

District Court EL PASO County, Colorado 270 South Tejon Street Colorado Springs, Colorado 80903	<b>COURT USE ONLY</b>
In Re The Marriage Of:  Petitioner/Appellee:                      Vanessa R. Dolbow  And  Respondent/Appellant                      Robert Wayne Johnson  EL Paso County CSE Unit,              Third Party Intervenor	
Attorney or Party Without Attorney:  Robert Wayne Johnson, Pro Se P.O. Box 75162 Colorado Springs, Colorado 80970  Phone Number: (719) 640-2155	
<b>NOTICE OF APPEAL AND DESIGNATION OF RECORD</b>	

I, Robert Wayne Johnson, hereby appeal the entry of the Amended Order on March 11, 2010, by new District Magistrate Jayne Candea-Ramsey and rely on court and personal records, including the attached affidavit and missing motion, to support my appeal on the following grounds:

The Amended Order resulted from my request to modify child support on September 21, 2009 during an ongoing dispute with the El Paso County Child Support Enforcement Unit (CSEU) over claims for child support for a three year period of time in which I was the custodial parent by private, voluntary agreement. The hearing of testimony about this change in custody occurred on January 13, 2010 before former District Magistrate John Paul Lyle. The Court recognized the agreement and ordered child support be retroactively modified on the basis of a recalculation of the monthly child support obligation under current child support guidelines using standard child support worksheets. Attorney Eigel, a partner in a law firm that specializes in child support modification and enforcement, however, knowingly ignored the testimony given in court and submitted false parenting information to obtain desired results. The recalculation, therefore, resulted in a stepped-up 300% increase in my monthly child support obligation.

Attorney Eigel, however, withheld the filing of the first of two proposed orders until former District Magistrate Lyle's contracted term of office ended. Had she not done so, he would have also knowingly entered orders that ignored the testimony of January 13. Instead, Attorney Eigel waited one month before submitting an intentionally vague description of the change in custody

and then back-dated the proposed order to the date of the hearing before submitting it to the incoming Magistrate for review.

Despite the appearance of propriety and being empowered to enter the Amended Order without having heard sworn testimony, District Magistrate Candea-Ramsey had an obligation to review the case file, including my motion to modify. But, had she done so, she too would have knowingly entered orders that ignored the testimony of January 13.

Notwithstanding this lack of good judgment, District Magistrate Candea-Ramsey, a former Senior Deputy District Attorney, also breached her duty by ignoring the filing of six documents, including three related to change of venue, during the 9-day period preceding the actual signing of the Amended Order on March 11. These documents exhibited a growing knowledge of professional misconduct and demonstrated how CSEU, a privately-owned and managed child support collection business, used its carefully managed relationship with the Colorado Department of Human Services to ignore my constitutional right to defend against the actions taken to seize my assets and restrict my freedom. Through these filings alone, there was good cause to review my allegations if only in the interest of justice.

Other irregularities within the N/CS Division continued to surface when I learned a seventh document filed by me on March 15 was not listed as an event in the registry of actions and was, then, told on two different days District Magistrate Candea-Ramsey would issue a decision “soon” and, then, by April 1. Had I not confirmed by March 20<sup>th</sup> the Amended Order was entered on March 11<sup>th</sup>, I would have missed the deadline for filing an appeal.

I gave notice of the earlier irregularities as a courtesy to Fourth District Chief Judge Kirk Samelson and then contacted Attorney General Suthers, Secretary of State Buescher, and the Collection Agency Board seeking an independent investigation of my case and Policy Studies Inc., the parent company of CSEU and attorney Eigel’s employer. I contacted CDHS Executive Director Beye, El Paso County DHS Director Bengtsson, and El Paso County Attorney Louis under the Colorado Open Records Act to encourage their involvement. These officials individually and together failed to take action to prevent the embarrassment brought upon the State of Colorado and the County of El Paso. Part of this failure is related to the ease in which the label of “deadbeat dad” is assigned.

Wherefore, I pray in the interest of justice that my appeal be granted and the Court’s order be nullified with instructions to provide immediate relief. I further request that any appeal processing fees or deposits be waived on the basis that over \$5000 is being illegally held by CSEU, and I am willing to offer the transcript ordered by me on March 4 to the Court of Appeals.

Respectfully Submitted,

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Robert Wayne Johnson, Pro Se

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**Designation of Record**

The Clerk of the Court will prepare the record on appeal and will include the following items:

- The county court case file, including all pleadings, motions, reports, exhibits, orders of the court, and jury instructions, if applicable.
  
- The original transcript: (identify proceedings).

Date: \_\_\_\_\_

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**AFFIDAVIT OF SERVICE**

I declare under oath that on March \_\_\_\_\_, 2010, a true and correct copy of the foregoing Notice of Appeal was placed in the United States mail, postage prepaid, addressed to the following:

Vanessa R. Dolbow  
1836 Brookdale Drive  
Colorado Springs, CO 80918-3476

Law Offices of Belveal Eigel Rumans & Fredrickson, LLC  
Donald Belveal, Esq.,  
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Cara L. Nord, Esq.  
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P.O. Box 1381  
Colorado Springs, CO 80901-1381

\_\_\_\_\_  
Robert Wayne Johnson, Pro Se

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Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public