

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Laurence R. Goodman, et al.,

Plaintiff,

Civil Action No. 17-cv-01680-KLM (MIX)

John W. Hickenlooper, et al., and
Cynthia H. Coffman, et al.

Defendants.

AMENDED COMPLAINT

JURISDICTION

Jurisdiction is asserted pursuant to the following power and statutory authority, 28 U.S.C. §1331:

BACKGROUND STATEMENT

The plaintiff in fact, Goodman et al., alleges and avers that there are no public officers currently elected or appointed anywhere within the State of Colorado who have filed evidence for public scrutiny a mandated fiduciary bond or recognizance under provisions of the Constitution for the United States of America, 1789; Colorado Constitution, 1876; General Laws of Colorado; and Statutory Laws of Colorado. The "ordinance irrevocable" § 4, 18 Stat. 474 the Enabling Act permitting the Territory of Colorado to become a state government of republican in form brought forward the requirements into the Schedule, §§ 2 and 22, Colorado Constitution, also a federal law, because it took an act of Congress to approve it and the President to sign it into law. There has never been a three-fourths vote required of the people to alter this requirement; therefore it is still active.

As a consequence, those persons posing as state and county public officers defy the will of the People of Colorado and deny the need for their trust as they unconstitutionally and unlawfully perform the duties required by the offices they occupy.

Additionally, there are no lawful or valid criminal or civil cases in the State of Colorado Court system and all the courts in the State of Colorado are vacant from the Supreme Court on down because they are vacant; imposters now hold positions in those courts. Without fiduciary bonds or recognizance required of judicial officers there are no viable remedies in law and equity in any Colorado court. As a result, only a federal district court can fashion a remedy in law and equity as required to settle matters pursuant to Article III, § 2, Cl. 1, Constitution for the United States of America, 1789.

The public very much has an interest in applying the United States Constitution, the Colorado Constitution, and the fundamental requirement that our public officials represent us by posting a fiduciary bond or recognizance as a precedent to entering into office. The People of Colorado have a right to an honest government and a right to be protected against faithless public office holders. Therefore, the People are entitled to know that their public servants have legitimate authority in Colorado and will faithfully discharge their oath of office.

FRAUD IN A FIDUCIARY RELATIONSHIP

The defendants have entered into a covenant for a fiduciary relationship with the People of Colorado either by elections or otherwise as provided by law. The defendants/fiduciaries, the dominant party, receive salary and benefits: office facilities, vehicles, uniforms and status from the relationship. Upon assuming their office, the defendants/fiduciaries come under an umbrella of protection by a massive, heavily armed, para-military force backed by the taxing power of the state. The People of Colorado, the weaker party, rely on the fiduciary bond as the assurance that they are going to have their rights protected pursuant to both constitutions and not be run ruff shod over by imposters engaged in a mixed war against the People.

Numerous diligent attempts have been made by Goodman and others to find fiduciary bonds or recognizance of alleged public officers at both state and county offices where they are required to be on public display, and they have failed and failed and failed to produce them. A Notice of Fraud No. 1 was served on May 10, 2015. A Notice of Fraud No. 24 was served on June 21, 2017. The claimed fraud is that the defendants are imposters pretending to hold public office. The said 24th notice lists 574 imposters pretending to hold public office: 187 state officials; 387 county officials; and 100 members of the Colorado general assembly.

Intent

The defendants intend the People to believe that they are public officials, Colorado legislators, judges, sheriffs, etc., when in fact they were not. So if everybody does believe the false representations to be true that works to the material detriment of all the people by theft of property, rights, and liberty by a court system claiming to be equitable; but it is not because they do have not fiduciary bonds. The defendants intend the People to believe they are public officials. They get all kinds of said benefits for doing that for keeping up the con.

Of the aforementioned 574 imposters holding public office, not one has stepped up and done the honorable thing, proving us wrong by posting the valid fiduciary bond or recognizance that is required before they enter office or vacated the office. Therefore, it can be concluded that it is their intent to conceal and cover up their fraudulent behavior. It is inconceivable that 100% of the elected law enforcement officers, judges, treasurer, attorney general, and governor, etc., are ignorant of the constitutions. Defendants are responsible for upholding both constitutions, and they swore an oath to do it. Defendants cannot claim ignorance of a law requiring a fiduciary bond. The defendants are public officials and shall follow both constitutions. Therefore, it must be concluded that their fraudulent behavior is intentional and malicious. See Notice and Memorandum of Law already filed in this case.

Knowledge

Both constitutions are published and are readily available for everybody to receive or read especially for those in positions of public trust. Swearing an oath and entering an office of fiduciary responsibility, they are none the less held accountable for knowledge of the power of both constitutions.

Public official all have a huge financial motive to commit crimes. They had motive to pretending to be imposters in public office to get pay checks and all kinds of benefits. They all had opportunity because they all are in on the scam.

Reliance

The People all took the defendants at their word; they were elected, sworn in, took the key to their office, and put on their costumes. Yet it was all false without a valid fiduciary bond or recognizance. Throughout Colorado government there is collusion, and cover – up at the highest

levels regarding the lack of said fiduciary bonds or recognizance and the associated criminal activity. It has worked to the detriment of the plaintiff and the People of Colorado. Anyone who paid property taxes, sales taxes, income taxes, fines and fees relied on the defendants' false representations.

Am Jur 2d § 461 Effect of fiduciary, confidential, or unequal relationship states in part:

“The general rule that fraud is not presumed and the burden of establishing fraud rests on the party who alleges it¹ is relaxed or qualified in a case where a fiduciary or confidential relationship exists between the parties² and where one has a dominant and controlling force or influence over the other.³ In such a case, on the complaint of the party in the power of the other, a presumption of fraud arises where there is an indication of fraud⁴ or self-dealing by the fiduciary.⁵ A presumption of fraud also arises where a trust under the fiduciary or confidential relationship has been abused⁶ or breached⁷ or where the superior party or fiduciary profits⁸ or obtains a possible benefit from the relationship.⁹ Furthermore, when property is transferred between a fiduciary and his or her principal, fraud does not have to be established by direct evidence, and it is presumed.¹⁰

When a presumption of fraud arises in a case based on the confidential or fiduciary relationship between the parties, the burden of proof is on the fiduciary or dominant party to rebut the presumption,¹¹ and to justify¹² and to establish the honesty of the transaction,¹³ and to demonstrate that there was no fraud.¹⁴ The fiduciary has the burden of showing that he or she did not take advantage of his or her principal and acted throughout in a fair, open and honest manner.¹⁵”

Findings that the burden of proof is on the fiduciary or dominant party to rebut the presumption, to justify, and to demonstrate that there was no fraud has also been affirmed in: *Martinelli v. Bridgeport Roman Catholic Diocesan Corporation*, 196 F.3d 409 (2nd Cir. 1999); *Kawther Al-Abood, v. Nimat Mohammed Tayeb Elshamari*, 217 F.3d 225 (4th Cir. 2000); *Bohler-Uddeholm v. Ellwood Group*, 247 F.3d 79 (3rd Cir. 2001); *Dresden v. Willock*, 518 F. 2d 281, 290 (3rd Cir. 1975); *Bellis v. Thal*, 373 F. Supp. 120, 125-27 (E.D. Pa. 1974), *aff'd* 510 F.2d 969 (3d Cir.1975); *Duquesne Light Co. v. Westinghouse Elec. Corp.*, 66 F.3d 604, 618 (3d Cir. 1995). Other citations omitted. The reason for placing the burden of proof on a fiduciary is that the fiduciary is in a position of control over the beneficiary or his property, and must therefore meet a higher standard in his dealings with the beneficiary of a legitimate government that protects our rights, liberty, property.

BREACH OF FIDUCIARY

Demands for certified copies of oath and evidence of fiduciary bond(s) for the Colorado State Treasurer, Walker Stapleton, were made in person by two witnesses and twice by certified mail to the Office of the Colorado Secretary of State. The authority for asking for this demand, as one of the

People in Colorado. is Article II, Section 2, Colorado Constitution, 1876. Walker Stapleton's oath and evidence of his fiduciary bond(s) to the people of the state of Colorado is required by Article VI, Clause 3, Constitution for the United States of America, ratified in 1789; Article XII, Sections 8, 9, and 10; Article XIV, Section 9; Schedule, Section 2 and 22, Colorado Constitution, ratified in 1876; and pursuant to:

Colorado Revised Statutes 24-22-101(1)(2017). Oath - bond and sureties - conditions of bond

(1) "On or before the second Tuesday in January after his election and before entering upon his duties, the state treasurer shall take and subscribe to the oath required by the state constitution and shall give a bond to the people of the state of Colorado in the sum of one million dollars, with not less than ten individual sureties or one or more surety companies authorized to do business in this state. The bond and each surety shall be approved by the governor and the attorney general and held in the custody of the secretary of state."

Walker Stapleton's mandated bonds, not less than ten, should have been placed in the custody of the Colorado Secretary of State, an alleged imposter, who then accepts liability bonds from the Colorado Treasurer, Walker Stapleton, also an alleged imposter. The responses from the Office of the Secretary of State claim that there are no bonds on file for Walker Stapleton. The lack of the required fiduciary bonds for Walker Stapleton further demonstrates that the alleged imposter John W. Hickenlooper holding the Office of Colorado Governor and the alleged imposter Cynthia H. Coffman holding the Office of Colorado Attorney General have failed in their duties to the People of Colorado.

As a result, after the Colorado State Legislature produces the Bill of Appropriations and thereafter, the Bill is signed supposedly into law by an alleged imposter John W. Hickenlooper holding the Office of Colorado Governor; the public appropriations thereby become embezzled public money under control of an alleged imposter. The Treasurer, whether properly bonded or not, cannot lawfully accept embezzled public funds under provisions of Article X, § 13, Colorado Constitution; and the authority of Colorado Revised Statute 18-8-407. Each time the defendants collect and cash a pay check constitutes another count of embezzlement, intentional felonious misuse of publicly appropriated funds. With embezzlement of public property they disperse those funds feloniously to accomplish the intended purpose of paying all state officer and employee salaries and office operating expenses is obvious; and the defect must be recognized for a cure to occur.

Paragraphs (2) and (3) of said **Colorado Revised Statutes 24-22-101** defines the distinction between a fiduciary bond or recognizance in paragraph and a fidelity bond. Several defendants, public

officials, claim that the fidelity bond or crime insurance is a substitute for a fiduciary bond or recognizance. They are welcome to rebut that presumption by pointing to the three-fourths vote of the people to amend the constitutions. Without the evidence of the said vote of the people they are presumed to be committing fraud. Without a rebuttal available the defendants really did commit fraud.

Injuries

On April 6, 2017, Goodman et al., were arrested, incarcerated, and subjected to torture by Joseph Pelle who exercise control over the unidentified men and women of Boulder County Sheriff's Department in a conspiracy, Patrick Firman who exercise control over the unidentified men and women of the Denver County Sheriff's Department and alleged FBI agents in a series of war crimes defined in 18 U.S.C. §§ 2340 – 2340A. These acts are considered to be breaches of Article III of The Hague Convention IV, 'Respecting the Laws and Customs of War on Land' 1907, also known as the Geneva Convention. Kidnappings, aggravated assaults, and oppression are resulting in Goodman and others being injured and harmed daily by criminals in violation of 18 U.S.C. §§ 241 and 242. Goodman has suffered a respiratory infection and a hearing loss from which he has not yet recovered. Goodman remains under house arrest with an ankle bracelet and others remain unlawfully incarcerated at this late date by the informed imposters posing as state public officers and will be further harmed by the sham proceedings of one of those imposters.

Neither Pelle or Firman had authority to permit FBI agents into their counties because it is alleged they have not filed valid fiduciary bonds or recognizance timely with the respective county recorder's office.

In an order dated April 17, 2017, Chief Judge Michael A. Martinez of the Second Judicial District ordered all Denver court recused from the case and assigned Michael Spear also impersonating a judge from the 18th Judicial District to the case. Plaintiff alleges and avers that they were never constitutionally or lawfully holding office in the first place and that his actions are motivated to silence people who are raising lawful concerns about their lack of authority.

The aforementioned persons posing as public officers are threatening and intimidating the plaintiff in violation of 18 U.S.C. § 1513, Retaliating against a witness, victim, or an informant, because all people currently under arrest on civil and criminal charges within the State and Counties of Colorado are being retaliated against in violation of 18 U.S.C. § 1513 on grounds the

plaintiff reported all the persons posing as state and county public officers who are imposters engaged in criminal activities.

The record in the above-cited Denver District court case demonstrates that the denial of the return of my stolen property by Michael Spear impersonating a district judge in collusion with Robert J, Shapiro deprives the plaintiff of an equitable trial by prohibiting my access to not only the tools and evidence necessary to defend myself but also evidence that demonstrates their criminal activity. Article III § 2 Cl. 1 requires matters to be settled equitably.

By reason of there is no evidence that the Colorado Supreme Court judges have filed a fiduciary bond or recognizance, Shapiro, is an imposter attorney licensed in Colorado operating under the non-existent authority of the Attorney General because the Attorney General has failed to file a fiduciary bond or recognizance. Therefore, the United States District Court in Colorado needs to intervene to prevent injustice.

28 U.S.C. § 1652 specifies that state laws shall be rules of decisions in federal courts except where the constitution and treaties of the United States takes precedence. That law, 28 U.S.C. § 1652, cannot be applied in Colorado since all Colorado courts of law are vacant because no state and county public officers have filed a valid and verifiable fiduciary bond or recognizance in accord with Sections 2 and 22, Schedule, Colorado Constitution and thereby, were prevented from taking office. Plaintiff's authority for making this charge is Section 2, Article 2, Colorado Constitution.

The People of Colorado have been denied a republican form government as mandated by Article IV, Section 4, of the Constitution for the United States, 1789. Consequently, persons posing as public officers within Colorado State government agencies are waging a mixed-war against the People of Colorado.

The plaintiff and others will continue to be injured and harmed daily if the defendants are allowed to prevail and go forward. That will have a massive loss to the entire republic because they will continue in office as imposters.

CLAIMS FOR RELIEF AND SUPPORTING FACTUAL ALLEGATIONS

1. The People of the State of Colorado have a crisis requiring immediate federal intervention since there are no persons constitutionally or lawfully holding a public office in Colorado, the plaintiff demands the Court issue an Order mandating all offices without legitimate office holders be declared vacate and subsequently filled according to law.

2. Require that each and every Colorado State Legislature to verify and the Court to be assured that those persons holding a state public office are constitutionally and statutorily holding those offices prior to appropriating public funds for any purpose.

3. As a suggested remedy, the court could appoint a Master to collect from each and every illegitimate office holder their entire paychecks from their current office and any prior office they held in Colorado 100 percent of their gross pay. Furthermore, this be deemed a non-dischargeable debt in bankruptcy. Those debts are from criminal activity as opposed to ordinary credit card debts. The money collected should be returned to the People of Colorado as a tax refund.

4. Plaintiff Goodman, has suffered personal damage, property loss, and damage to reputation. Many records relating to damages were stolen by the imposter law enforcement officers. A jury will be necessary to determine the value of many of the damages. Furthermore, the Court should grant exemplary damages, to raise visibility. The plaintiff, like many others in Colorado, have suffered grievous losses of property stolen by imposter law enforcement officers and others listed on the Notice of Fraud No. 24. It should be returned immediately. Pursuant the doctrine of constructive fraud, treble damages are warranted in addition to at least \$10,000 for every day of incarceration, at least \$1,000 per day for every day under the continuing house arrest, and rent and damages from said imposters squatting on plaintiff's house.

5. All contracts made between the plaintiff and imposters listed on the Notice of Fraud No. 24 be declared null and void.

6. A proposed Order, that if the defendants fail to produce valid fiduciary bonds or recognizance they are required to put up an appellate bond equal to their portion equal to their portion of public appropriations.

Respectfully submitted,

Laurence R. Goodman
Laurence R. Goodman, Plaintiff
Post Office Box 3792
Boulder, Colorado 80307

VERIFICATION of signature this 19TH day of October, 2017.

[Signature]

Witness
[Signature]

Witness
[Signature]

Witness