

23-1336
Case No.

ORIGINAL

IN THE SUPREME COURT OF THE UNITED STATES

NOEL WEST LANE, III,

Petitioner

v.

**MATTHEW CURTIS WITT, NICOLE
WITT, TORREY LIVENICK, and
LIVENICK LAW,**

Respondents

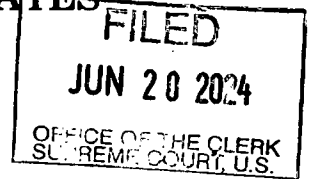
**On Petition for Rehearing by Both the Panel of the
Honorable Eid, Carson, and Rossman, Circuit Judges, and
En Banc United States Court of Appeals for the
Tenth Circuit Case No. 23-1035**

**PETITION FOR WRIT OF CERTIORARI IN THE
SUPREME COURT OF THE UNITED STATES**

Filing Party

**Noel West Lane III, In Pro Se
1060 Ingalls Street
Lakewood, CO 80214
Phone Number: 303-697-0462
Email: lane3co@outlook.com**

June 15, 2024



QUESTIONS PRESENTED FOR REVIEW

In Summary, should the Supreme Court issue guidance to state courts on unaddressed, mandatory accommodation to judicial discretion to provide fair hearing to all litigants and clarify its decisions in *Bronson v. Schulten*, 104 U. S. 410, (1881) versus *Hazel-Atlas Glass Co. v Hartford-Empire Co.*, 322 U.S. 238 (1944) so that the due process clause of the Fourteenth Amendment is not violated when judicial discretion is used in error and a state court does not void a pro se litigant's or any litigant's procedural errors when the litigant has clearly presented the facts in evidence of manifest fraud on the court?

Specifically,

I. Did the Bankruptcy Court; The Bankruptcy Appellate Panel; and the 10th Circuit Court of Appeals error in not using their judicial discretion to void two procedural errors made by Petitioner?

II. Were the Bankruptcy Court; The Bankruptcy

Appellate Panel; and the 10th Circuit Court of Appeals in error in not reviewing the substantive arguments made by Petitioner as to, why based on the facts of this case that the normal procedural rules for dismissal should not have been followed?

III. Should the Supreme Court issue or remand to the lower courts instructions to provide guidance on mandatory accommodations related to judicial discretion in cases of false testimony, vindictive accusations, proceedings that require a technical response and other instances of where pro se litigants are placed at an unfair advantage in litigation based upon their financial resources to hire legal representation?

LIST OF PARTIES

Noel West Lane III, Petitioner

Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and

Livenick Law, Respondents

LIST OF RELATED PROCEEDINGS

*In re: Matthew Curtis Witt Case No. 17-17630-MER
Chapter 7, Rekon, LLC Plaintiff, Matthew Curtis Witt,
Defendant, Adv. Proc. No. 17-17548-MER,*

Noel West Lane III Respectfully Moves this Court for an Order Granting Hearing Pursuant to L.BK.R. 7026-1(D) and this Court's June 3, 2019 Order (Doc# 79) "with Respect to Discovery Issues Surrounding the 44 Boxes" and Debtor's April 13, 2021 9:53 PM MDT In Pro Se Confession to Destruction of the 44 Boxes on or before October 13, 2020 in Violation of this Court's Order(s) Granted Under 11 U.S.C. § 105(a) and Bankruptcy Code § 542 and § 543, In Violation of Colorado Court of Appeals April 12, 2021 Order in 2020CA1068 Regarding Third Party Custody and Protection of the 44 Boxes of Evidence from Spoliation, and in Violation

LIST OF RELATED PROCEEDINGS - Continued

of C.R.C. Title 18 Criminal Code 118-8-610 and its U.S.C. Counterpart, with Leave to Amend;

Exhibit A

Plaintiff/Appellee Matthew Curtis Witt, Defendant/Lane Noel West Lane III, Court of Appeals Case No. 2020CA1068,

Defendant-Lane's Cross Motion for Affirmative relief Pursuant to C.A.R. 27(a)(3)(A) with Leave to Amend;

Exhibit B

Matthew Curtis Witt Debtor Case No. 17-17630-MER Chapter 7 Rekon, LLC Plaintiff, Mathew Curtis Witt Defendant Adv. Proc. No. 17-1548-MER,

Noel West Lane III Respectfully Moves this Court for an Order of Judicial Notice of Evidence Pursuant to Bankruptcy Rule 9017, and F.R.C.P. Rule 201, F.R.Civ.P. Rule 43, 44, and 44.1, and their Colorado Counterpart in Matthew Curtis Witt's Bankruptcy Case Number 17-17630-MER and Related Case Numbers 17-1548-MER, 2017-cv-31212, 19CA656, and 2019-cv-30951 Pursuant to 11 U.S.C. § 523(a)(2)(A);

LIST OF RELATED PROCEEDINGS - Continued**Exhibit D**

Plaintiff-Appellee Matthew Curtis Witt, Defendant-Lane, Noel West Lane III and Defendants David E. Keil, Damon Semmens, Charles D. Snider, Jr., Charles D. Snider, III, and RhonLan, LLC, Third Party Defendant, Nicole Witt, Case Number 19CA656,

Noel West Lane III In Pro Se Respectfully Moves this Court for an Order of Judicial Notice of Existence of Official Records, Orders, Exhibits, and other Materials from Prior Related Cases Pursuant to Bankruptcy Rule 9017, and F.R.C.P. Rule 201, F.R.Civ.P. Rule 43, 44, and 44.1, and Their Colorado Counterparts in 19CA656, and Matthew Curtis Witt's Bankruptcy Case Number 17-17630-MER, and Related Case Numbers 17-1548-MER, 2017-cv-31212, and 2019-cv-30951 Pursuant to 11 U.S.C. § 523(a)(20(A). And Further Grant an Order for Judicial Notice of Evidence without Hearing;

Exhibit E

LIST OF RELATED PROCEEDINGS - Continued

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER Chapter 7 Rekon, LLC Plaintiff Matthew Curtis Witt Defendant, Adv. Proc. No. 17-1548-MER

Noel West Lane III respectfully Moves this Court for an Order of Intervention Pursuant to Bankruptcy Rule 7024 Which Incorporates Civil Rule 24 into Adversary Proceedings in Bankruptcy;

Exhibit F

In re: Matthew Curtis Witt Debtor, Case No. 17-17630-MER Chapter 7,

Notice of Compliance with Order of June 24, 2019 and Notice of Intervention and Modification of Order by Jeffco District Court;

Exhibit G

Plaintiff Matthew Curtis Witt v. Noel West Lane III Case Number: 2019-cv-30951,

Noel West Lane III In Pro Se Respectfully Moves this Court for an Order of Judicial Notice of Existence of Official

LIST OF RELATED PROCEEDINGS - Continued

Records, Orders, Exhibits, and other Materials from Prior Related Cases Pursuant to Bankruptcy Rule 9017, and F.R.C.P Rule 201, F.R.Civ. P. Rule 43, 44, and 44.1, and their Colorado Counterpart in 19CA656, and Matthew Curtis Witt's Bankrup[tey Case Number 17-17630-MER, and Related Case Numbers 17-1548-MER, 2017-cv-31212, and 2019-cv-30951 Pursuant to 11 U.S.C. § 523(a)(2)(A), and Further Grant an Order for Judicial Notice of Evidence without Hearing.

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER, Chapter 7, Plaintiff, Matthew Curtis Witt Defendant, and Matthew Curtis Witt, president and Sr. Loan Officer, Silver Leaf Mortgage, Inc., Silver Leaf Mortgage, Inc., Nicole Witt, Nicole Witt, Owner Silver Leaf Mortgage, Inc., All American Records Management, Delta Solutions, David Kahn, David Kahn, Owner Delta Solutions, Torrey Livenick, Torrey Livenick, Esq., Livenick Law, Miller & Law P.C.,

LIST OF RELATED PROCEEDINGS - Continued

David B. Law, Miller & Law P.C., David Oppenheimer, David Oppenheimer, Miller & Law P.C., David Oppenheimer, David S. Oppenheimer Law, Glenn Merrick, Glenn Merrick & Associates, Glenn Merrick, Merrick Shaner, Bernstein, LLC Five(5) Does, Defendants, Adv. Proc. No, 21-001100-MER,

Notice of Motion and Motion to Correct Typographical Errors in Complaint Entered May 5, 2021 and Submit Corrected Complaint Herein.

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER, Chapter 7, Noel West Lane III Plaintiff, Matthew Curtis Witt Defendant, and Matthew Curtis Witt, president and Sr. Loan Officer, Silver Leaf Mortgage, Inc., Silver Leaf Mortgage, Inc., Nicole Witt, Nicole Witt, Owner Silver Leaf Mortgage, Inc., All American Records Management, Delta Solutions, David Kahn, David Kahn, Owner Delta Solutions, Torrey Livenick, Torrey Livenick, Esq., Livenick Law, Miller & Law P.C., David B. Law, Miller & Law P.C., David Oppenheimer,

LIST OF RELATED PROCEEDINGS - Continued

David Oppenhwimer, Miller & Law P.C., David Oppenheimer, David S. Oppenheimer Law, Glenn Merrick, Glenn Merrick & Associates, Glenn Merrick, Merrick Shaner, Bernstein, LLC Five(5) Does, Defendants, Adv. Proc. No, 21-001100-MER

Plaintiff Noel West Lane III's Request to 1) Stay Results and 2) Schedule a Reconsideration Hearing Pursuant to 28 U.S.C. 59, Exhibit A Petitioner Noel West Lane III v. Respondent Matthew Curtis Witt Case No. 22SC224, App. A 20CA1068 Witt v Lane 02-24-2022 Colorado Court of Appeals, Court of Appeals No. 20CA1068

Jefferson County District Court No. 19cv30951, Honorable Lily W. Oeffler, Judge, Matthew Curtis Witt Plaintiff-Appellee v. Noel West Lane III, Defendant-Appellee,

Judgement Affirmed, Division 1 Opinion by Judge Dailey, Fox, and Schutz, JJ concur, Not Published Pursuant to C.A.R. 35(e), Announced February 24, 2022, Matthew CurtisWitt Pro Noel West lane III Pro se.

LIST OF RELATED PROCEEDINGS - Continued

In re Matthew Curtis Witt Debtor, Noel West Lane III, Plaintiff-Lane, v. Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and Livenick Law, Defendant-Appellee, Bankr. No. 17-17630 Adv. No. 21-01100 Chapter 7, BAP No. CO-22-007

Statement of Issues to be Presented, Notice of Appeal and Statement of Election April 20, 2022; Order Denying Motion 21-001100-MER Doc#: 95, 4/15/22.

In The United States Court of Appeals for the Tenth Circuit, Noel West Lane III, Plaintiff/Petitioner – Lane v. Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and Livenick Law, Defendant/Respondent, Appellee Case No. 23-1035,

On Appeal from the United States Bankruptcy Appellate Panel of the 10th Circuit, The Honorable Hall, Loyd, and Thurman, Bankruptcy Judges, BAP No. 22-007,

Filing Party Noel West Lane III In Pro Se, April 11, 2023.

LIST OF RELATED PROCEEDINGS - Continued

In The United States Court of Appeals for the Tenth Circuit, Noel West Lane III, on behalf of himself as a pro se litigant and all others similarly situated, Plaintiff/Petitioner-Lane v. Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and Livenick Law, Defendant/Respondent-Appellee, On Appeal from the United States Bankruptcy Appellate Panel of the 10th Circuit, The Honorable Hall, Loyd, and Thurman, Bankruptcy Judges, BAP No. 22-007,

Petition for Rehearing by Both the Panel of the Honorable Eid, Carson, and Rossman, Circuit Judges, and En Banc, Filing Party Noel West Lane III In Pro Se, January 17, 2024.

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1. The Supreme Court should issue guidance to state courts on unaddressed, mandatory accommodation to judicial discretion so as to provide fair hearing to all litigants and to clarify its decisions in *Bronson v. Schulten*, 104 U. S. 410, (1881) versus *Hazel-Atlas Glass Co. v. Hartford-Empire Co.*, 322 U.S. 238 (1944) so that the due process clause of the Fourteenth Amendment is not violated when judicial discretion is used in error and a state court does not void a pro se litigant's or any litigant's procedural errors when the

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litigant has clearly presented the facts of manifest fraud on the court in evidence.

2. The Bankruptcy Court; The Bankruptcy Appellate Panel; and the 10th Circuit Court of Appeals are in error in not using their judicial discretion to void two procedural errors made by Petitioner.

3. The Bankruptcy Court; The Bankruptcy Appellate Panel; and the 10th Circuit Court of Appeals are in error in not reviewing the substantive arguments made by Petitioner as to, why based on the facts of this case that the normal procedural rules for dismissal should not have been followed?

4. The Supreme Court should issue or remand to the lower courts instructions to provide guidance on mandatory accommodations related to judicial discretion in cases of false testimony, vindictive accusations, proceedings that require a technical response and other instances of where pro se litigants are placed at an unfair advantage in litigation based upon their financial resources to hire legal representation.

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5. The Supreme Court should issue or remand to the lower courts instruction to provide guidance on false testimony made by judicial officers because of the evidence presented from the Record on Appeal in the 12 years of Background History which is supported in the facts and evidence clearly shown in the Litigation History presented in the three Charts.

CONCLUSION 40

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In re: Matthew Curtis Witt Case No. 17-17630-MER Chapter 7, Rekon, LLC Plaintiff, Matthew Curtis Witt, Defendant, Adv. Proc. No. 17-17548-MER, Motion to Intervene, App. 1

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER, Chapter 7, Plaintiff, Matthew Curtis Witt Defendant, and Matthew Curtis Witt, president and Sr. Loan Officer, Silver Leaf Mortgage, Inc., Silver Leaf Mortgage, Inc., NicoleWitt, Nicole Witt, Owner Silver Leaf Mortgage, Inc., All

APPENDIX – Continued

American Records Management, Delta Solutions, David Kahn, David Kahn, Owner Delta Solutions, Torrey Livenick, Torrey Livenick, Esq., Livenick Law, Miller & Law P.C., David B. Law, Miller & Law P.C., David Oppenheimer, David Oppenhwimer, Miller & Law P.C., David Oppenheimer, David S. Oppenheimer Law, Glenn Merrick, Glenn Merrick & Associates, Glenn Merrick, Merrick Shaner, Bernstein, LLC Five(5) Does, Defendants, Adv. Proc. No, 21-001100-MER, Complaint App. 2

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER, Chapter 7, Plaintiff, Matthew Curtis Witt Defendant, and Matthew Curtis Witt, president and Sr. Loan Officer, Silver Leaf Mortgage, Inc., Silver Leaf Mortgage, Inc., Nicole Witt, Nicole Witt, Owner Silver Leaf Mortgage, Inc., All American Records Management, Delta Solutions, David Kahn, David Kahn, Owner Delta Solutions, Torrey Livenick, Torrey Livenick, Esq., Livenick Law, Miller & Law P.C., David B. Law, Miller & Law P.C., David Oppenheimer, David

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Oppenheimer, Miller & Law P.C., David Oppenheimer, David S. Oppenheimer Law, Glenn Merrick, Glenn Merrick & Associates, Glenn Merrick, Merrick Shaner, Bernstein, LLC Five(5) Does, Defendants, Adv. Proc. No, 21-001100-MER, Motion for Sanctions App. 3

In re: Matthew Curtis Witt Debtor Case No. 17-17630-MER, Chapter 7, Noel West Lane III Plaintiff, Matthew Curtis Witt, et al., Defendants, Request for Stay and Reconsideration, App. 4

In re Matthew Curtis Witt Debtor, Noel West Lane III, Plaintiff-Lane, v. Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and Livenick Law, Defendant-Appellee, Bankr. No. 17-17630 Adv. No. 21-01100 Chapter 7, BAP No. CO-22-007, Opinion App. 5

In re Matthew Curtis Witt Debtor, No West Lane III, Plaintiff-Lane v. Matthew Curtis Witt, Nicole Witt, Torrey Livenick, and Livenick Law, Defendant-Respondents Case No.

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23-1035 (BAP No. 22-007 -CO) (Bankruptcy Appellate Panel),

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Plaintiff-Lane v. Matthew Curtis Witt, Nicole Witt, Torrey
Livenick, and Livenick Law, Defendant- Respondents*

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CITATIONS OF THE OFFICIAL REPORTS

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix 6 to the petition and is unpublished.

The opinion of the United States bankruptcy appellate panel appears at Appendix 5 to the petition and is unpublished.

The opinion of the United States bankruptcy court appears at Appendix 4 to the petition and is unpublished.

The opinion of the United States bankruptcy court appears at Appendix 3 to the petition and is unpublished.

The opinion of the United States bankruptcy court appears at Appendix 2 to the petition and is unpublished.

The opinion of the United States bankruptcy court appears at Appendix 1 to the petition and is unpublished.

STATEMENT OF THE BASIS FOR JURISDICTION

Cases from federal courts:

The date on which the United States Court of Appeals decided my case was December 8, 2023.

A timely petition for rehearing was denied by the United States Court of Appeals on: January 31, 2024, and a copy of the order denying rehearing appears at Appendix 7.

An extension of time to file the petition for a writ of certiorari was granted to and including June 29, 2024 on February 8, 2024 in Application No. 23A785.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS

United States Constitution, Amendment V: "...the guarantee of due process for all persons requires the government to respect all rights...protections afforded by the U.S. Constitution...Due process essentially guarantees that a party will receive a fundamentally fair, orderly, and just judicial proceeding...the identical text in the XIV Amendment explicitly applies this due process requirement to the states..."

United States Constitution, Amendment XIV: "... nor shall any State deprive any person of life, liberty, or property,

without due process of law...”

STATEMENT OF THE CASE AND FACTS

Guidance from this Court to state courts on mandatory accommodation to judicial discretion is necessary for equal protection in pro se matters. Not because of the evidence of clear fraud on me and the courts by the Respondents and their attorneys. But because pro se litigants filed 518,810 complaints in Colorado Courts in 2021 ¹ of which only 31 made it to discovery and trial, and like me when I began, as likely as not, had no clue about procedural due process errors and rules of a well-ordered, well-run court. I believed in my constitutional rights. But in 8 years and 7 jurisdictions no court spent even a modicum of time with me to direct me to the next pertinent procedural responsibility I must apply so that the courts could provide me equal protection. Not advantage as a pro se, but equal protection because the pro se was given accommodation by the courts as to his responsibility to apply the correct procedural rule and in

¹ See Appendix App.10

correct application, show respect for the effort necessary for a well-ordered court to grant equal protection to a pro se litigant challenged by financial inability to engage an expert.

This Court's guidance in accommodation to mandatory judicial discretion in procedural due process will assist the courts in managing the rising volume of pro se litigation caused by education and internet access without advantaging pro se litigants over litigants represented by experts.

1. Guidance is needed from this Court on mandatory accommodations to judicial discretion to protect and preserve the due process and equal protection guarantees of the 5th and 14th Amendments granted to each American Citizen including pro se litigants, from the influences of false testimony as in "vendetta" ² made under oath by attorneys to repetitiously advocate to the Bankruptcy Court and others the false

² A vendetta is a private blood feud, often hereditary, in which a family seeks to avenge an injury to or a murder of one of its members upon the offender or his family." *Stephens v. Howells Sales Co.*, 16 F.2d 805, 808 (D.N.Y. 1926))

testimony of the “gaslight of the false narrative of Petitioner’s vendetta against Respondents” when, “it was Respondent Witt who commenced vendetta litigation against the Petitioner” ³, and it was “Respondents’ attorneys who advocated Petitioner’s vendetta against Respondents” ⁴ to influence the Bankruptcy Court against the Petitioner, all with the attorneys and the three courts’ knowledge that Respondent Witt admitted to, “destroying the evidence of his alleged mortgage fraud against the Petitioner” ⁵, in a pending proceeding. Or, to protect pro se litigants from vindictive accusation(s) made against the Petitioner during litigation such as stating to Respondents’ attorneys that, “the Petitioner is a mentally unstable pedophile”, “destroy him financially” ⁶, and in narrative, negatively influence the attorneys’ to make false testimony against the Petitioner and

³ See Charts 1, 2, and 3 below

⁴ See Vindictive Accusations of Respondent below.

⁵ See Respondent Witt’s written admission in evidence below.

⁶ See Vindictive Accusations of Respondent below.

cast doubt on Petitioner's claims made to the courts for a fundamentally fair, orderly, and just judicial proceeding.

2. Guidance is needed so that inadvertent procedural errors arising in a pro se litigant's or any litigant's failure to correctly interpret the over 800 statutes and laws governing the 7 judicial jurisdictions ⁷ of my petition do not give cause to a judicial officer including attorneys, judges and magistrates to deny any litigant a fair hearing on the evidence of manifest fraud on the court(s) because the litigant made a procedural due process error. Particularly in this matter of my petition when the error is in counting the days for filing a notice of appeal from the date of a decision on a motion for reconsideration rather than from the date of the original order.

3. Guidance is needed so that the constitutional conflict

⁷ Lane in acknowledged "no procedural training", established an 8 year Record in evidence of Respondents' testimony and cases for this Petition.

existing between this Court's decision in *Bronson v. Schulten*, 104 U. S. 410, (1881) and its decision in *Hazel-Atlas Glass Co. v Hartford-Empire Co.*, 322 U.S. 238 (1944), clarifies a judicial officer's incumbent responsibility to each litigant to weigh manifest fraud versus procedural error when a judicial discretion decision adverse to any litigant may be the cause of denying a pro se litigant or any litigant the right to a fair hearing on the evidence before a neutral decision maker.

4. Guidance is needed because the American Bar

Association and 34 States and the District of Columbia have identified the potential risks of judicial discretion being influenced by false testimony, vindictive accusations, proceedings that require a technical response, and other instances of where pro se litigants are placed at an unfair advantage in litigation based upon their financial resources to hire legal representation, or political and social issues that individually and/or together may be the cause of any litigant being denied their U. S. Constitution guaranteed right to a

fair hearing. Each of these have added a version of Comment 4 to their codes of judicial conduct, "it is not a violation of this Rule for a judge to make reasonable accommodations to ensure pro se litigants the opportunity to have their matters fairly heard." 16 state supreme courts have adopted comment 4 from the model code exactly or with only minor changes, and 3 jurisdictions have adopted comment 4 to Rule 2.2, "A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially."

5. Guidance is needed because the National Center for State Courts, Center for Judicial Ethics and the American Bar Association Model Code of Judicial Conduct for Self-represented litigants and the Code of Judicial Conduct has clearly identified that judicial discretion is not consistently applied in all 50 of the United States (*See App.9*):

6. Guidance is needed so that the integrity and respect for all state court decisions is maintained in each citizen's fundamental belief in their 5th and 14th Amendment rights.

7. Guidance is needed in mandatory accommodations to

judicial discretion because even without financial ability to afford legal representation, the Bankruptcy Court acknowledged I made 7 of 9 claims in Adversary Proceeding 21-001100-MER as triable issues, yet I was denied a fair hearing in judicial discretion.

My request for this Court to issue guidance in the matters of my petition begins in the constitutional conflict of *Bronson v. Schulten*, 104 U. S. 410, (1881) and its decision in *Hazel-Atlas Glass Co. v Hartford-Empire Co.*, 322 U.S. 238 (1944) and is supported in my petition's evidence from the Record under the headings, Background History; Influences of False Testimony in Gaslight and False Narrative on the Courts, a violation of Rule 3.3, Rule 4.1, and 37 CFR 11.103; Vindictive Accusations of Respondents; Representation of Respondents by Lane's Former Attorneys Without Authorization, a violation of C.R.P.C. and M.R.P.C. Rule 1.2, Rule 1.7, Rule 1.9, and Restatement of Law Governing Lawyers §14 and § 16(3); and Charts 1. 2, and 3: A Date and Case Number Litigation History of False Testimony, Vindictive Accusation,

and Representation by Lane's Former Attorneys Without Authorization, in concealment.

Background History

May 19, 2008 I closed a \$12 million dollar loan with Commercial Capital, Inc. ("CCI") to develop a \$22 million dollar project of 64 condominiums in Estes Park, Colorado. I personally guaranteed the \$12 million dollar loan to Respondent Matthew Curtis Witt as a requirement of my loan from Respondent Witt, CCI's president and sole shareholder.

Witt required me in the loan to obtain a \$1 million dollar second trust deed on an \$8 million dollar spec home Witt had constructed in Colorado. My purchase of the 2nd TD required me to sell the home immediately after closing on my loan and repay the \$1 million dollar 2nd TD to the loan. Witt refused to release the home after closing and transferred \$17,000+ dollars per month from my construction loan to pay the spec home's mortgage and H.O. insurance on his home without my approval. I gave Witt written notice to cease all unauthorized withdrawals. I alleged that Witt had committed mortgage

fraud and reported my allegations to Witt's investor who was providing CCI's capital. The custom home was burned down in total loss in an unsolved arson shortly after I reported my allegations of mortgage fraud to Witt's CCI investor. Witt continued to draw over \$17,000/month from my CCI loan after the arson. Witt failed to name me as additionally insured on the H.O. policy. Witt collected on the arson loss of the home. Full funds were not disbursed to me. Witt filed Chapter 11 Bankruptcy for CCI and CCIF in April 2009 after the loss.

David Oppenheim and David Oppenheim, Miller & Law was my attorney and defended me against Witt's C11s of CCI and Witt's alleged mortgage fraud. Oppenheim promoted his bankruptcy expertise as a past clerk for Bankruptcy Judge Michael E. Romero ("MER"). MER was the presiding judge in Witt's CCI bankruptcies and most of the original Related Cases. Oppenheim/Miller & Law were experienced in construction and insurance litigation. Oppenheim/Miller & Law approved my engagement of Glenn Merrick & Assoc. ("Merrick") an expert in bankruptcy defense. Miller &

Law/Merrick represented me before MER when Oppenheim told me to bankrupt my single asset Estes Park LLC as its sole shareholder. Oppenheim/Miller & Law/Merrick failed to issue a Reservation of Rights Letter in the bankruptcy of my Estes Park project. Oppenheim's instruction to bankrupt my project without an ROR gave cause to CCIs' trustees to force me in to a \$33 million dollar Chapter 7 in January 2013. My C7 bankruptcy was settled and all I had remaining was a \$150,000 rental as a personal residence.

Witt was motivated to sue me by vengeance and used vindictive accusation and false testimony to destroy me personally and my financial ability to obtain legal expertise against Witt for alleged mortgage fraud, fraud on the Bankruptcy Court in CCI's C11, and fraud on the three Courts in false testimony of Respondents' attorneys, and My Former Attorneys. Witt's RICO racketeering complaint was first filed against me in 2016. Witt filed his COCCA racketeering complaint against me in 2017. I won both cases and they were dismissed. Witt filed his RICO and his COCCA

complaints against me for reporting his mortgage fraud to his investor in CCI. Witt's knew I was bankrupt and had no financial means to engage an attorney to defend myself. Witt desired to eliminate my future financial viability, his alleged mortgage fraud, and fraud on the Bankruptcy Court. I had no choice but to defend myself as a pro se litigant against Witt's RICO and COCCA complaints so that I was not found in default of Witt's claims for huge monetary damages against me.

Witt, Respondents' attorneys, and my former attorneys made false testimony in all its iterations under oath to all three Courts. They claimed I commenced vendetta litigation against Respondents in contradiction of the evidence in the Record of the 20 Related Cases of this Petition. Their false testimony was made to influence the Courts to apply judicial discretion regarding my procedural error and by making false testimony cause the Courts to deny me my civil right to present evidence for fair hearing. My former attorneys acting as Witt's attorneys without my authorization are shown

below in Charts. My C-7 was caused in defending against Witt's mortgage fraud and my personal guarantee of \$12 million dollars in Witt's CCI bankruptcies. I defended myself pro se against Witt's and other's false testimony of gaslight and the false narratives of vendetta which were testified to under oath by Witt, Witt's attorneys in 2009 to conceal Witt's alleged mortgage fraud in May 2008, and later by My Former Attorneys. My former attorneys also made subsequent false testimony as Witt's attorneys to conceal their failure to issue an ROR letter following their direction to bankrupt my Estes Park Project. (See Charts 1, 2, and 3 below).

The Bankruptcy Court Knew: 1) Witt's Admission to Destruction of Evidence, 2) His Intent to Violate Lane's Civil Rights, and 3) His Use of Lane's Former Attorneys

Witt admitted destroying the evidence of alleged mortgage fraud on Tuesday, April 13, 2021, 9:52 PM as pro se in 2020CA1068 (23-1035 #10011084176, Page 389):

"Hi Noelle, Where are you? Cat got your tongue? Please respond. Your ramblings make my day and week brighter. I

personally love your appeal due to your pro-se and ICES rights being unconstitutional. My legal ownership of the 44 boxes which I CERTIFY NOW THAT I HAD DESTROYED 6 MONTHS AGO is the absolute perfect venue for you to scream about your constitutional rights! Is that the 28TH Amendment or the 100th that you refer to? Or maybe the New Lain Amendment? Your constitutional ramblings are the butt of jokes in the legal community. Please send more unconstitutional defense and appeals.”

1. The Bankruptcy Court had first-hand knowledge of Witt's admission to destroying the evidence of his mortgage fraud in my Adversary Proceeding 21-001100-MER and in 17-17630-MER Adv. Proc. 17-1548-MER (*See Charts below*)
2. In 21-001100-MER the Bankruptcy Court had first-hand knowledge of Respondents' actions for 12 years prior to my filing Adversary Proceeding 21-001100-MER in the Bankruptcy Court.
3. In 21-001100-MER the Bankruptcy Court had 12-

years first-hand knowledge that my former attorneys represented me in 09-17238-MER, 09-17437-MER, 09-1530-MER, 1:09-cv-00724-WDM-MEH, 11-1251-MER, and 11-11413-MER

4. In 21-001100-MER the Bankruptcy Court had 12-years first-hand knowledge to conclude that my former attorneys were now advising Witt and receiving legal notices of the status of my appeals against Witt in other courts' and in its judicial discretion:
 - a. Disregarded Witt's admission of destruction of evidence following ordering it to Witt's possession,
 - b. Relied on false testimony under oath made by my former attorneys Miller & Law and Merrick who were now representing Witt, and
 - a. Relied on their testimony in their unauthorized representation of Witt in 12 of the 20 Related Cases: 17-11705-MER, 17-17630-MER, 17-1548-MER, 18SA6 in re 17-cv-31212, 19-cv-

30951, 19CA656 in re 19-cv-3095, 12020SC516 in re 19-cv-30951, 2020SA218 in re 19-cv-30951, 20CA1068 in re 30951, 21-001100-MER, each adverse to Lane's claims.

Influences of False Testimony in Gaslight and False Narrative on the Three Courts

Lane maintains that the Charts that follow, support his assertion that false testimonies under oath by Respondents, their attorneys, and Lane's Former Attorneys influenced the Courts to rule in judicial discretion against Lane despite the evidence of manifest fraud on the court and despite Witt's admission to destroying the evidence of his manifest fraud during pending litigation while the evidence was in his possession by order of the Bankruptcy Court.

Lane maintains that the manifest fraud on the Courts is clearly shown in the evidence excerpted from the Record which includes the evidence of false testimony and vindictive accusation to destroy Lane made by Witt to Respondents' attorneys and Lane's Former Attorneys in the one year period

of pending proceedings during 2020 to 2021. The one-year period precedes Lane's filing of 21-001100-MER. The one year period of manifest fraud precedes 21-001100-MER and the three courts' orders.

Respondents and their attorneys advanced the false narrative of vendetta and other false testimonies in 2020 through 2023 in three courts and the courts relied upon Respondents' and their attorneys' false testimony against Lane when the three courts issued their orders in judicial discretion based on Lane's procedural error. Witt commenced all litigation against Lane. Lane filed counterclaims and appeals in defense of Witt's Federal and State racketeering claims.

Lane maintains that if this Court had issued guidance on mandatory accommodation to judicial discretion, then in the light of the evidence of manifest fraud on the courts as presented in evidence from the Record, the courts would have been required to review the substantive arguments made by

Lane based on the facts of this case and that the normal procedural rules for dismissal would have been followed.

Lane identifies the advocacy and advancement of false testimony by Respondents and their attorneys as a manifest fraud on Lane and on the three courts with the purpose to influence judicial discretion so that Lane was denied his civil right to fair hearing,

Lane presents in the Charts from the Record's evidence an enterprise by Respondents and their attorneys to influence judicial discretion because of the lack of guidance from this Court to state courts on mandatory accommodation to judicial discretion in the light of manifest fraud when the manifest fraud requires normal procedural steps to ensure a pro se litigant or any litigant their rights as guaranteed under the 5th and 14th Amendments.

Lane clearly presents the enterprise of false testimony to influence judicial discretion against the Petitioner by date and case number, and by the parties in the Record whom in enterprise with Respondents advanced the false narrative

vendetta directly and indirectly in answer in pleadings and/or in answer by failure to answer in default. The parties include Witt Parties, Livenick Parties, the Witt and Witt Parties' attorney(s), and Lane's Former Attorneys each identified as named Defendants in 21-001100-MER including 5 Does (Doc. #010110844176). Lane maintains that all pleadings contained in the Record including Witt's racketeering complaints, originated in false testimony against Lane by Witt in 2009 and are shown in the Charts that follow below.

Lane maintains that Witt Parties' and Livenick Parties' and their attorneys' false testimony in answer is also false testimony in default for failure to answer Lane's complaint. Lane maintains that Destruction of Evidence is defined in tampering, spoliation, and concealment (Doc.# 010110844176 Pages 455-458) and that concealment and spoliation is admitted to by Witt on April 13, 2021 prior to Lane's filing 21-001100-MER. Lane maintains that Witt's admission to destruction of evidence in a pending proceeding is also made

in Witt's capacity as a pro se litigant by omission in Witt's Answer Brief in 2020CA1068 ⁸.

Lane maintains that in the alternative to filing answers to Lane's complaint and establishing objection to Lane's allegations, Respondents and others filed motions for dismissal (Doc. #010110814176 Page 479 Order last paragraph). Respondents and Defendants elected default in failure to answer ⁹ and rely on the Bankruptcy Court granting dismissal founded in the influences of gaslighting

⁸ Witt Parties, Livenick Parties, and their attorneys and the Five Does in 21-001100-MER represented and/or advised Witt Parties in Replevin, 19-cv-30951 and 2020CA1068 against Lane in manifest fraud. Following Lane's notice to Colorado Courts of Witt's admission to manifest fraud including tampering with evidence to cause spoliation and violate Lane's constitutional rights to fair hearing, Lane filed 17-1548-MER (Intervention), 18SA6 (Judicial Notice), 19-cv-30951 (Replevin), 19CA656 (Judicial Notice), 2020SA218 (Judicial Notice), and 2020CA1068 (Judicial Notice) (*See Related Cases*). Lane has no procedural training.

⁹ *See* Doc. #010110814176 Page: 1577, 1578 Default Paragraph 37.

(Doc. #010110842454 Page: 21, Footnotes 23), vendetta, and other influences on judicial discretion unfavorable to pro se litigants, and all litigants including Lane.

Lane cites to examples of the false narrative vendetta in all its iterations influencing judicial discretion in the three courts' orders:

1. Doc. #010110814176 Page 234 Order, "Lane is no stranger to litigation",
2. Doc. #010110814176 Page 233 Order, "increased legal fees to Respondents",
3. Doc. #010110814176 Page 488 Order, "The proceeding is the most recent attempt",
4. Doc. #010110814176 Page 480 Order, "Lane's previous unsuccessful efforts",

Vindictive Accusations of Respondent

Respondent Witt False Testimony and Accusations to his attorneys and sent to Lane in blind copy:

"Well after 11 years (vendetta) we just won and its final in all courts. Lane has filed hundreds of made up psychopathic

and schizophrenic claims against me (false testimony) over 11 years (vendetta). It's like he is infatuated with me personally. Why would he pursue me personally for eleven years? Who knows, maybe he is a pedophile and is upset that he cannot have and control me. I certainly don't know. His incredible infatuation with me is absolutely over the top and insane, and I can only just guess what could be behind all of that illness. He is clearly mentally ill (defamation in gaslight and false narrative) and we need to get him evaluated asap. I don't know why would he file such claims over 10 years (vendetta) other than he wants to control me. Who knows? Regardless, Now I want to aggressively go after him and his personal and family assets (destroy Lane) for the hundreds of thousands of dollars in legal fees spent to defeat his mentally ill and personal infatuation claims. We all have been aware that he illegally put his house in his wife's name 2 years ago which was textbook fraudulent transfer, which we will put at the top of our list of assets to go after and seize. I want to collect every dollar and get every cent that was spent from Lane's

mentally ill claims (destroy Lane and vindictive accusations). Please go forward aggressively and get every single dollar back for me. Matt.“ (destroy Lane and vindictive accusations)

Witt's False Narrative of vendetta: “Now your 12 year long harassment of me (Witt) is quickly coming to a sad end.”

Witt's False Testimony advocating Lane's vendetta against Witt: “Your hundreds of fake claims in courts, ...”

Witt's false testimony advocating Lane's vendetta is controverted in the evidence of the Record. Witt commenced his vendetta of false narratives(s) against appellant in false testimony given to the Court in 2016 in 16-cv-01303 KMT a related Case.”

Representation of Respondents by Lane's Former Attorneys

My former attorneys from 2009 – 2021 were in violation of Federal and State Rules of Professional Conduct, Rule 3.3, Rule 4.1, and 37 CFR 11.103, C.R.P.C. and M.R.P.C. Rule 1.2, Rule 1.7, Rule 1.9, and Restatement of Law Governing

Lawyers §14 and § 16(3) because they did not seek from me and did not have authorization from me to represent Witt.

Regarding 23-1035 Document: 010110894797 and Witt's directions to his attorneys and others: a) *See* Witt's false testimony arising in false narratives including vendetta; b) *See* Witt's assertions copied to others in false narrative when Witt challenges Appellant to file more pleadings in the Court asserting Constitutional Rights violations(s) in Witt's admission to his intent to destroy Lane's rights.

Witt, Respondents, Respondents' Judicial Officers, Lane's Former Attorneys Miller & Law, P.C., David Oppenheim, David Oppenheim Law, and Glenn W. Merrick, Glenn Merrick & Associates, and Merrick, Shaner, and Bernstein, LLC, provided legal representation and/or legal advice to Witt and others adverse to Petitioner (*See* Chart 2). My Former Attorneys are shown in the narrative below by the years they represented me or the years when they represented and/or advised Witt and Respondents without my authorization:

Miller & Law P.C.

1. David B. Law, 2009 – 2013,
2. David B. Law, Miller & Law P.C., Attorney for
Petitioner 2009 – 2013,
3. David S. Oppenheim, 2009 – 2017,
4. David S. Oppenheim, Miller & Law, Attorney for
Petitioner 2009 – 2017,
5. David. S. Oppenheim, David. S. Oppenheim Law,
Attorney for Petitioner 2009 – 2017,

Glenn Merrick

1. Glenn Merrick, Attorney for Petitioner 2009 – 2017,
2. Glenn Merrick & Associates, Attorney for Petitioner
2009 – 2017,
3. Glenn Merrick, Merrick, Shaner, Bernstein, LLC 2009
– 2017,

My former attorneys who became Witt's attorneys after the fact were adverse to me to conceal their failure to file a reservation of rights letter and preserve my rights in their recommended C7 bankruptcy of my Estes Park project are

(See Chart 2):

1. Miller & Law P.C. David. S. Oppenheim, Miller & Law, David. S. Oppenheim and David. S. Oppenheim Law, of Counsel to Miller & Law 2017 – 2021,
2. Shaun A. Christensen, Miller & Law 2017 -2021 who also represented Witt as Shaun A. Christensen Appel Lucas & Christensen, PC in 2017 – 2021,
 - a. made an Affidavit against Lane in support of Witt to the Bankruptcy Court denying Witt's destruction of evidence in a pending proceeding and attested his affidavit as Shaun A. Christensen Appel Lucas & Christensen, PC.,
 - b. Christensen is identified in Chart 2 in 2021 as Miller & Law and the evidence of the Record shows Christensen as Miller & Law forwarding Petitioner's appeal status to Witt, other Witt attorneys including my former attorneys by email on 4/30/21 1:23 PM

“From: Shaun A. Christensen, Miller & Law,

to: Matt Witt <mattw@silverleafmortgage.com>, Dan Duggan
 DanD@silverleafmortgage.com, Cc: Glenn Merrick
 gwm@msbfirm.com, Subject: VICTORY!

Matt & Dan, I am pleased to be sending you copies of the
 Order and Judgment in your favor. Rekon is awarded
 nothing. Congrats, Shaun A Christensen, Esq. Miller & Law"

1. Glenn Merrick 2009 – 2013, Represented Petitioner in
 Witt's C-11 et al (See Chart 2) as Lane's Former
 Attorney to whom Christensen sent the above email to
 Glenn Merrick at Merrick, Shaner, Bernstein, LLC
2. My Former Attorneys Miller & Law, David
 Oppenheim, David Oppenheim Law, Glenn W.
 Merrick, Glenn Merrick & Associates, and Merrick,
 Shaner, and Bernstein provided legal representation
 to Witt without my authorization.

**All Charts: Date and Case Number Litigation History
 of False Testimony and Representation by Lane's
 Former Attorneys**

Charts 1, 2, and 3: Date/Case # Presented in

Timeline and Case Number in Evidence from the Record and shows the False Testimony of Gaslight and the False Narrative of Vendetta, Witt's Vindictive Instructions and Acts, and Lane's Attorneys Representing Witt Without Lane's Authorization.

Chart 1: The 20 cases began in 2008 with Witt's alleged Mortgage Fraud on Lane. Witt began all complaints against Lane first and filed RICO and COCCA Complaints against Lane in 2016/2017 in false testimony, vindictive accusations, and in proceedings that required a technical response and in other instances of where Lane pro se was placed at an unfair advantage in litigation based upon lack of financial resources to hire legal representation. Lane had to defend pro se.

Witt Yearly Litigation Chart 1 20 Related Trial Court Cases - 2008 to 2023				
Respondent ("Witt")	Petitioner ("Lane")	Proximate Cause of Action	Case Number	Year
Witt	Lane	Witt Mortgage Fraud on Lane	Petitioner Personally Guarantees \$12 Million to	2008

			Witt as CCI Owner	
Witt		Witt/CCI C11 Mortgage Broker	09-17238-MER	2009
Witt		Witt/CCI C11 Special Purpose Entity	09-17437-MER	2009
Witt	Lane	Witt/CCI C11 Adv. Proc. v. Lane	09-1530-MER	2009
Witt	Lane	Witt/CCI C11 Banks suing Witt for Mortgage Fraud	1:09-cv-00724- WDM- MEH	2009
Witt		Witt/CCI C11 in re 1:09- cv- 00724-WDM- MEH	11-1251-MER	2011
Witt		Witt C7 11-11413- MER	11-11413-MER	2011
Witt	Lane	Witt RICCO Lane Wins Dismissed	16-cv-01303-KMT	2016
Witt	Lane	Witt COCCA Lane Wins Dismissed	17-cv-31212	2017

Witt		Witt C7 17- 11705-MER	17-11705-MER	2017
Witt		Witt C7 17-17630- MER	17-17630-MER	2017
Witt	Lane	Witt C7 17-17630- MER Adv. Proceeding	17-1548-MER	2017
Witt	Lane	Witt COCCA v. Lane Appealed	18SA6 in re 17-cv-31212	2018
Witt	Lane	Witt Replevin v. Lane	19-cv-30951	2019
Witt	Lane	Witt Replevin Appealed	19CA656 in re 19- cv-30951	2019
Witt	Lane	Witt Replevin Appealed	2020SC516 in re 19-cv-30951	2020
Witt	Lane	Witt Replevin Appealed	2020SA218 in re 19- cv-30951	2020
Witt	Lane	Witt Replevin Appealed	2020CA1068 in re 19-cv-30951	2020
Lane	Witt	Witt C7 17-17630- MER Adv. Proceeding	21-001100-MER in re 17-1548- MER	2021
Lane	Witt	Witt C7 17-17630- MER Adv. Proc. Apl'd.	BAP No. CO 22- 007 in re 21- 001100-MER	2022

Lane	Witt	Witt C7 17-17630-MER Adv. Proc. Apl'd	10 th Circuit 23-1035	2023
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Chart 2: date/case # when Lane's attorneys represented Lane against Witt, then represented Witt against Lane w/out authorization.

Witt Litigation Chart 2 Witt Attorneys & Lane Attorneys Not Authorized to Represent Witt in any Related Trial Court Cases 2008 to 2023						
Resp on- dent Witt	Petit ion'r Lane	Cause of Action	Case #	Year	20 Related Cases Where Witt Repres't'd by Lane Former Attorneys	Lane Attorney s
Witt	Lane	Witt alleged Mortgage Fraud on Lane	Lane Person '1 Guar. \$12 mil. to Witt	2008		Rechlitz Law P. C.
Witt		Witt, CCI C11	09-17238-MER	2009		Miller & Law, Glenn Merrick & Associates
Witt		Witt, CCI/CCIF C11	09-17437-MER	2009		Miller & Law, Glenn Merrick & Associates

Witt	Lane	Witt/CCI C11 Adv. Proc v. Lane	09- 1530- MER	2009		Miller & Law, Glenn Merrick & Associates
Witt	Lane	Witt, CCI C11 Banks sue Witt Mort Fraud	:09-cv- 00724- WDM- MEH	2009		Miller & Law, Glenn Merrick & Associates
Witt		Witt/CCI C11 in re 1:09-cv- 00724-WDM- MEH	11- 1251- MER	2011		Miller & Law, Glenn Merrick & Associates
Witt		Witt C7 11-11413- MER	11- 11413- MER	2011		Miller & Law, Glenn Merrick & Associates
Lane's		C-7		2013	NOT A RELATED CASE ¹⁰	
Witt	Lane	Witt RICO Lane Wins Dismissed	16-cv- 01303- KMT	2016		Lane Pro se Miller Law, Merrick & Associates
Witt	Lane	Witt COCCA Lane Wins Dismissed	17-cv- 31212	2017		Lane Pro se Miller Law, Merrick & Associates
Witt		Witt C7 17-11705- MER	17- 11705- MER	2017	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se

¹⁰ Lane's C-7 is a settled matter and not a related case.

Witt		Witt C7 17-17630- MER	17- 17630- MER	2017	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Witt	Lane	Witt C7 17- 17630-MER Adv. Proceeding	17- 1548M ER	2017	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Witt	Lane	Witt COCCA Lane Ctr. Claim	18SA6 in re 17-cv- 31212	2018	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Witt	Lane	Witt Replevin v. Appell'nt	19-cv- 30951	2019	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Witt	Lane	Witt Replevin v. Appell'nt Appeal'd	19CA6 56 in re 19-cv- 30951	2019	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Witt	Lane	Witt Replevin v. Appell'nt Appeal'd	020SC 516 in re 19-cv- 30951	2020	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se

Witt	Lane	Witt Replevin v. Appell'nt Appeal'd	2020S A218 in re 19-cv-30951	2020	Witt uses Lane Form'r Attorneys: Miller Law Merrick & Assoc.	Lane Pro se
Witt	Lane	Witt Replevin v. Appell'nt Appeal'd	20CA1068 in re 19-cv-30951	2020	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se
Lane	Witt	Witt C7 17-17630-MER Adv. Proc.	21-00110 0-MER in re 17-1548-MER	2021	Witt uses Lane Form'r Attorneys: Miller Law, Merrick & Associates	Lane Pro se

Chart 3: Vindictive Accusation gaslight. false narrative of vendetta all iterations, False Testimony to three courts by Witt, Respondents Attorneys & Lane's Former Attorneys.

Witt Litigation Chart 3						
1. False Testimony of Vendetta by Respondents' attorneys, and Lane's Former Attorneys 2020-2021, 2. Representation of Witt by Lane's Former Attorneys without Lane's Authorization						
Resp on- dent	Petiti oner	Caus e of Actio n	Case Num -ber	Year	<u>20 Related Cases</u> Witt Repres by Lane's Former	<u>Lane Attorneys</u> No Authorizatio

Witt	Lane				Attorneys No Lane Author. by Case #/Year	n from Lane to Represent Witt
Witt		Witt/ Mortgage Fraud	Lane guarantees \$12m to Witt CCI	2008		Miller & Law, Glenn Merrick & Associates
Witt	<p style="text-align: center;">2009– 2021</p> <p>Witt Litigation, Hon. M.E. Romero Judge 09-17238-MER, 09-17437-MER. 09-1530-MER, 1:09-cv-00724- WDM-MEH, in re 1:09- cv-00724-WDM-MEH 11-1251-MER, 11-11413-MER, 11-11413-MER, 16-cv-01303-KMT, 17-cv-31212, 17-11705-MER. 17-17630-MER, 17-1548-MER. 18SA6, 19-cv-30951, 19CA656, 2020SA218, 20CA1068, 2020SC516, 21-0001100-MER</p>					
	Court	Case	Year	Former Attorneys Representing Lane and Witt, Use of False Testimony Vendetta by Attorneys		
Witt	BK Court MER	09-17238- MER	2009	Witt C11 of CCI, Lane represented by Attorneys David Oppenheim, Miller & Law, and Glenn Merrick & Associates		
Witt	BK Court MER	09-17437- MER	2009	Witt C11 of CCI Funding 1, LLC Special Purpose Entity, Lane Represented by Lane Attorneys		
Witt	BK Court MER	09-17238- MER C11, 09-437-MER C11, 09- 1530-MER	2009	Witt Adversary Proceeding Against Lane Represented by Lane's Attorneys		
Witt	BK Court Mer	1:09-cv- 00724- WDM-MEH,	2009 and 2011	Witt alleged Mortgage Fraud and Insurance Fraud, Bankruptcy Court and Federal		

		in re 1:09-cv-00724-WDM-MEH 11-1251-MER		District Court, Lane Represented by Lane's Attorneys
Witt	BK Court Mer	Witt C7 11-11413-MER	2011	Lane Represented by Lane's Attorneys
Witt	BK Court MER	09-17238-MER, 09-17437-MER, 17-11705-MER	2017	Adversary Proceeding Witt Given Legal Advice by Lane's Former Attorneys
Witt	BK Court MER	17-17630-MER	2017	Witt C7 Witt Given Legal Advice by Lane's Former Attorneys
Witt	BK Court MER	17-17630-MER Witt C7, 17-1548-MER	2017 and 2021	Adv Proc Witt Advice by Lane's Former Attorneys, 1 st use of False Testimony vendetta, 2021 Notice to Courts Witt Vindictive Act Destroy Evidence of Alleged Mortgage Fraud
	CO Supre me Crt	19-cv-30951, 18SA6	2019	Judicial Notice of Witt Fraud
Witt	Distr Ct CO Jeffco	19-cv-30951	2019	Witt Replevin filed on MER Order, Lane Releases Alleged Mortg. Fraud Evidence to Witt
Witt	CO Appell ate Court	19-cv-30951, 19CA656	2019	Appeal of Replevin Respondent Witt alleged intention to Vindictively destroy evidence of alleged mortgage fraud, Lane's Former Attorneys legal advice to Witt
Witt	CO Sup. Crt.	19-cv-30951, 2020SA218	2020	Writ of Certiorari Question re Pro se Access Lane's Former Attorneys legal advice to Witt

Witt	CO Supreme Court	2020SC516	2020	Writ of Certiorari Denial of Pro se Access to Electronic Notification Lane's Former Attorneys legal advice to Witt
Witt	CO Appellate Court	20CA1068	2020 and 2021	Appeal 1) 2021 Cross Motion and Vindictive Destruction of Evidence, 2) Objection to Withdrawal of Law One, Witt Entry of Appearance Pro se, 3) Release 2020 Pro se Record, 15 Related Cases, Lane's Former Attorneys legal advice to Witt
Witt	BK Court MER	In re 17-17630	2020	False Testimony and Witt's Vindictive May 15, 2020 to Lane's Former Attorneys, defamation, slander, libel of Lane, financially destroy Lane
Witt	BK Court MER	In re 17-17630 and 2020CA1068		False Testimony Witt Pro se 2020CA1068 fails to deny destroying evidence , his alleged mortgage fraud on 4/13/21, 1 day before Witt pro se filed answer in pending proc 2020CA1068 , Lane's Former Attorneys legal advice to Witt
Witt	BK Court MER	17-17630-MER Witt C7, Adversary Proceeding 21-001100-MER	2021	False Testimony Witt's 4/30/21 Vindictive email to Village Idiot (Lane), "read it and weep asshole", Lane's Former Attorney Miller & Law Vindictive legal advice Shaun Christensen Miller & Law to Witt, Lane's Former Attorney Merrick, "I am pleased to send you, judgement in your favor" against Lane to Witt attorneys

Lane	BK Court MER	17-17630-MER Witt C7, Adversary Proceeding 21-001100-MER	2021	Complaint – Defendants Lane’s Former Attorneys giving legal advice to Witt w/out Authorization, Witt Vindictive Admission to Destruction of Evidence in a Pending Proceeding	
	BK Court MER	17-17630-MER Adv Proc 21-001100-MER		False Testimony Vindictive admission, use of Former Attorneys “Hi Noelle, there are 15 (attorneys) waiting to hear...your constitutional rights”	
	BK Court MER	17-17630-MER Witt C7, Adversary Proceeding 21-001100-MER	2021	False Testimony Lane’s Sanctions re Witt, Vindictive tampering w/evidence, spoliation, breaking chain of custody. 4/13/21 AARM’s Actor, “The records released to Witt 8/6/2020, Vindictive admission he destroyed evidence October 2020 6 mons. prior to admission to destroying the evidence 4/13/21, 5 mons. after Vindictive instructions on 5/15/20 to destroy Lane.	
	BK Court MER	17-17630-MER Adv Proc 21-001100-MER	2021	False Testimony Witt’s June 23, 2021 Vindictive threat to destroy Lane for filing 21-001100-MER, Witt’s 2020 ... destroy Lane former attorneys	
Lane		Witt C7 17-17630-0-	21-001100-MER in re	2021	Witt Represented by My Former Attorneys Miller & Law, Glenn Merrick & Lane In Pro se,

		MER Adv. Proc	17- 1548- MER		Assoc. no authorization	
Lane		C7 17- 1763 0- MER AdvP ro Apl'd.	BAP No. CO 22-07 in re 21- 00110 0- MER	2022	False Testimony used in pleadings by Witt attorneys Beuchler Law, LLC and Livenick Law, LLC	Lane In Pro se,
Lane		Witt C7 17- 1763 0- MER Adv. Proc. Apl'd.	10 th Circ2 3- 1035 in re BAP CO 22-07 in re 21- 0011 00- MER	2023	False Testimony used in headings by Witt Attorneys Beuchler Law, LLC , Livenick Law, LLC	Lane In Pro se

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

