waited until the case was over  
and a decision was already made before they stated  
that the Administrative Judge initial decision  
became the board's final decision

On October 21, 2024 I'm my petition for rehearing  
en banc

My first argument was:  
was the Court of Appeals for the Federal Circuit  
unfair when it comes to final orders  
I stated that should you have informed the petitioner  
that you plan to use a different final order  
to decide this case it is considered a fundamental  
principle of due process

Court of Appeals decision was before Administrative  
Judge Lindsay Hurrell  
Initial decision date March 14, 2022

My petition to the Court of Appeals was before  
Cathy Harris vice chairwoman Raymond Limon member  
Final Order date February 13, 2024

One Appeal to the Merit System Protection Board

It was a Telephone Hearing Conferences 3 way over the phone

Between Administrative Judge Lindsay Harrell  
An OPM representative and me the petitioner  
date's between April and May 2021  
to discuss the issues and arguments of the case

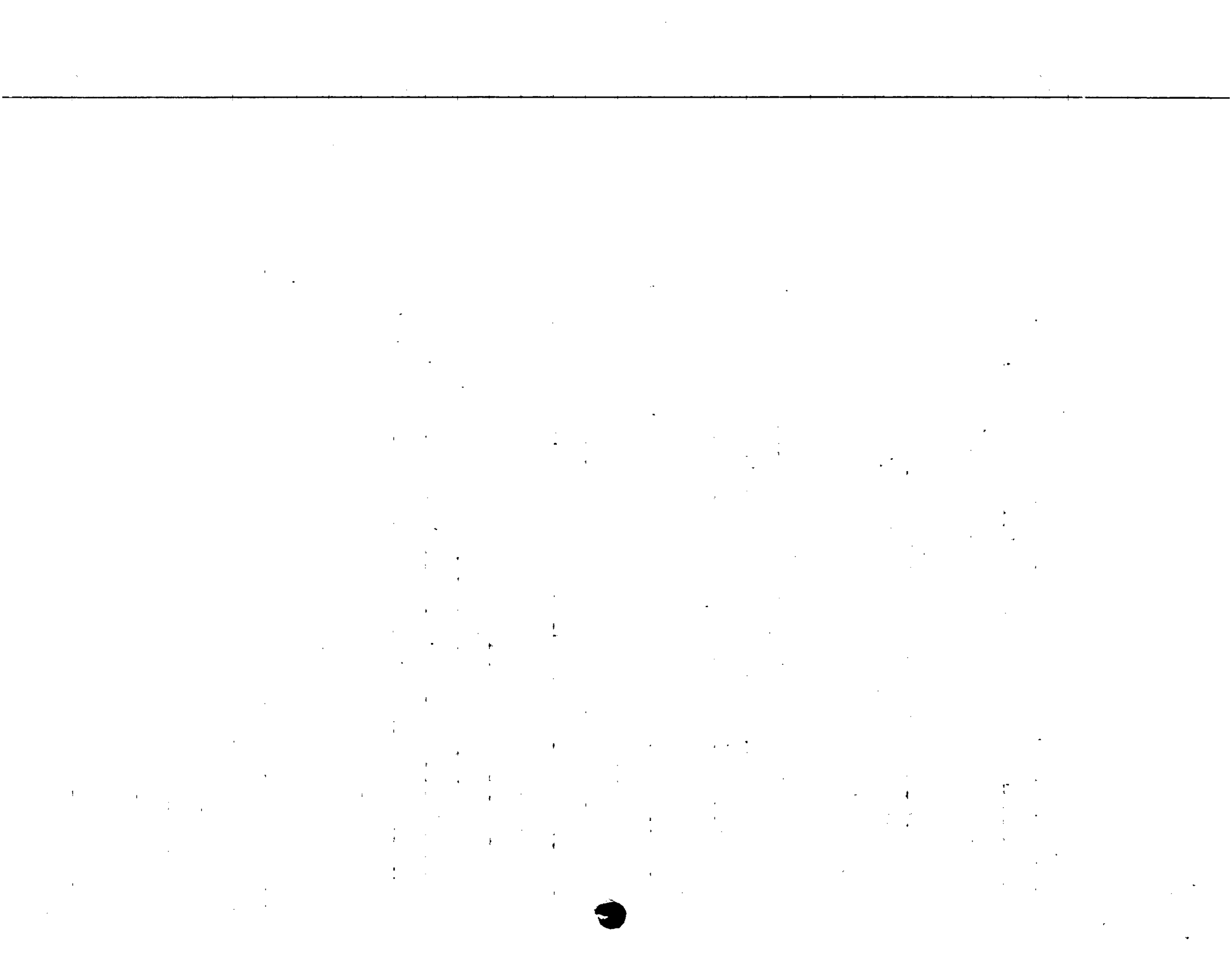
But one day while waiting on the Judge to come on the line

The Agency representative said to me that people like you or cases like yours usually don't win

was this a biased statement saying that I may not get a fair hearing

The phone call is on phone records

Who can tell if you win or lose





## Reason For Granting the Writ of Certiorari

Court of Appeals failure to disclose that they would be using a different, FINAL order in deciding this case  
LACK of disclosure

Court of Appeals used a copy of Standard Form 2806 to make a decision about a refund payment  
said refund was paid in full  
when the Standard Form 2806 is not a refund payment form

Disagreements among the lower court and the agencies

Dept. of Justice said proof of payment is not available from 1979

Agency said OPM has no ability to provide a copy of a 1979 check for proof of payment

Agency search the Dept. of Treasury and there was no record of a payment

No records found at the National Personnel Records Center

Administrative Judge Harrell said although the agency did not produce a voucher indicating that it paid the appellant

OPM retirement center said we are not able to provide you with further information on this payment

Court of Appeals said refund was paid in full  
even though they had NO record that a payment  
was ever received NO PROOF that a payment  
was ever received

NO receipts, NO bank statement, NO confirmation  
NO electronic transaction statement

Court of Appeals just assumed that I did

Reason For Granting the Writ of Certiorari

Court of Appeals and all the agencies above  
seem to have made a decision of this case  
because of a refund payment decision

There was far more to this case than a refund  
payment

There is 5 years 9 months of extra retirement  
service money

that should have been placed in a separate account  
to earn interest

Agency failed to disclose how much my extra  
retirement service money was or how much  
interest it should have earned

They total what they thought what the refund  
payment should have been

But there was NO total of the extra retirement  
service money

WAS this because it was too much for them to calculate or was this done intentionally

would this be called stealing legally or is this considered a violation of the law  
was this a breach of legal obligations

It's a little late now to know how much my extra retirement service money was:  
5 years 9 months with interest

because of the seriousness of the Agency actions  
and because the Court of Appeals took no actions  
against the Agency

petitioner respectfully request that you reverse  
the decision of the Court of Appeals

petitioner also respectfully request a writ of  
certiorari

because all of my extra retirement money depends  
on your decision

I want to thank all the Supreme Court Justices  
I thank you very much  
I sincerely thank you

Lawrence White  
Lawrence White

**CONCLUSION**

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Lance White

Date: February 14, 2025