

May 24, 2010

Robert W. Johnson
P.O. Box 75162
Colorado Springs, CO 80970

Office of the Administrator
Fourth Judicial District
District Administrator Victoria Villalobos
270 S. Tejon Street, #S410
Colorado Springs, CO 80903

RE: Second CORA Request for the Termination Record of Former Magistrate John Paul Lyle

Dear Ms. Villalobos,

On April 12, 2010, I requested the record pertaining to the early termination of former part-time magistrate John Paul Lyle's State Judicial contract based on my review of the contract you provided to me pursuant to CORA. I am making the same request again.

I am aware of the ongoing interference of the State in the resolution of both the child support enforcement and modification cases. I believe the State's investigation of Mr. Lyle's conduct was initiated after my threats to file a federal lawsuit and that his voluntary or involuntary contract termination was attributable to the statement made by him just before he issued the rulings contrived prior to the hearing (the District Record, i.e. transcript, is abbreviated Dist. Rec.):

After the Court had taken my sworn testimony (Dist. Rec. at 3, ¶ 18 - Dist. Rec. at 16, ¶ 5) and Ms. Dolbow's sworn testimony (Dist. Rec. at 16, ¶ 6 - Dist. Rec. at 28, ¶ 25), the prosecution recalled me to the stand for sworn re-direct examination. Dist. Rec. at 29, ¶ 1-6. Upon the conclusion of questioning and the prosecution's announcement to the Court there were no other questions, Magistrate Lyle asked my date of birth to which I responded "3/5/54." Dist. Rec. at 30, ¶ 23-25.

Magistrate Lyle then made three statements:

THE COURT: Thank you. You may step down. (PAUSE.) (I look forward to this. Dist. Rec. at 31, ¶ 1-2.

Please find below the body of the letter mailed to you on April 12th for the termination record.

A timely response will be appreciated, although it now seems the judicial branch of State government has the same respect for CORA as do officials in the executive branch – NONE.

Sincerely,

R. Wayne Johnson

Attorney Lyle's contract was signed on January 11, 2010 yet on January 31, 2010, prior to the completion of the term commencing January 1, 2010 and ending June 30, 2010, he left employment.

Pursuant to the Colorado Open Records Act, §24-72-201 C.R.S. et seq., will you please make available for inspection and copying your record of the termination, i.e. for cause, for convenience, or lack of funds. If this record is not in your custody or control, please notify me accordingly and state in detail to the best of your knowledge the reason for the absence of the record, its location, and what person or persons has custody or control of the record as required by §24-72-203(2),C.R.S.

Please set a date and hour within three working days at which time the record will be available for inspection, pursuant to §24-72-203(3). My cell phone number is: (719) 640-2155.

If you deny access to the above record, please provide a written statement of the grounds for the denial, citing the law or regulation under which access is denied as required by §24-72-204(4).

If you are unable to provide the record because the termination was "for cause" and confidentiality rights are invoked, a statement that termination was for cause will be sufficient.