May 3, 2010

R. Wayne Johnson
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Colorado Supreme Court-
Office of Attorney Regulation
Attorney Amy C. DeVan
1560 Broadway, Suite 1800
Denver, CO 80202

RE: Request for Investigation of Jayne Candea-Ramsey 10-01147

Dear Ms. DeVan:

I had expected a response from Ms. Mares, but thank you for yours of April 28, 2010.

I certainly can appreciate the Counsel's reluctance to accept the information I have provided on face value. I understand the presumption of innocence and recognize its necessity in a society such as ours. I also respect the controls that are in place to keep us all free and safe and the special role the justice system and, those that represent it, contribute to our well being as a nation. From my experience, your jobs are both challenging and demanding.

I entered the courtroom on January 13, 2010 with full confidence that truth would prevail. I expected to be treated fairly and to be presumed to be telling the truth under oath. However, I experienced the same mistreatment and disrespect that I had been forced to endure the previous 16 months at the hands of the same company's legal representative. To say, I was dissatisfied with the outcome of the modification hearing I requested would be an incomprehensible understatement of how I felt when I left the courtroom where I thought justice would be served.

The information that follows is from the District Record ("Dist. Rec.") as transcribed by B.M. Legal Transcriptions, LLP at my request. The original transcript was filed with the Petition for Review on April 9, 2010. I am submitting selected parts of a working document near completion to support my continued claim of gross judicial and professional misconduct in the conspiracy that obstructed justice and denied my rights to due process and equal treatment. I am not attempting to make the parts transition together due to time constraints.

Following the excerpts, there are several points relative to your selected responses.

Please consider it as you will.

Sincerely,

R. Wayne Johnson

Conflict of Interest

[1] The Amended Order title page indicates the relationship of the Law Office to CSEU and identifies CSEU as the Third Party Intervenor. The Law Office has one location at the same physical address as CSEU in Colorado Springs. CSEU is the trade name registered by Policy Studies, Inc. (PSI), a privately-traded company headquartered in Denver. El Paso County has a current contract with PSI to administer the Colorado Department of Human Services (CDHS) Child Support Enforcement Program. The base five-year contract and renewals for 2007-2009 were obtained under the Colorado Open Records Act from the Office of the El Paso County Attorney. The contract was approved by the CDHS.

Excerpts from Findings and Rulings of the Court

Ms. Eigel then immediately followed, "You heard Ms. Dolbow's testimony regarding what she believes was his parenting time and when he was with her on (inaudible)." I responded, "She said about 50/50." Ms. Eigel said, "Um hum. Does-" Then I said, "And I have no problem with that. I mean he's the son of her and me. So, I mean, 50/50 that's pretty fair." Ms. Eigel addressed Magistrate Lyle saying, "Your Honor, I have no other questions." Magistrate Lyle said, "All right. What's your date of birth sir?" I responded, 3/5/54." **Then he said , "Thank you. You may step down. (PAUSE.) (I look) forward to this." Dist. Rec. at 30, ¶ 16-25; Dist. Rec. at 31, ¶ 1-2.**

Ms. Eigel then addressed the Court : "Your Honor, in regard to child support, the motion filed by Mr. Johnson requests basically modification and credit, starting for the time period 2005. Motion states specifically that Marcus resided with Respondent from July 1st of 2005 to December 2007, 30 months. Respondent requests child support (inaudible), child support obligation arrears 4-38-80 times 30 equals $12, 864. 00. **Petitioner paid zero child support to respondent during this time. Parties (mutually agreed) today that the changes basically took effect January 2005, and that for the time period 2005, 2006, 2007 parties had 50/50 parenting time.**" Dist. Rec. at 31, ¶ 4-14.

Magistrate Lyle then asked Ms. Eigel, "What about summers?" Dist. Rec. at 31, ¶ 4-15. Ms. Eigel stated, **"I believe summers with mother**." So that would give mother the majority of parenting time, and father substantial parenting time but not a change of primary residence. So it is the child (inaudible) position that under 14-10-122 (inaudible) modification is not appropriate when there's not a primary change of residence. **This is not actually a voluntary change of physical care, it's just an increased amount of parenting time to the (inaudible)**. But if the Court finds that a modification for (inaudible) is appropriate, father's income, using a three percent increase each year for his retirement, I calculated 4,701 is his income, would mean a Worksheet B. There are two-and-a-half months of summer, so that would have been 145 overnights to the father for those three (years). One child. Mother's income, **she indicated she was unemployed**. I (inaudible) **I believe at that time** it was $893.00 month. This would show that - - I'm not imputing any additional income to Mr. Johnson - - child support would be $467.00, which is not a 10 per cent change. Does the Court want me to calculate it with imputation of income? Or just go forward to 2006?" Dist. Rec. at 31, ¶ 16-25 through Dist. Rec. at 32, ¶ 1-9.

Magistrate Lyle asked Ms. Eigel, **"I would like you to comment on why we don't impute in this case." Dist. Rec. at 32, ¶ 10-1. She responded, "And we would be asking the Court to impute.** Mr. Johnson testified he has multiple job offers (inaudible) since he's been retired, from a high of $280,000.00 in Iraq to $190,000.00 in California. (Inaudible) Would not be requesting imputation of those amounts of money. He did indicate he's a licensed electrician, and that he had a job offer on the eastern plains of Colorado at $38.00 an hour, which would be an additional **$6,857.00,** which would give him 6,857, plus the **47-01**, would be an **income of 11,288.** (Which means that) child support would increase in 2005, using the guidelines in effect at that time, to $1,045.00. Without the imputation, again there is no 10 per cent change." Dist. Rec. at 32, ¶ 12-22.

"Using that same computed - - imputed income of father, plus we're now showing a three per cent increase, 48-42 (inaudible) gross income of 11, 429. **Mother's now employed $9.70 cents an hour she believed in 2006. Using 40 hours a week is 16-81.** Again, one child, worksheet B with 145 overnights. Each year I continue to credit Mr. Johnson for the 38-5 that we calculated as Marcus' half of insurance . Child support would be 9-62, without the imputation of income to Mr. Johnson. Just using the 48-42 which we're estimating is his retirement, child support would be 3-46." Dist. Rec. at 32, ¶ 23-25 through Dist. Rec. at 33, 1-6.

"**2007 (because) probably mother isn't quite sure what she was earning, so I just estimated $10.00 an hour, (inaudible) she had a raise, 17-33**. Father's retirement with a three percent increase is 49-67, plus 65-87, 11,574, would make child support $968, (without), would be 11,724, (inaudible) child support $984, without the imputation of income child support is $355.00. Dist. Rec. at 33, ¶ 7-18.

Based upon the **parenting time estimates with summers credited to Ms. Dolbow, Ms. Dolbow's estimated income**, and the annual cost of living increase to my retirement benefit using worksheet B, **my monthly child support obligation remained $438.80 for 2005** (Dist. Rec. at 32, ¶ 1-9), was **reduced to $346.00 in 2006** (Dist. Rec. at 33, ¶ 1-6 ; Dist. Rec. at 33, ¶ 16), and was increased to **$355.00 in 2007**. Dist. Rec. at 33, ¶ 7-11.

Based upon the January 2008 change in custody and **Ms. Dolbow's estimated 2008 income from wages and her current pay rate**, the increase in Ms. Dolbow's gross income from inheritances in 2008 and part of 2009, the increase in my gross income from the addition of $6,587.00 in imputed income to my retirement benefit of $4,701.00 and the cost of living increases using worksheet A (Dist. Rec. at, ¶ 32, 16-20), **my original monthly child support obligation of $438.80 decreased to $355.00 in 2008** (Dist. Rec. at, 33 ¶ 12-18)**, increased to $369.00 through September 30, 2009** then **increased to $958.00 for October 1 through December 1, 2009.** Dist. Rec. at 33, ¶ 19-25.

Based upon Ms. Dolbow's decreased gross income by dropping off the inheritance **and her stated hourly pay rate,** the increase in my gross income from the addition of imputed income to my retirement benefit and the cost of living increases using worksheet A, **my original child support obligation of $438.80 increased to $1,357.00 commencing January 1, 2010 through August 31, 2010.** Dist. Rec. at 34, ¶ 12-25.

Selected Response Points

Compromised Independence

- Ms. Candea-Ramsey did not affix her personal signature to the final Amended Order.
- Ms. Candea-Ramsey issued and signed the final order denying two motions for change of venue and an amendment on March 26, 2010, the same day she stamped the Amended Order. The motions were filed on March 4, 2010, March 9, 2010, and March 11, 2010.

  The total pages I filed, including exhibits and excluding mailing certifications was ≈14. And assuming she read the other documents filed my me, excluding the one that disappeared until the week of April 12th, she read another ≈22 pages including exhibits and excluding mailing certifications. If I assume she read them at least once after they were filed, she considered the 72 pages of what I considered good cause to believe I could not get fair treatment in the Fourth Judicial District. (I did not bother to count the pages of Ms. Eigel's three responses that she also reviewed.)

  I filed the motions for change of venue pursuant to C.R.C.P. 98(g) and signed the second motion and affidavit made part of the form with a complete listing of the documents affirming that their content, taken together, was true to the best of my knowledge and belief. Notably, Ms. Eigel chose not to respond to this motion to change venue, which would have required her affidavit as well.

  Please refer to the Colorado Code of Judicial Conduct to understand my concern about her well thought out decision to deny my motions to change venue.

  When I also consider that she did not issue an Order for the first hearing motion I filed on March 2, 2010, although Ms. Eigel did issue a response, and the whereabouts of the second motion for a hearing filed on March 15, 2010 was unknown, I must presume she at least read Ms. Eigel's response to my first hearing motion, thereby denying my right to due process and equal treatment and preventing me from defending against the taking of my property and freedom a second time.

  I filed the motions for hearings, albeit ignored or misplaced, on March 2, 2010 and March 15, 2010 pursuant to C.R.S. § 24-4-105.

Recording Keeping Irregularities

ROA's explanation sounds reasonable just like finding the missing second motion for a hearing nearly a month after it was filed. Here is the explanation I received again:

> I also talked with Sicily about the Register of Actions. She informed me the missing motion had apparently been mishandled and was now in her possession. She apologized saying, "mistakes happen because we handle so much paper."

The motion was first reported missing on March 26, 2010 and then reported again with the ethics complaint packet delivered indirectly to Chief Judge Samelson on March 29, 2010. His letter in response to the packet excludes the notice of appeal document that identified the missing motion. The letter and selected documents were entered as events on the ICON system on March 29, 2010. I would think that someone would have diligently attempted to find it before April 13, 2010 – before I took action on my own. But by then it did not matter, the Amended Order had been stamped. (Please check your system for verification purposes. I do not consider ICON events anymore reliable than I do the ROA's explanations. And I will always question why the clerk that verified the entry dates of all three petitions, transcript and 34-page affidavit refused to sign her name. She did thankfully agree to stamp the verification form for me. It appears stamps are the way to do business in the Fourth Judicial District.

Sworn Affidavit

Please read the information under Court Findings again.

Ms. Dolbow only knew what she was currently being paid by the hour, which was provided on a Colorado Child Support Enforcement form CSE102. The Affidavit with Respect to Child Support is sectioned as follows: Instructions, Your Personal Data (name, address, etc.), Your Primary Employment (current job information, including pay rate), Day Care (expenses-my son's 18), Health Insurance Information (I provide), Other deductions (his asthma medications), Other Support Orders (none). The employment section provides spaces to mark the documents used to verify income – no source documents were verified.

I was required to provide a sworn financial statement of all income sources and personal assets – just to be able to set a hearing. (The transcript mentions my financial statement.) Yet, the hearing proceeded unimpeded by the lack of income information for Ms. Dolbow. As Magistrate Candea-Ramsey, former Magistrate John Paul Lyle, and Ms. Eigel know, the income of both parents must be verified for the calculation of child support for equity purposes.

What you were told is true in the perverted way attorneys make the truth suit their purposes. She did testify to her hourly rate on the generic affidavit she signed. Nonetheless, when Ms. Dolbow completed the application for child support collection services, she was required to provide sworn income and custody and direct support information at that time. Since Ms. Eigel's law office is at the same address of the company that employs her, she should have been better prepared for court, especially knowing how important income is to the Child Support Guidelines and what the law requires. And as I know, Ms. Eigel is an expert in child support enforcement and modification. She can calculate on a dime.

ONCE AGAIN, MY ISSUE IS NOT WITH MS. DOLBOW, THE MOTHER OF MY ONLY SON. OUR ONCE GOOD PARENTING RELATIONSHIP HAS BEEN COMPLETELY DESTROYED BECAUSE OF THE MALICIOUS PROSECUTION OF BOTH THE CHILD SUPPORT ENFORCEMENT CASE AND THE CHILD SUPPORT MODIFICATION CASE. A SIMPLE AND JUST SOLUTION WAS READILY AVAILABLE ON OCTOBER 10, 2008. INSTEAD, PSI DECIDED TO USE ME TO BUILD UP THEIR COLLECTION RATE AND PROTECT FEDERAL TANF FUNDING TO COLORADO. AS A TAXPAYER – AND RESPONSIBLE FATHER – I EXPECT FATHERS TO PROVIDE FOR THEIR CHILDREN TO THE BEST OF THEIR ABILITY - BUT IN AN OPEN AND FAIR WAY THAT RESPECTS THEIR RIGHTS AND NEEDS, TOO.