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August 27, 2018
Hand Delivered

Colorado State District Court for Denver County
Lindsey-Flanigan Courthouse
520 West Colfax Avenue, Denver, Colorado 80204
Re: Case No. Case No. 17CR10088

FILED IN DENVER
DISTRICT COURT
DENVER, CO 80202
2018 AUG 27 AM 7:59
COPY

Supreme Court of Law for the United States of America.
This court maintains a mailing address at 39854 Proctor Boulevard, 347;
Sandy Oregon, [97055]

**Demand and Motion for Summary Judgment, Default,
Judgment as a Matter of Law, and Directed Verdict
Pursuant to Fraud on the Court.**

The evidence in this case shows the intent of Attorney General Coffman and her Deputy Prosecutor Shapiro to Knowingly and Maliciously Deceive the People and good Officials of Colorado into believing that they both are in the service of our State's Public and lawful government; when the fact is that they are actually acting in the interests of a Private Municipal Corporation which has deteriorated into a Criminal Syndicate.

In more specific support of this unfashionable counter accusation, Attorney General Coffman and her Deputy Shapiro are in criminal violation of the specific mandates of the "Mission" statement of the Office of the Attorney General for the People of the State of Colorado.

Specific provisions there in presently being violated, are: "... to promote respect for law and access to the Justice System, to ensure the fair and open exercise of government, and to protect and advance the Public Interest."

Their "Vision" statement mandates that those officials act only in such manners as empowers them to be a "Public Law Office leading the state with the Trust" of the People of Colorado.

Their "Focus" statement mandates that those officials act only in such manners as are "Promoting Open, Accountable Government."

Their "Authority" statement includes "the responsibilities given to the office by the Colorado Constitution, statutes enacted by the Colorado General Assembly, and the common law".

More specifically in this case; Attorney General Coffman, and her Deputy Prosecutor Shapiro, have "Knowledge" of the 24 "Notice of Fraud" documents that have been delivered to them, and published publicly, by this Defendant and numerous good other members of the organic body-politic of our constitutional State of Colorado.

By way of their "Silent Acquiescence" in response to those documents, these posturing Public Servants have shown evidence of their malicious "Intent" to "Falsely Represent" themselves as legitimate servants of the "Public Interest".

This Defendant, and my associated state-ex-rel others, have all proceeded under our good-faith "Reliance" on the un rebutted Affidavits and aforesaid "Notice of Fraud" documents which have been submitted in this case.

By reason of the foregoing, Attorney General Coffman and her Deputy Prosecutor Shapiro are on breach of the "Public Trust" which they have held, and they are no longer lawfully recognizable as having legitimate authority to proceed in the name of, and on behalf of, the "People of the State of Colorado".

Specific "Fatal Errors" in the Prosecution's Case:

Prosecutor Shapiro's Complaint has failed to State a lawful "Cause of Action", because, it lacks the details necessary in order to establish this Court's Jurisdiction over this Defendant.

More specifically; Prosecutor Shapiro has **not produced** any sworn Affidavit in support of the said Criminal Complaint.

Also; Prosecutor Shapiro has **not identified** this accused Defendant in the complaint with sufficient clarity.

Well settled "Law" mandates that all "Courts of Record" produce all related "Court Records". All true "Courts of Law" **cannot lawfully proceed** without a record of the previous Court proceedings.

Under the directives of Attorney General Coffman, Deputy Attorney General Shapiro has knowingly and willfully refused his official duty to provide records of the proceedings directly related to this case, to this accused Defendant. These refused Court records include exculpatory evidence, discovery materials, and recordings of previous Court hearings.

By their refusal to provide these court related records to this accused Defendant, this effectively amounts to "Extrinsic Fraud", which is also known as "Fraud on the Court".

Rule 16 (l)(a)(1), (VIII), and (b) of the of the Colorado Rules of Criminal Procedure specifically declare that specific a "Time Schedule" be followed, as follows:

Colo. R. Crim. P. 16 Part I. Disclosure to the Defense (a) "Prosecutor's Obligations. (2) The prosecuting attorney shall disclose to the defense any material or information within his or her possession or control which tends to negate the guilt of the accused as to the offenses charged or would tend to reduce the punishment therefor."

"(1) the court shall set a deadline for such disclosure to the prosecuting attorney of those items referred to in Parts II (b) (1) and (c) herein, ... In no case shall such disclosure be less than 35 days before trial for a felony trial. ..."

Through the directives of Prosecutor Shapiro, the executive officers executing on the Search Warrant obtained on April 6, 2017, stole/took this Defendant's personal computer, documents, books and electronic records; all of which collectively contain many files directly related to this case, all of which are absolutely certain to contain much "Exculpatory Evidence" including evidence which incriminates the prosecution.

As of this date, Prosecutor Shapiro has refused to comply with this mandate; and hereunder, this case should be Dismissed. At minimum; Rule 16 of this Court would require that a continuance be granted of this trial, until all such evidence is produced for this Defendant by prosecutor Shapiro.

No audio files, equals no transcript, equals no court of record, equals no case.

Case law concerning "Access to Public Records" specifically includes "Douglas Smith v. United States District Court Officers, Defendants-appellees, 203 F.3rd 440 (7th Cir. 2000)".

Further related Federal Statutory Codes read as follows:

18 U.S. Code § 2071 - Concealment, removal, or mutilation generally:

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States.

18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant:

(A) prevent the attendance or testimony of any person in an official proceeding;

(B) prevent the production of a record, document, or other object, in an official proceeding; or

(A) influence, delay, or prevent the testimony of any person in an official proceeding;

(i) withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(ii) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding;

This case being prosecuted against this Defendant by people acting as our state's attorney general's officers is complex; and here-under consolidation with a federal jurisdiction would be appropriate; as set forth in the numerous criminal-counter-accusations of this defendant state-ex-rel, under Defendant's related filing in Federal Court Case No. 1:17-CV-1680, RPM KLM.

By the manner in which presiding Judge Spear has thus far been proceeding without these records, it appears that presiding Judge Spear may be sanctioning lying cheating, stealing, deceit, forgery, and Fraud on this Court.

We the ex-rel People of Colorado certainly hope this is not the case.

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