

26-399

ORIGINAL
FILED

MAY 14 2026

OFFICE OF THE CLERK
SUPREME COURT, U.S.

IN THE

Supreme Court of the United States

JOHN P. CONTE

Petitioner

V.

EDWARD D. FRAZAR JR.

Respondent

On Petition for a Writ of Certiorari,

To the State of Colorado Supreme Court

PETITION FOR WRIT OF CERTIORARI

John Conte

Pro Se, Petitioner

1580 Robin Hood St.,

Lafayette, CO. 80026

(720) 266-9209

September 11, 2026

QUESTIONS PRESENTED

Whether 20th District Court, Boulder CO. Judge violated the courts civil procedure, plaintiff's demand for Jury Trial the Judge amended this to Bench Trial for Case No. 2023CV101? Unknowing of this changed court procedure, the Judge Order: Motion to Dismiss, Granted on Dec. 11, 2023. Petitioner exercised right to a Jury Trial, with MOTION: TO REINSTATE DISMISSED COMPLIANT.....(Appx. 15b) Judge reply: "No Action Taken". The Judge's action without hearing or proper notice of change of trial procedure, a violation of Judicial Due Process?

Whether judges interpretation was misguided without a Trial, if Judge believed claims should have been settled CO SC 2009SC439?

Whether the refileing of the case in District Court on 'unresolved claims' only meets a 'construction defect case' while the respondent a state engineer on technical intervention to petitioner's private legal building permit, results financial appraisal of his design/construction interference "Unacceptable Property", intent for unsafe birthing right 5/9-11 firing with hostile memo and undisclosed property damage a Civil Rights matter? On later proof of fraudulent actions on loss of two homes, violations beyond the scope of authority §13-80-104 with claims directly related to unconstitutional religious bias and C.R.A. 1964 - The Fair Housing Act. Clear hostilities, tracking permit #1432 for CO employment & residency and state abandonment, on safety of family?

Whether the District Judge stated all claims: 'Time-Barred' to '2011 on "C.R.S. limitations and repose", as stated, a "Judicial Conflict" to plaintiff's 2009CA1167 appeal filed with the Colorado Courts of Appeals? Whereas CO SC 2009SC439 ORDERED: DENIED with Judicial questions unanswered to United States Constitution & federal law, Feb. 2, 2026, CO SC #2025SC463 (Appx. 2b).

Whether respondent 'wavered' his right to protections under "C.R.S. 13-80-101/104 – Limits and Repose" on his 11th hour amended structural design proposal (exhibit) from a collaborative design (exhibit), on promises & guarantee? Where respondent would not consider reasonable and standard engineering alternatives, violated due process shuttering work, on structural risks and frame instability.

Whether the Colorado courts decided an important federal question incorrectly, the 20th District Court dismissed claims under C.R.S. 13-80-101/104, whereas issues of pointedly denied claims on respondent's unconstitutional bias and unethical acts for injury to petitioner and family a violation 42 U.S. Code 1983 – derivation of rights? On broader scheme of unconstitutional workplace bias "wrongful deaths" of coworkers, raised the bar of institutional abuse for public injury, the case could not be legally dismissed?

Whether the respondent's meet city required engineering experience? As qualification letter, also not within city record, structural review & approval. Whether the workplace supervisor administratively and engineer technically compromised city building officials, to intentionally harm permit #1432. Did not exercise due diligence to design plans permit #1432 or viable potable water system on DNR/US BOR funds to the fired petitioner's engineered 1992 new state park.

Whether, in exercising petitioner right for appeal 2024CA1586 and before the CO SC, presented reasonable exclusions to the 'statute of limitations and statute of repose' on applicable case law; and whether the petitioners argument is consistent with legislative intent of those laws & CO. Title 12 Rules – Engineer, were truly considered by the higher courts, on respondent stated, "Under the Color of the Law" an 'abuse of authority', with intentions of personal economic and physical injury.

Whether City building officials likely recruited, on egregious disposition to further compromise permit #1432 local public single family residence, in violation City of Lafayette permit policies & CO constitution Art. II, Sec. 20 - Home Rule?

Whether State administrator's & institutions went unrealized on injurious intent by the respondent, on staff notice 10/11/96 to the hiring authority on propensity for 'abuse of authority', implements malicious intent for: 42 U.S. Code §1983; 'Deprivation of rights and life' to petitioner and staff on tolled constitutional violations of 1st & 14th Amendments (federal) & Article II, Sec. 3rd, 4th & 25th (state), with federally funded projects subjected to gross negligence and abuse with risk of serious bodily injury to the public, 'whistleblower' terminated illegally?

Whether respondent is required to submit, his location 12/30/2021?

Whether petitioner is entitled to back pay on Personnel Board negligence on '2010 agreement of respondent's removal,' to 65 years of age or 5.33 yrs?

THE PARTIES

Respondent

Edward D. Frazar Jr.

Colorado Division of Wildlife, Chief Engineer (*formerly*)

12094 West 85th Avenue

Arvada, CO. 80005

Petitioner

John Conte

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A. JURISDICTION: To the Colorado Supreme Court petition for Writ of

Certiorari, Court responded February 2, 2026, "petition shall be ORDERED: DENIED". The petitioner request U.S. Supreme Court on Petition for a Writ of Certiorari, on February 2, 2026 CO Supreme Court. Request postmarked May 4, 2026 received May 12, 2026, with Clerk's request for petition compliance resubmitted July 9, 2026 received July 21, 2026 said again compliance issue July 23, 2026 for jurisdiction before the Court, on 'revised list of the parties' and appendices and date of judgment sought to be reviewed within Court, resubmitted to Clerk's Office on September 11, 2026.

APPENDIX "a" CONTENT: 2007 – '09 CO SPB Proceedings
Case Referred to by J. Keith Collins, 2023CV101 District Court Boulder CO.

APPENDIX 1a	AG, ORDERED SETTLEMENT TO THE STATE OF CO., STATE PERSONNEL BOARD SPB 8/18/2010 - 2009B028(C).....
APPENDIX 2a	CO CIVIL RIGHTS DIVISON - CHARGE TO THE STATE PERSONNEL BOARD SPB 2010B004/B028 CCRD 10/2/2009.....
APPENDIX 3a	CO SC PETITION - ORDERED DENIED, TO THE STATE OF COLORADO SUPRME COURT SC 7/7/2009, 2009SC439
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APPENDIX 5a	CO CA COURT OPINION - JUDGEMENT AFFIRMED TO THE STATE PERSONNEL BOARD SPB 4/2/09, to CA No. 2009CA1167, 'Cover Sheet'
APPEMDIX 6a	ORDER OF THE STATE PERSONNEL BOARD SPB 4/17/08, 2009G004.....

APPENDIX "b" CONTENT- 20th DISTCT COURT BOULDER CO.
Case No.2023CV101, J. Keith Collins, CO CA & CO SC

- APPENDIX 1b CO CA MANDATE, JUDGEMENT AFFIRMED
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- APPENDIX 2b CO SC PETITION: ORDERED DENIED SC EN BLAC.
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- APPENDIX 3b COURT OF APPEALS, OPINON:
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- APPENDIX 5b CA: ORDER OF THE COURT
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- APPENDIX 6b CA: Motion for More Time to File
Time Extension for Opening Brief - Filed Feb. 27, 2025
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- APPENDIX 7b CA: NOTICE OF FILING OF RECORD ON APPEAL AND
BRIEFING SCHEDULE – DCB Record Filed 11/14/2024,
Date: 12/24/24, 2024CA1586.....

APPENDIX 8b	CA: Motion for More Time to File Time Extension for Opening Brief 12/20/2024, 2024CA1586.....
APPENDIX 9b	CA: ORDER OF THE COURT Notice of Appeal – was timely filed 9/5/24 Filed 12/20/2025, 2024CA1586.....
APPENDIX 10b	BOULDER COMBINED COURT Notice Transfer of 2023CV101 Record & Exhibits to CA 11/7/2025, to Case No. 2024CA1586.....
APPENDIX 11b	CA: ORDER OF THE COURT Appellant Response-Order jurisdiction...9/24/2024, 2024CA1586
APPENDIX 12b	CA: ORDER OF THE COURT Court Jurisdiction to 1/29/24 9/18/24, 2024CA1586
APPENDIX 13b	CO CA: NOTICE OF APPEAL, 20 th DCB No. 2023CV101 9/5/24, Case No. 2024CA1586
APPENDIX 14b	Order: Motion to: Reinstate Dismissed Civil Complaint, Opposition and Exhibits.....2023CV101 8/22/24, DCB - NO ACTION TAKEN
APPENDIX 15b	MOTION TO: REINSTATE DISMISSED COMPLAINT, OPPOSITION AND EXHIBITS.....8/16/24, DC 23CV101...

APPENDIX 16b	Motion for Preliminary Hearing for Compensatory & Punitive Damages 8/05/24, DC 23CV101 J. See: Case Dismissal Dec. 11, 2023
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APPENDIX 18b	Order: Motion for Continuance, on Return to Finalize Case Exhibits 6/17/24, DC #23CV101 Reply: NO ACTION TAKEN...
APPENDIX 19b	MOTION FOR CONTINUANCE, ON RETURN TO FINALIZE CASE EXHIBITS 6/14/24, DC 23CV101.....
APPENDIX 20b	Order: Opposition to Motion for Dismissal, Motion to Continuance on Return 12/22/23: DC 23CV101 See, 12/11/23, Order to Dismiss.....
APPENDIX 21b	OPPOSITION TO MOTION FOR DISMISSAL, MOTION TO CONTINUANCE ON RETURN 12/20/23 DC 23CV101.....
APPENDIX 22b	District Court Boulder, Order: Motion to Dismiss 12/11/23: DC 23CV101,, w/o notice, mail stop holiday, AZ.
APPENDIX 23b	DISTRICT COURT CIVIL CASE COVER SHEET FOR INITIAL PLEADING OF COMPLIANT, COUNTER CLAIM, CROSS- CLAIM OR THIRD PARTY COMPLAINT & JURY DEMAND. 9/01/23: DCB 23CV101.....

TABLE OF AUTHORITIES
(CO CA – 2024CA1586)

Husain, 316F.3d at 835 §13-80-104:	
CO Rev Stat §13-80-104 (2016):	
Discovery Rule:,	
Winkler v. Rocky Mountain Fire & Casualty Co.:	
Morrison v. Goodspeed (1944):	
Fraudulent concealment:	
Dean Witter Reynolds, Inc. v. Hartman 911 P.2d 1094 (1996):	
Equitable Tolling:	

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

U. S. Constitution, Bill of Rights:

Sec. 1 – Freedom of Religion, Speech.....(employees)

Sec. 14 #1. Deprive rights, Due Process Clause....(#1432....)

Sec. 7 – Right to a Jury Trial ... (DCB-CO CA))

C.R. Act 1964: The Fair Housing Act.....(Due Process law)

United States Codes:

18 U.S.C.§2384 Seditious Conspiracy– City/CO./U.S.G..

42 U.S. Code §1983, “deprivation of rights” - illegal

Colorado State Constitution: Article II (short)

Sec. 3 Amendment - legal right to protect property.....

Sec. 4 Amendment - illegal search and seizure.....

Sec. 20 Amendment - Home Rule, City of Lafayette

Sec. 25 Amendment - Due Process law

State Employee’s Oath to uphold the state constitution.

Colorado Revised Statutes:

§18-3-207, Extortion

§18-8-102, Obstruction, Due Process law

§18-3-208, Reckless Endangerment (Vehicle - Projects)

§18-5-206(i) Defrauding a Secured Creditor and Debtor

§18-4-501(g) Criminal Mischief

§18-4-501(g) attempt Serious Bodily Injury/Homicide

Colorado State Rules and Regulations:

Title 12: *DPO-Professional Code of Conduct, Engineers*

(*Time-Barred* Legislative Intent: respondents “Spin”)

Colorado State Administrative Codes: (CO Div. of Wildlife, “CODOW”)

§13-20-801 Construction Defects #1432, Docks - “Spin”

§13-80-101, Breach of Contract - Due Process Law

§24-34-401-402, Colo. Anti-Discrimination Act et seq.

§24-34-502 (1) Unfair housing practices prohibited

§24-50.5-101 to 108 Whistleblower Act - Spin: Agency &

Federal procurement grants/funding

Agency Culture: Cowboy Code of Conduct

OPINIONS BELOW

The pathway to the petition: Wildlife service manager denied petitioner's Desk Audit for 'equal pay', citing his September 11, 2000 letter to an Area Manager, questions construction contract administration and federal aid funding, copied to respondent. On denied, Personnel Due Process, filed Appeal/Dispute, CO State Personnel Board ("SPB"), July 30, 2007, Order: Amended Dismissal, ("Appx. 6a"). On constitutionally substantiated case appeal, April 2, 2009 - CO CA - Opinion: Judgement Affirmed (Appx. 5a). On refiling 20th District Court Boulder - Dec. 11, 2023 – Order: Motion to Dismiss (Appx. 20b.) appeal Oct. 9, 2025 - CO CA Opinion: Judgement Affirmed (Appx. 3b) 42 days thereafter petition to CO. Supreme Court.

JURISDICTION

Petition for a Writ of Certiorari - The United States Supreme Court sought on writ of certiorari February 2, 2026, CO SC - ORDERED: DENIED. The petition to the US SC arises on respondents/petitioner engineering, employed by CO. Wildlife Agency. On SPB decision (Appx. 6a) appeal to the CO CA and CO SC petitioner disclosed respondents exercise of unconstitutional bias actions with claims, with '09 CO SC petition ORDERED: DENIED (Appx. 3a). Refiling Sept. 1, 2023 District Court, Judge decision Dec. 11, '23 Order Motion to Dismiss, Granted (Appx. 20b), asserts claims "time-barred", statute of limitations & repose, re: claim resolution should've commenced at '09 higher courts, "2011" shows 'Judicial Conflict', '09 high courts on federal question: U.S. 42 Code 1983 – deprivation of rights, with claims on final judgment Feb. 2, 2026, CO SC ORDERED: DENIED (Appx. 2b) is sought with jurisdiction under federal law 28 U.S.C. § 1331 and 5 U.S.C. § 702.

PRELIMINARY STATEMENT

Petitioner is in opposition, to the District Court's Judge December 11, 2023, early dismissal order because petitioner contends that the court acted before considering petitioner's opposition to dismissal and related exhibits. The petitioner states that the opposition to dismissal was hand-delivered December 20, 2023, without clerk's notice of Judge's dismissal, that the filing was timely under the protection of the Seventh Amendment, as petitioner preserved the right to proceed by jury demand. Petitioner further points that, the court amended trial procedure on paid jury demand, Judge followed a bench-trial posture. Petitioner did not learn, clerk, of the court's amended procedure and case dismissal until August 5, 2024. On August 22, 2024, petitioner filed Motion to: Reinstate the Dismissed Complaint, Opposition and Exhibits (Appx. 13b). The Judge responded, "No Action Taken, see Dec. 11, Order" Petitioner asserts case filing fee of \$300 in the 20th Judicial District Court and paid added \$166.00 for jury trial (Appx. 21b), the petitioner exercised and preserved the right to a jury trial guaranteed by Seventh Amendment to the U.S. Constitution. Complaint initial shared cost for professional structural review and fix proposals with costs, litigated before the court, respondent sought motion to dismiss, to a fair trial free from conflict of interest. Accordingly, the District Court violated Judicial Due Process through bench-trial decision on Dec. 11, 2023, disregarded protections under the U.S. Constitution and CO. Constitution and improperly relied on perceived inaction 2009SC439 (Appx. 3a) by the high court rather than adjudicating petitioner's preserved claims and exhibits resolution on their merits.

STATEMENT OF THE CASE

The petitioner on exercising project design diversity, his employer DOW - Engineering Section for CO Department of Natural Resources ("DNR") selected special project manager, design & construction '91 new State Park/Campground, on 100% mitigated federal fund, U.S. Bureau of Reclamation-Colorado Closed Basin Project. Privately, plaintiff had purchased a city residential building lot 1990 from the Small Business Association which the respondent said structural engineer asserts experience, City of Lafayette, CO. building permit's structural compliance. The early collaborative structural design (record) migrated to delays and amended structural plans, similarly to consultant's geotechnical foundation recommendation, rattling the confidence of petitioner, contractor and lender. On late unorthodox structural plan respondent promises & guarantees, the petitioner lowered critical steel beam for continuous floor joists to stairwell, on risk to building structural integrity and potential collapse. Near 90d behind schedule & manufactured steel in-place, still challenged for a constructable frame, inspection by respondent questions lowered steel beam at stairwell, Bank HQ calls. At 93% framed Bank officials withdraw their loan offer on Affiliated National Bank of Colorado meeting January '92, classified the respondents work and inspection days earlier a "Junior Engineer", petitioner shutdown contractor work for permit #1432, construction. As the respondent thereafter did not engage on notice, Bank's framing issues as promised, lost contract labor & secured material costs, framed remaining interior work only, searched for new loans a 6 month delay, exhausting short credit.

On DNR special project successful bid, spouse gave birth to first son Saturday 5/9/92, fired 9:30am 5/11/92, (9-11). On June 11, '92 supervisor, Norm Erthal wrote: (exhibit) "birth of new son and building a new house" read aloud follows physical intimation to return memo, follows demotion three (3) levels, without work issue, shows employer DOW employment & marital/family discrimination.

On 180d shutdown, former U.S. Congressman Bob Beauprez, CEO Lafayette State Bank issued loan 7/14/92 for \$75K, did the petitioner notice 10/92 structural anomalies. Clearly respondents intent for interference on petitioners employment status on related attempt for structural building collapse, for serious bodily injury. Shows the resisted reasonable beam alignments, compatible materials, guarantee inactions a confidence man on City permit #1432 with no engineering paid reviews.

On 10/92 without budget for structural repairs, proceeds avoiding bankruptcy trimmed residence 5.75 mo. to City Certificate of Occupancy ("CO") 12/30/92, less exterior decks new cost, resulting incomplete building site plan per city submittal. Petitioner did not fully grasp bank's issue at 93% framed or 4/92 loan app. (exhibit) "Unacceptable Property/No Credit", believed Bank merger reasoning, no new loans.

To no surprise the respondent appointed part-time design section supervisor, the petitioner masterly lured into permit interference, learning at the sacrifice of a private legal building permit and federally funded agency project on staged 'abuse of authority'. The fraudulent employment actions were discriminatory, unexcused retaliation to double down on petitioners success of state contract for DNR & BOR, petitioner sole provider of family welfare, incomprehensible 'Seditious Conspiracy' employment and permit shutdown with new life, by design to harm all.

In 1994, the respondent appointed a part-time supervisor who had access to petitioner and staff and who allegedly made disparaging comments about undisclosed religious beliefs and practices. On October 11, 1996, staff submitted concerns to management while the respondent was under consideration for the chief engineer vacancy. After the respondent was selected, a female coworker reported inappropriate contact by a field engineer during an overnight annual meeting on July 22, 1997. Petitioner asserts that the respondent's investigation did not provide meaningful relief because staff intimidation involving the Colorado Attorney General affected the process and was followed by the coworker's removal from the agency. The coworker died on December 30, 2001, the ninth anniversary of the City Certificate of Occupancy dated December 30, 1992. Petitioner later spoke with a newly hired male coworker who described circumstances similar to those involving the 1992 permit #1432, including promises concerning promotion, family and housing stability, and agency recognition. Petitioner states that the coworker complied with extensive administrative demands by the respondent, sought warranted relief, and was allegedly exposed to hazardous materials and illness during housing-relocation efforts. At the coworker's memorial, petitioner learned of a shared religious affiliation and concluded that the respondent's demands were motivated by bias against the coworker's religious beliefs and practices. Petitioner further asserts that the respondent's actions were premeditated, were justified through fraudulent administrative demands, and mirrored the unlawful retaliation petitioner experienced in 1991-1992. Petitioner contends that this pattern of physical and economic injury was retaliatory and reflected gender bias toward the

female coworker and religious bias toward the male coworker's faith, family life, and agency values.

Petitioner asserts that the coworker deaths and related events reflected a continuing pattern of retaliatory conduct connected to petitioner's 1992 family housing efforts, permit #1432, and agency employment status. Petitioner contends that the timing of these events, including the dates December 30, 2001, and January 18, 2003, reinforced his belief that the respondent's prior interference with permit #1432 and employment actions had broader consequences for affected coworkers. Petitioner further alleges that the respondent's conduct caused physical, economic, and administrative harm to coworkers and paralleled the harm petitioner experienced in connection with the 1992 permit, DNR/BOR employment matters.

Petitioner offers these coworker-related allegations to support his broader claim that respondent's conduct reflected a recurring pattern of discriminatory and retaliatory action, rather than isolated employment or permitting disputes.

Petitioner alleges that, after the coworker-related events, a full staff meeting was held with a state grief counselor. During that meeting, petitioner states that the respondent described himself as "satisfied" with the outcome involving the deceased female coworker and made a similar statement concerning the male coworker who was the father of a young family. Petitioner contends that those statements support his broader claim that the respondent's conduct reflected hostility, discriminatory motive, and indifference to the harmful consequences of his administrative actions.

Petitioner contends that the respondent's conduct demonstrated deliberate indifference to the harm suffered by affected coworkers and reflected an unresolved pattern of institutional abuse that warranted investigation. Petitioner further states that these events caused him to purchase retirement service credits in March 2003 to protect spousal benefits because he believed the same alleged pattern of discrimination and retaliatory conduct placed his own family at risk.

Petitioner further alleges that, after DNR leadership solicited cost-saving measures and considered combining the Wildlife and Parks agencies, petitioner submitted a proactive recommendation. Petitioner states that a May 25, 2003 auto-insurance claim followed an incident in which respondent allegedly disabled petitioner's vehicle, creating a risk of injury to petitioner's family and causing approximately \$60,000 in damages. Petitioner also alleges that later agency projects reflected a continuing pattern of administrative interference and sabotage, including delayed federal-aid work, public-safety concerns involving "Motorboat Access" program structures, and adverse employment actions tied to petitioner's whistleblower activity and prior housing-permit allegations.

Petitioner alleges that, during the 2008–2009 fiscal year, several assigned design projects revealed administrative problems, including a project that allegedly lacked jurisdictional preliminary zoning review, Routt County compliance concerns, updated City of Colorado Springs LEED building-code requirements, and a Mt. Evans residence addition that petitioner states was rejected by a new supervisor in favor of a modular-home approach. Petitioner further alleges that time respondent requested disciplinary action through management, resulting in additional

State Personnel Board appeal and dispute numbers, Assistant Attorney General review, and eventual separation and settlement proceedings. Petitioner contends that those events left the permit #1432 allegations unresolved and contributed to the later termination and civil-rights filings October 1, 2009.

The petitioner opposed Judge decision regarding Order: Granted Motion to Dismiss, a jury trial would have significant jurisdiction over "Time Barred" on intent of violations to 42 U.S. Code 1983: 'deprivation of rights' constitutional provisions and Article II C.R.S. Title 12 deceit and fraudulent facts of the case, and proof to respondent's lawless 'Wrongful Deaths', 'under the color of the law'.

The case on District Court analysis the appeal CO CA 2025CA1586, Opinion skewed and misguided review of the facts, on petition for writ of certiorari CO SC the petitioner suffered a legal wrong, J. Keith Collins, 2009 court proceedings, and DENIED final judgement CO SC 2026SC463, no other adequate remedy CO courts.

- 1) A federal court has jurisdiction for review under 28 U.S.C. § 1331, federal district courts have original jurisdiction over all civil actions that arise under federal law, including U.S. Constitution, federal statutes, treaties.
- 2) 5 U.S. Code § 702 - Right of review: The petitioner suffering legal wrong because of agency inaction, or adversely affected or aggrieved by respondent within the meaning of a relevant statute, is entitled to judicial review thereof, seeking relief other than money damages and stating a claim that an agency or an officer or employee thereof acted or failed to act in an official capacity or under color of legal authority shall not be dismissed nor relief therein be denied on the ground that:

Colorado engineers, privately and publicly acted in the official capacity for private financial and United States procurement grants, the respondent is an indispensable party to and of national importance.

- 3) 'Equal Justice under law' Fourteenth Amendment: "the powers of the States in dealing with crime within their borders are not limited, but no State can deprive particular persons or classes of persons of equal and impartial justice under the law." Petition's prayer for US SC review.

1992 the respondent on entry level position with unfeathered management access for 'conspiracy' 17 yrs., discloses to the service manager his 1991 created misconduct to permit #1432 on fuel for illegal termination 8/31/09, (Appx. 4a). His theme and scope of authority is unfeathered retaliation and pointed review of unresolved wildfire events Larimer Co. Roosevelt N.F. August 13, 2020, human caused Camerron Peak Fire, nine (9) miles of 'Joe Wright Reservoir Native Trout Spawning Channel' project 9/30/98 and Marshall Fire 12/30/21, on unsettled claims to 'Certificate of Occupancy' 12/30/92 and DOW unsettled coworker 12/30/01, 20 yrs. mirrors 20 yrs. 3d to 20th DCB Compliant Sept. 1, 2023. Later wildfire (3) origins (9-1-1), beginning at religious sect Twelve Tribes property (C.R.S. Title 12), Excel Energy declines it's equipment caused the fire on the previously burned area. Refiled compliant on District Attorney review respondents location 12/30/21. Who would be tracking 12/30/92, 12/30/01 and 1/18/03? "Satisfied": 'retaliation to authority and abuse of the law' for the 'deprivation of rights & life' on pointed spiritual unsettled constitutional violations, violent wildfires 12/30/21 & 8/13/20.

U.S. Constitution 14th Amendment:

Sec. 1 *"It forbids states from denying person "Life, Liberty, or Property without due process of law" & states to provide "equal protection of the laws" Thurgood Marshall*

Sec. 5 *Enforcement "Legislation Enforcement by law, the Civil Rights Act of 1964 – The Fair Housing Act.*

The petitioners and coworkers subjectively targeted on CO. Constitution Article II, Sec. 3rd, 4th and 25th while termination codified violations in Section 1 deferred "deprivation of rights" on abusive disposition of economic hardship and physical harm 42 U.S. Code 1983 on applicable violations to 1st, 7th & 14th U.S. Constitution Amendments respondent privileged, acts under the 'color of the law', said "state attorney general". On respondent participation "under the law", gender bias (female) actions of physical & psychological harm. Likewise, petitioner's case also required judicial or independent review for petitioner's claims the court did not respond. The District Judge J. Keith Collins Order Motion to Dismiss (Appx. 20b) claims "Time-Barred" directed case back to CA regarding unresolved petitioner claims with limits to "2011" case 2009CA1167 (appx. 5a) - 2009SC439 (appx. 3a): claims should be settled at that time, re: "Statute of Limitations and Statute of Repose". While CA appeal case 2024CA1586 10/9/25 OPINION critiques brief without sufficiently address to constitution violations, C.R.S. statute's compromised supported respondent, violations City of Lafayette policy and due process and State negligence "10/11/96 memo & uninvestigated" and on 2023CV101 violation of the "courts procedure" for the petitioners claims and constitutional violations, CO SC petition writ for a certiorari ORDERED: DENIED (Appx. 2b) on CO CA.....

ORDER: JUDGEMENT AFFIRMED (Appx. 3b) the CO SC resistant to employee constitution “equal protection rights” under 42 U.S. Code 1983 on clear intent for petitioners likely unprecedent real property and personal property claims and ‘wrongful deaths’ judicial rights denied, the case cannot legally be dismissed under federal law..

REASONS FOR GRANTING PETITION

CONFLICT AMONG LOWER COURTS

The 20th District Court Judge J. Keith Collins violated CO. Constitution on C.R.C.P. 38 and Article II §23 switching case without notice to Judge Bench Trial from petitioner’s filing paid Jury Trial for 2023CV101. Case constitutes respondents intent of concealment of 18 U.S.C. §2384 seditious conspiracy for discriminate actions on employment with DNR and US BOR federal agency, voluntarily wavered his rights & exclusion to it’s protections C.R.S. §13-80-101 & §13-80-104(1)(a). Limitations and Repose” on promises and guarantees violated petitioners State & U.S. Constitution, and clearly Civil Rights Act 1964 – The Fair Housing Act. While the permit #1431 Bank loan application shows respondents ‘deprivation of rights’, 42 U.S. code §1983 & violated Due Process Law. Denied MOTION: TO REINSTATE (appx. 5b) “Jury Trial”. Judge did not honor 14 day rule 7th Amendment U.S. Constitution filed timely MOTION: OPPOSITION TO DISMISSAL on 12/20/23, went unheard. US SC Review is warranted under Rule 10(a).

WRONG DECISION ON AN IMPORTANT FEDERAL QUESTION

The Colorado courts decided an important federal question incorrectly. The 20th district court dismissed petitioner's claims under C.R.S. §13-80-101 & §13-80-104 even though the dispositive issues concerning accrual, concealment, and constitutional limits on statutes of limitations & repose, where judge stated "2011" limits, were required to be resolved when the Colorado Court of Appeals and CO. Supreme Court previously exercised 2009 jurisdiction over the matter. A "Judicial Conflict" amongst the 20th District Court, Boulder CO. and 2009 CO CA & CO SC. By allowing the lower court to extinguish the claim based on issues, "Time-Barred", that should have been resolved at the 2009 appellate stage, with final judgement CO SC from the 2008 SPB, violated federal due-process principles governing jurisdictional timing and the right to a meaningful opportunity to be heard. This departure conflicts with federal standards on claim accrual, fraudulent concealment, and the proper allocation of authority amongst trial and appellate courts. The conflict between the courts should be resolved, US SC review is warranted under Rule 10(b).

DEPARTURE FROM ACCEPTED JUDICIAL PROCEDURE

The 20th district court departed from accepted & usual judicial procedures by dismissing petitioner's claims under C.R.S. §13-80-101 & §13-80-104(1)(a) on grounds that were required to be resolved when the Colorado Court of Appeals and Colorado Supreme Court previously exercised jurisdiction over the matter. By

allowing a lower court to extinguish the claim based on issues already preserved and properly before the 2009 appellate courts, the Colorado judiciary created a structural procedural defect that deprived petitioners of the constitutionally required opportunity to have the dispositive legal question resolved at the proper stage. This jurisdictional misallocation and premature extinguishment of the claim constitute the type of systemic procedural breakdown warranting US SC review under Rule 10(c).

SUMMARY

Petitioner survived unconstitutional employer intent for damages, knowingly their administrative authority and state licensing (C.R.S. Title 12) on said engineering experience, egregiously interfered to deny professional design review and construction services, his action with pointed economic harm and for physical bodily injury, would not respond to petitioner notice to mid-January notice shows the respondent intent for real property harm. negligent design promises and guarantee on damages to '91 permit #1432, unknowingly until Oct. 1992:

Affiliate National Bank, loan application April 1992

returned: "Unacceptable Property/Credit Denied"
18 U.S. Code §2384 Seditious Conspiracy

With loss of existing townhome residence
C.R.A. of 1964 - The Fair Housing Act

The respondent on 17 yrs. of petitioners family - housing permit #1432 to termination 8/31/09 on the petitioner assisted, Whistleblower Action, respondent disclosed the substantive damage concerning petitioners permit #1432 housing

project, evident within service manager termination letter “1992”, volunteering his unwavering bias and self-create 1992 misconduct of intentional damage to the structure, as noted above. On appeal to CA 2009, the petitioner disclosed egregious action the 2009 higher courts neglected resolution on petitioners claims and:

On 2025CA1586 CA Judge Moultere states: “*Conte argues are based on Frazar’s alleged violations of CO.’s criminal code.*”

The baseline for the claims are under the license and guidelines of C.R.S. Title 12 – Engineers, is respondent’s religious bias in violation to the C.R.A. of 1964 - The Fair Housing Act as other Constitutional provisions are violated. Respondents egregious disposition on direct disparaging comments affiliated to the petitioners faith shows cause and the illegal ‘Wrongful Death’ on identical circumstance to the male coworker’s personal faith, proof of religious bias to harm coworker and hardship to his family and resolve for the petitioner’s civil claims by the 2009 Courts and 2023 District Court action. The CA judge clearly prejudiced, the respondent trained on despondent rules as a state manager with statute violations, and court unfair to petitioners brief on ‘case law’ for exclusions to statute of limitations and limits of repose and bias, self-representation at the real risk of violence to family members, assurances they have rights under the law and pursuit of a normal life. The fact Judge Moultere did not pursue whether the petitioner actually filed timely discrimination charge at the Colorado Civil Rights Division (“CCRD”) (Appx 2a), the charge was made Oct. 2, 2009 The Judge, Moultere repletely erred with prejudice and/or negligence “JUDGEMENT AFFIRMED” October 9, 2025 wrongly influenced CA Judges and Colorado Supreme Court panel,

and that the CA OPINON be considered for vacating judgment, muting CO SC decision and the case be remanded to a federal court for judicial fairness and assign attorney for case resolution.

The petitioner sought 'Equal Justice' (*M. Fuller*) on respondent's gross negligence on disregard for building code compliance to permit #1432 on proper notice, on '92 state of limitations the statute stop running 1992 until 2011 on 2009 CO CA and CO SC on petitioner unresolved claims. Time begins for "Equal Justice" 17 yrs. and on respondent wavering his protections under the statute C.R.S. §13-80-101 & §13-80-104(1)(a) the respondent wants to take back promises and guarantee 1992 and on gross negligence 2023 court of law and under sworn oath to the constitution wants these back, a toolbox of authority under the state attorney general. The petitioner request statutes on limits to be waived' on case law exclusions to the statutes', on constitutional violations, vehemently DENIED, under 28 U.S.C. § 1331 federal law and 5 U.S.C. § 702. are reasons for granting petition.

On C.R.S. Title 12 and U.S. Constitutional violations, without justice, poses a significant threat to the integrity of the legal system, "respondent's lawless disposition", and the protection of individual rights. It's Judges duty to interpret and apply constitutional principles, ensuring that every decision upholds freedoms and protections guaranteed to all citizens. Maintaining the balance of power, public trust, and the safeguarding of rights requires unwavering adherence to constitutional mandates in every judicial ruling and jury decision, reasons for granting petition.

CONCLUSION

On appeal employment & property claims, CO Supreme Court petition 2025SC439 is ORDERED: DENIED, Whereas Judge Gabreiel, CO CA OPINION, April 2,'09 Re: "4/2" ("42 U.S. Code §1983") on petitioners account of constitutional violations a 'deprivation of rights and life' under 1st & 14th (federal) and 3rd, 4th & 25th (State) Amendment rights, CO. & U.S. Constitutions and Statute violations by respondent to petitioner and deceased coworkers, "The Devil is in the Details" 4-II (coworkers) 3rd petitioner, "under color of the law", CO. Attorney General, Clearly Dissent amongst Judges at the CO Court of Appeals.

Respondent: "satisfied" unconstitutional outcome on denied rights, case cannot be legally dismissed.

CO SC decisions 2009 and 2026 excludes consensus on violations of State and U.S. Constitutional protections, and their duty to interpret & apply constitutional principles equally to all citizens, extinguished II.

For the foregoing reasons, in the
Supreme Court of the United States
On Petition for a Writ of Certiorari

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Respectfully submitted, on 11th day of September 2026