

NO. 3-5731

IN THE SUPREME COURT FOR
THE UNITED STATES OF AMERICA

REBEKAH J. PANZLAU

Petitioner,

v.

MAIKER HOUSING PARTNERS
D.B.A.
ADAMS COUNTY HOUSING AUTHORITY
Respondent.

Supreme Court, U.S.
FILED

SEP 25 2023

OFFICE OF THE CLERK

On Petition for Writ of Certiorari to the
Supreme Court of the United States

PETITION FOR WRIT OF CERTIORARI

Rebekah Panzlau
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QUESTIONS PRESENTED

Did Ms. Panzlau receive a fair and unbiased trial free from *even the appearance of Impropriety* in her case?

Was Ms. Panzlau's 7th amendment protection to the Right to a Jury trial in a dispute over an amount greater than 100,000 Dollars violated?

Clarification on the Application of the Uniform Relocation Act of 1974

Did the Colorado Appellate and Supreme Courts both Fail to uphold the Laws, and their intent through its improper relationships and bias to the Judge and opposing counsels law firm?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

Meredith Van Horn
Noemi Ghirghi
Jade Santoro

RELATED CASES

Appendix Index

Required Documents:

Appendix A : Judge Kyle Seedorf Rulings

Appendix B : Appellate Court Rulings

Appendix C : Supreme Court Denial to hear En Banc

Appendix D : Rule 42 – Uniform Relocation Assistance Act

Appendix E : Denial letter from Maiker Housing Partners for URA assistance

Appendix F: Denial letter from Adams County for URA assistance

Appendix G : Denial letter from HUD URA assistance

----- Petitioners Documents -----

Appendix H: Original Jury Demand – Counterclaim filed and over 100K

Appendix I: Original Counter Claim against Maiker Housing Partners

Appendix J: Demand letter to Maiker Housing Partners for URA assistance

Appendix K: Letter to Adams County

Appendix L: Letter to HUD

Appendix M: Mother Goose flyer – Kyle Seedorf – Chairman of BBT

Appendix N: Online Registration document from 2018 – F&W Represents

Appendix O: IRS Tax document from 2020 showing F&W represents charity

Appendix P: Colorado Judges Webinar 2022 – list of attendees

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TABLE OF AUTHORITIES

Amendment VII – US Constitution:

In suits at common law, where the value in controversy shall exceed twenty dollars, **the right of trial by jury shall be preserved**, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

STATUTES

U.S.C. §:

§ 128-18.5001-1 Uniform relocation assistance and real property acquisition Authority: 42 U.S.C. 4601 et seq.; 49 CFR 1.48(cc).

RULES AND CODES OF CONDUCT

Colo Code of Judicial Conduct 2.11 Part 3,

Rule 1.2 Promoting Confidence in the Judiciary,

Colo. R. Civ. Rule 97,

Judicial Code of Conduct Cannons 1, 2, 3

C.R.C.P. 12(b)(1)

Trial Rule 53.1 - Failure to Rule on a Motion

Trial Rule 53.2 - Delay of Judgments

PETITION FOR A WRIT OF CERTIORARI

Petitioner Rebekah J. Panzlau respectfully requests the issuance of a writ of certiorari to review the judgment of the Colorado Courts for:

DECISIONS BELOW

Colorado Supreme Court – Denied hearing the case - 2023SC87
Appendix C

Colorado Court of Appeals, Division A.

ADAMS COUNTY HOUSING AUTHORITY, d/b/a Maiker Housing Partners, Plaintiff-Appellee, v. Rebekah PANZLAU, Defendant-Appellant.

Court of Appeals No. 21CA1972 Appendix B

Decided: December 29, 2022

WHICH WAS AN APPEAL OF:

Colorado District Court, Division W

ADAMS COUNTY HOUSING AUTHORITY, d/b/a Maiker Housing Partners, Plaintiff v. Rebekah PANZLAU, Defendant

District Court Case Number: 2021CV30317

Judge Kyle P. Seedorf - Presiding

Appendix A

Decided: October 22, 2021

JURISDICTION

This Court's jurisdiction is invoked under:

Article III, Section 1 & Article III, Section 2
Of the United States Constitution

STATEMENT OF THE CASE

The case started as a dispute over a flood and what corrective actions should have taken place to remediate moldy, water damaged materials in apartment 1213 of the Creekside Place apartment home complex operated by Maiker Housing Partners D.B.A. "Adams County Housing Authority" and what if any liabilities they should face for creating and allowing a hazardous condition to exist undiscovered in Ms. Panzlau's apartment for many years - with it only coming to light during the course of this dispute.

This Appeal to the US Supreme Court is regarding the denials on the part of Maiker Housing for Relocation Assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Throughout the appeals process for this act **every person engaged with to review Maiker's decision at the County, State and HUD level had previous ties with Maiker housing partners** through previous employment histories, professional associations and charities, budgetary assistance and funding, advocacy and even Board Memberships on Maiker Housing Partners executive board, all of which

constitute violations of the Conflicts of Interest clauses and equates to having a hidden team of people who will help railroad any person or claim on the behalf of Maiker Housing Partners so that they never receive any real scrutiny of their practices or behavior.

The Case has now technically metamorphosized into a massive public corruption case and an effort to demonstrate that prior to the trial Judge Kyle Seedorf had a previous relationship with Colin Walker (the opposing Counsel) and Peter LaFari, who was the Executive in Charge of Maiker Housing Partners for several years. They had both participated together in fundraising efforts for “ECPAC” and the charity “Bright by Three” also now known as “Bright by Text”. Kyle Seedorf participated with this charity in the past as its executive Chairperson and as a board member for a period of time. Additionally, **opposing counsels legal firm Fairfield and Woods represented Kyle Seedorf's Charity Bright by Three for many years.** These facts can be demonstrated to a reasonable person by tax records, internet sites that catalog information about non-profit charities, and photos found on the Internet. It should however be noted that someone has attempted to have the online evidence of these improper relationships modified, removed or obfuscated – a crime in themselves, and the Appellant accuses him of engaging in the following:

Obstruction of Justice: interfering with the judicial process, which includes destroying evidence or intimidating witnesses.

Tampering with Evidence: This refers to altering, destroying, or concealing any record, document, or thing with the intent to impair its verity or availability in the pending or prospective official proceeding such as this one

Official Misconduct: If a judge uses their position to cover up wrongdoing, they should be charged with official misconduct, which pertains to public servants who abuse their positions.

Breach of Judicial Ethics: Judges are bound by codes of conduct and ethics, and attempting to destroy evidence is a severe violation of these standards.

Potential Civil Liability: The parties that were harmed by the judge's actions could potentially bring a civil suit against the judge for damages.

Loss of Judicial Immunity: Judges enjoy a certain degree of immunity from civil suits for actions they take in their official capacity. However, **acts that are clearly outside the scope of their judicial duties (like destroying evidence of personal misconduct) might not be covered by this immunity.**

Perjury: The judge lied under oath in his responses about his long previous relationships to both Fairfield and Woods and to Peter Lifari through their mutual work in charities

Contempt of Court: He acted in a way that purposefully obstructs the administration of justice.

These prior relationships to both the other party to the case and the other party's legal counsel through his charity *should have entirely precluded judge Seedorf from hearing the case*, but because Ms. Panzlau failed to elucidate this relationship between the Judge, the Plaintiff and their Legal Counsel **on the record**

that morning during her trial, *Judge Seedorf when directly asked by Ms. Panzlau during her trial failed to elucidate by a lie of omission any of these facts - and in violation of the Canons for judicial conduct improperly asserted that there were no conflicts of interest that would have precluded him from hearing the case* and then proceeded to hear the case, demonstrating throughout the proceedings bias for the plaintiffs case and their counsels requests, and failing to give real consideration to the arguments and motions that Ms. Panzlau was submitting to him - *completely denying her the opportunity to have a fair trial in front an impartial Judge and also a jury of her peers which she had specifically requested* so as to level the playing field against Maiker housing partners due to the fact that the trial was essentially one governing body (Adams County) judging the behavior of one of its own sister agencies (Adams County Housing Authority) *and that was already an advantage for the Plaintiffs and unfair to Ms. Panzlau.* Ms. Panzlau was effectively tried for the crime of Unlawful Detainer *without legal counsel present or being able to afford or find legal counsel to represent her* against a Billion-dollar housing authority on a very short timeline **without anyone else to witness the proceeding and hold the Judge accountable for his actions that day.** Judge Seedorf went on to completely ignore the existence of the warranty of habitability laws of Colorado, or the fact that they had been changed by HB19-11701 in 2019 to reflect a more protective language to renters regarding what was to take place in the event that a dispute is centered around the presence of Mold – instead Judge

Seedorf accepted without question outdated legal language from long-time associate Colin Walker during the dispute, and went on to act within that framework, **and not the updated language that at the time of the trial made up the habitability law in Colorado a flagrant ignoring of the law in that regard.**

The court of appeals then later upheld that this blatant *disregard for the law and the spirit of it* were perfectly fine because the law would not be invoked until “some later point in the trial”, which is simply legal nonsense and a tool to deny the reality that Mold was present – and that the habitability law states certain things must take place after that – all of which were disregarded by Maiker, Judge Seedorf, and the Colorado Court of Appeals. The Petitioner argues this was all by design and was intended to create an impossible set of legal hurdles for Ms. Panzlau to have to navigate in her pursuit of justice against Maiker Housing Partners. Ms. Panzlau discovered Maiker was significantly out of compliance with their contract and the laws of Adams County and Colorado including their listed point of contact in the event of a CGIA dispute, which at the time of the case was *seven years behind on its annual compliance obligation on the Colorado DORA website* – Judge Seedorf protected Maiker from having to follow any of the laws or the language of them and helped them curate Ms. Panzlau’s case to a great extent including: *deciding her date of injury under the CGIA for her* in violation of the specific language of that law, dismissing the assertions of negligence, constructive eviction and infliction of emotional distress

on Maiker's behalf, limiting her ability to introduce evidence exonerating herself during her trial, and not requiring them to follow state habitability laws **which superseded their contracts language.**

Did the Colorado Court of appeals Fail to uphold the Law, and its intent?

The Petitioner believes that the Appeals Court found the case extremely problematic for several reasons:

Most significantly Judge Seedorf is being groomed for a seat on the Colorado Supreme Court and these allegations of impropriety, perjury and the damning evidence accompanying them, would all but assure that he would be ineligible to take that appointment in the future.

There is also the component of **Kyle Seedorf attending an annual Judges Webinar with two of the Judges who were at that exact moment in time actively engaged hearing the Appellants case in the Court of Appeals, constituting a glaring conflict of interest for both Kyle Seedorf and the two appellate Judges Rebecca Freyre and Terry Fox who by all accounts should have not met with Judge Seedorf anywhere outside of an official proceeding prior to rendering their decision in regards to affirming Kyle Seedorf's Judgement in the District Court – this also gives the appearance of impropriety and bias in that case by the Appellate Judges.**

Their decision favored Judge Seedorf and Maiker housing partners **while ignoring many laws and judicial errors made by Seedorf during the proceedings.**

Both the language of the Habitability Law and the Colorado Governmental Immunity Act favored Ms. Panzlau, and yet the court of appeals seeking to protect Judge Seedorf from scrutiny asserted that *he made zero procedural errors during the case and that the intent and spirit of the laws designed to protect individuals from unscrupulous landlords had been upheld - which is simply untrue.* The appeals court **had been made aware of the conflict of interest and the fact that Colin Walker Perjured himself** when he asserts in the reply brief that his firm Fairfield and Woods never represented Bright by Three, but were unable to utilize this new information in their decision which by procedural rules **had to remain limited to only that which had been brought up previously, or the procedural aspects of what Kyle Seedorf did during the proceedings.** This created an impossible evidentiary standard for Ms. Panzlau to meet as **it allowed the opposing counsel to deceive the courts about his firm's previous relationship with Kyle Seedorf** without any ability by the defense to demonstrate to the courts that this was a lie, something opposing counsel were quite confident they could legally get away with - **and did.** The previous relationship between Kyle Seedorf and Peter LaFari (CEO Maiker housing Partners) would later be discovered through internet research and only further supports the fact that **Kyle Seedorf never should have heard a case on behalf of someone he had known for**

several years in charity work, who was also represented by the legal firm that represents his own children's charity. It is an impossible stretch for a reasonable person to think that this is all simply coincidence or that a Judge could have these long-time past relationships hiding in the background and that he is not attempting to assist his friends in the repulsion of this exceptionally problematic lawsuit, or that he would be impartial in a trial for his friends' business where they might potentially face millions of dollars of liability. No reasonable person would ever consider this a fair trial knowing these details.

REASONS FOR GRANTING THE WRIT

THE COURT SHOULD GRANT REVIEW IN THIS CASE TO BETTER DETERMINE IF KYLE SEEDORF HAD PREVIOUS RELATIONSHIPS AND CONFLICTS OF INTEREST THAT SHOULD HAVE PROCLUDED HIM FROM HEARING THE CASE AND GIVING THE CASE THE APPEARANCE OF IMPROPRIETY THROUGH HIS VIOLATION OF THE JUDGES CANONS

THE COURT SHOULD ISSUE GUIDANCE ON THE SCOPE AND APPLICATION OF THE UNIFORM RELOCATION ASSISTANCE ACT OF 1970 AND REQUIRE MAIKER HOUSING PARTNERS TO ABIDE BY IT AND REMIT THE RELOCATION ASSISTANCE TO HER POST HASTE OR FORFIT THEIR RIGHT TO RECEIVE FURTHER GOVERNMENT FUNDING FOR THEIR PROJECTS UNTIL SUCH TIME AS THEY ARE COMPLIANT WITH THE LAWS THAT WOULD PERMIT THEM TO RECIEVE SUCH FUNDING

THE COURT SHOULD OVERTURN KYLE SEEDORF'S ORIGINAL RULINGS IN THE CASE FOR CAUSE DUE TO HIS IMPROPER RELATIONSHIPS TO OPPOSING COUNSEL AND THE CEO OF MAIKER HOUSING PARTNERS AND THE APPEARANCE OF IMPROPRIETY WHICH HARMS THE INTEGRITY OF THE COURT

CONCLUSION

The Court Should Grant Certiorari to maintain Judicial transparency, verify ethical standards were not violated, clarify the proper scope and extent to which the intent of the law(s) was followed or deviated from and to ensure that the case was tried without *even the appearance of impropriety*, to promulgate proper confidence in the Colorado Judiciary now and in the future.

Ms. Panzlau respectfully requests that this Court issue a writ of certiorari.

Sincerely,



Rebekah J. Panzlau

September 23rd 2023

Rebekah J. Panzlau

Petitioner