

No. _____

In the Supreme Court of the United States

JUDY A. BRANNBERG,

Petitioner,

v.

JOHN A. CIMINO, ET AL.,

Respondents.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF COLORADO

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

The questions presented are:

1. Whether the “finality” clause in C.R.S. § 22-30.5-108(3)(d), which bars judicial review of charter school application denials, violates the First and Fourteenth Amendments when those denials resulted from constitutional violations.

2. Whether a state civil rights agency (CCRD) violates the First and Fourteenth Amendments by refusing to assert jurisdiction over third-party religious employment discrimination and retaliation claims by the Authorizer in charter school applications, in direct conflict with binding EEOC policy and federal precedent.

3. Whether Colorado’s unreviewable attorney regulation — under which the Colorado Supreme Court Office of Attorney Regulation Counsel (“OARC”) decisions are final and non-appealable under *Chessin v. OARC*, 2020 CO 9 — shields attorney misconduct, RICO, fraud, forgery, bribery, sabotage of counsel, religious discrimination, and Unauthorized Practice of Law by a disbarred attorney from discipline, thereby violating First and Fourteenth Amendments.

* * *

This Petition arises from more than a decade of whistleblowing and retaliation involving 17 charter school denials, a fraudulent \$14.6 million CECFA bond, RICO coverup by regulatory agencies and school districts et al. Nearly one hundred Defendants are named, including Boards and 25+ attorneys, operating under coordinated subjugation of AG Philip J. Weiser. Petitioner Judy A. Brannberg, a charter school

founder and education entrepreneur, submitted 17 charter applications to DCSD and Jeffco, each denied in retaliation for exposing bond fraud, religious employment discrimination, and/or legal and judicial corruption. Petitioner warned Respondents of the fraudulent \$14.6 million CECFA Bond executed and/or covered up by 25+ attorneys, (including named Defendant STEM School Bond Counsel Barry K. Arrington, (now Acting Chief of U.S. DOJ Civil Rights Division's Second Amendment Section), et al. creating preventable safety risks that caused the May 7, 2019 STEM School Shooting. Petitioner made two Material Event Disclosures in 2017 and 2018 (two years before the school shooting) to UMB Bank and CECFA, (for EMMA disclosure) which detailed STEM's catastrophic financial failure, issuance of the fraudulent low interest BB+ \$14.6 million CECFA bond that STEM could not qualify for because of their \$2 million deficit, failure to meet 4 of 7 safety milestones/contingencies, including employment discrimination, and an illegal firewall preventing parent warnings. DCSD Board President Meghann Silverthorn secretly co-signed for the fraudulent bond without Board resolution, minutes, or full Board approval. Silverthorn publicly called Petitioner a "religious epithet." On May 7, 2019, after these warnings were suppressed, a mass STEM School shooting occurred. When Petitioner and Whistleblower Judy A. Brannberg exposed the racketeering behind this Public Education Monopoly RICO Cartel Enterprise, DCSD and Jeffco retaliated, blocked testimony, denied charter applications, and obstructed evidence. The ringleader, DCSD Chief Officer/**Union President**/Sterling Ranch Employee Pat McGraw, executed the fraudulent CECFA bond,

forged documents, orchestrated bribes/buy-outs of Petitioner's attorneys, and stopped Petitioner from locating her schools in Sterling Ranch. Regulatory agencies and judiciary, all subjugated by AG Weiser and charged with oversight, shielded the RICO Cartel Enterprise and covered up the fraudulent \$14.6 million CECFA Bond. Unconstitutional legal barriers erected to shield accountability include:

1. The "finality" clause in C.R.S. § 22-30.5-108(3)(d) barring judicial review – *Question One*;
2. CCRD's refusal to assert jurisdiction over third-party discrimination – *Question Two*; and
3. CSC OARC's unreviewable power to block attorney discipline – *Question Three*.

DCSD, Jeffco, and the State Board of Education retaliated against Petitioner for exposing the RICO Cartel Enterprise and denied her 17 schools. She now seeks review of unconstitutional, statutory, and RICO violations and asks this Court to restore judicial review, enforce civil rights protections, and *dismantle/break the unlawful Public Education Monopoly RICO Cartel Enterprise*.

PARTIES TO THE PROCEEDING¹

Petitioner, and plaintiff-appellant below is Judy A. Brannberg, a Charter School Entrepreneur, Whistleblower, and Co-Founder of STEM School Highlands Ranch — one of the largest and most successful charter schools in Colorado. On May 7, 2019, STEM School experienced a tragic school shooting in which one student, Kendrick Castillo, was murdered and eight others were shot. Petitioner is a whistleblower who repeatedly warned authorities, starting in February 2014, before the May 7, 2019 school shooting, about the safety, financial, and governance failures that directly caused the preventable tragic school shooting.

Respondents, and defendants-appellees below are the following entities, together with their officers, directors, employees, and more than twenty-five (25) attorneys, who are part of the Public Education Monopoly RICO Cartel Enterprise engaged in a pattern of organized, white-collar, mafia-style racketeering activity to retaliate against Applicant's protected whistleblowing and unlawfully deny her seventeen (17) charter school applications:

¹ The caption on the Order of the Supreme Court of Colorado appearing in Appendix A contains outdated information. It lists former charter school entities (Alexandria School of Innovation and John Dewey Institute) that Petitioner voluntarily dismissed in summer 2025. The Colorado Court of Appeals confirmed this in its July 1, 2025 Order (No. 2025CA639), directing that the appeal proceed with Judy Brannberg as the only appellant. The caption also omits properly named and served parties, including Attorney General Philip J. Weiser, the Attorney General's Office, and related boards and attorneys. All parties were named and served in the Amended Complaint filed January 11, 2024 (Denver District Court Case No. 2023CV610).

1. John A. Cimino;
2. Colorado Civil Rights Division;²
3. Colorado Department of Education;³
4. Colorado Educational and Cultural Facility A;⁴
5. Colorado State Board of Education;⁵
6. Colorado Supreme Court Office Of Attorney Regulation Counsel;⁶
7. Colorado Supreme Court;⁷

² The caption omits properly named and served parties, including Colorado Civil Rights Commissioners Sergio Raudel Cordova, Charles Garcia, Geta Asfaw, Mayuko Fieweger, Cherylin Peniston, Jeremy Ross, Daniel S. Ward; and Defendant Attorney Aubrey L. Elenis Sullivan.

³ The caption omits properly named and served party, Commissioner Susana Cordova.

⁴ The May 8, 2026 Order (Appendix A) lists this party in truncated form as "Colorado Educational and Cultural Facility A." The full legal name is Colorado Educational and Cultural Facilities Authority. The caption omits properly named and served parties, including Board of Directors Margaret Henry, Indira Duggirala, Cameron Mascoll, Marianne Virgili, Morris W. Price, Keo Frazier, Jenny Gentry; and Defendant Attorneys Calvin C. Hanson, Hester M. Parrot, and Kent C. Veio.

⁵ The caption omits properly named and served parties, including Colorado State Board of Education Board of Directors Rebecca McClellan, Lisa Escárcega, Steve Durham, Karla Esser, Kathy Plomer, Debora Scheffel, Angelika Schroeder, Rhonda Solis, and Stephen Varela; and Defendant Attorneys Julie C. Tolleson, Jenna M. Zerylnick.

⁶ The caption omits properly named and served parties, including Colorado Supreme Court Office of Attorney Regulation Counsel (OARC), Defendant Attorneys OARC Counsel Jessica Yates and OARC Deputy Counsel April M. McMurrey.

⁷ The caption omits properly named and served parties, including Chief Justice Honorable Brian D. Boatright, Justices Maria

8. Douglas County School District;⁸
9. Douglas County Sheriffs Office Douglas County;⁹
10. Jefferson County Public Schools;¹⁰
11. Stem School Highlands Ranch Lighthouse B;¹¹
12. Sterling Ranch Development Corporation;¹²

E. Berkenkotter, Richard L. Gabriel, Melissa Hart, William W. Hood, III, Monica M. Márquez, and Carlos A. Samour, Jr.

⁸ The caption omits properly named and served parties, including Board President Mike Peterson, Directors Susan Meek, Becky Myers, Jason Page, David Ray, Christy Williams, Kaylee Winegar; Defendant Attorneys Steve J. Colella, Kristin C. Edgar, Elliott V. Hood, Mary K. Klimesh, Thomas H. McMillen, Robert P. Montgomery, Robert S. Ross Jr., and William E. Trachman.

⁹ The caption omits properly named and served parties, including Douglas County Sheriff Darren Weekly.

¹⁰ The caption omits properly named and served parties, including Jefferson County Public Schools Board President Stephanie Schooley, Directors Susan Miller, Mary Parker, Paula Reed, Danielle Varda, and Defendant Jeffco Attorneys Molly H. Ferrer, Thomas H. McMillen, and Julie C. Tolleson.

¹¹ The May 8, 2026 Order lists this party in truncated form as “Stem School Highlands Ranch Lighthouse B.” The caption omits properly named and served parties, including STEM School Highlands Ranch, Lighthouse Building Corp., LightHouse on a Hill d/b/a STEM Academy, Koson Network of Schools, Koson Schools, Board Directors Kelly Reyna, Carla Gustafson, Michelle Horne, Nicole Smith, Rudy Lukez, Ishmeet Kalra, Linda Davison, Ryan Theret, Erin Quigley, Defendant **Attorneys Barry K. Arrington**, William P. Bethke, and Michael A. Zywicki.

¹² The caption omits properly named and served parties, including Sterling Ranch Development Corporation Owners Harold Smethills, Diane Smethills, Brock Smethills and Defendant Attorneys Jacob E. Spratt and Bruce A. James.

13. Umb Bank, and Umb Financial Corporation.¹³

Additional Indispensable Parties Noted for Joinder:

In the underlying proceedings, including Denver District Court Case No. 2025CV724 (Olafson, J.), Petitioner has identified additional indispensable parties whose joinder is necessary for complete relief on remand under C.R.C.P. 19. See *Wesley v. Newland*, 2021 COA 142, ¶¶ 13–19 (authorizing joinder of necessary parties for just adjudication, including in post-judgment attorney-fees contexts). See Amended Omnibus Reply Brief, 2025CA639 (Feb. 20, 2026), Section XV. These parties are directly involved in the Special Master proceedings and related orders subject to the requested stay. These parties include: Colorado Court of Appeals and Justices David H. Yun, Craig R. Wellington, and Lino S. Lipinsky de Orlov; Honorable Robert McGahey, in his individual capacity and in his official capacity as JAMS Special Master; Leslie Rint, in her individual capacity and in her official capacity as JAMS Case Manager; JAMS Denver / JAMS, Inc. as the administering organization for the purported Special Master proceedings; Colorado Charter School Institute and its Executive Director Terry Croy Lewis and Board members Brenda Dickhoner, **Jill Anschutz**, Ross Izard, Andrew Karow, Deborah Hendrix, Damion Natali, Kenny Smith, Nicholas Hernandez, and Nicholas Thompson; John Adams Academy and its Board members Ellie Reynolds, Kim

¹³ The caption omits properly named and served parties, including UMB Bank and UMB Financial Corporation, Vice President and Regional Manager John Wahl, and Vice President and Dissemination Agent Tamara Dixon.

Gilmartin, Roger Kime, Linda White, Brenda Dickhoner, and Dwayne Maragoni; Douglas County Board of County Commissioners and Commissioners Abe Laydon, George Teal, and Kevin Van Winkle, and their Attorney Andrew Steers; Douglas County Planning Commission and Douglas County Planning Commissioners (DCPC) Stephen S. Allen, Matt Collitt, James Smallwood, Calvin Downs, Len Abruzzo, Mark Witkiewicz, Jack Gilmartin, Edward A. Rhodes, Christian Schilder, C. J. Garbo, Michael McKesson; Academica Nevada LLC and Academica Colorado LLC; John Adams Academies, Inc.; and Current members of the Douglas County School District Board of Education (2026), Susan Meek, Clark Callahan, Brad Geiger, Kyrzia Parker, Tony Ryan, Valerie Thompson, and Kelly Denzler.

RELATED PROCEEDINGS

District Court of Colorado (Denver):

Judy A. Brannberg v. Jefferson County Public Schools, et al., No. 2023CV610 (November 14, 2025) (case closed *sua sponte* with pro se filing ban order)

Judy A. Brannberg v. Sterling Ranch, No. 2023CV610, JAMS Arbitration No. 37086 (Apr. 24, 2026) (eight subpoenas denied and hearing limited exclusively to attorney fees)

Judy A. Brannberg v. Sterling Ranch, No. 2023CV610, JAMS Arbitration No. 37086 (May 29, 2026) (pending attorney's fee recovery hearing)

Judy A. Barannberg v. Colorado Charter School Institute, et al., No. 2025CV724 (pending) (companion case involving Applicant's request for injunctive relief under the Fifth Amendment Takings Clause and Fourteenth Amendment Due Process Clause to prevent the unlawful transfer and development of the Sterling Ranch land that Applicant had designated and claimed in her 2023 DCSD charter school applications. This case directly concerns the RICO-based land seizure at issue in the underlying proceedings and is tied to the JAMS Special Master attorney-fees hearing scheduled for May 29, 2026)

Court of Appeals of Colorado

Judy A. Brannberg v. Jefferson County Public Schools, et al., No. 2025CA639 (Apr. 16, 2026) (rejected JAMS-related filings, authorized spoliation of evidence, and permanently barred relief)

Supreme Court of Colorado:

Alexandria School of Innovation, et al. v. John A. Cimino, et al. ¹⁴, No. 2026SA00147 (May 8, 2026) (discretionary review and stay denied)

¹⁴ See n. 1, *supra*.

Supreme Court of the United States:

Judy A. Brannberg v. Jefferson County Public Schools, et al., No. 25A111 (Jul. 28 and Sep. 5, 2025) (stay denied)

Judy A. Brannberg v. John Cimino, et al., No. 25A1264 (May 18, 2026) (stay denied)

Judy A. Brannberg v. Jefferson County Public Schools, et al., No. 25-27 (Oct. 6, 2025) (certiorari denied)

Judy A. Brannberg v. Colorado Civil Rights Division, et al., No. 23-1292 (Oct. 7, 2024) (certiorari denied)

Judy A. Brannberg, et al. v. Colorado State Board of Education, et al., No. 22-1106 (Oct. 2, 2023) (certiorari denied)

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Appendix A

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Order, District Court of Denver County, Colorado, *Judy A. Brannberg, et al. v. Jefferson Cnty Public Schools, et al.*,

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PETITION FOR WRIT OF CERTIORARI

Petitioner Judy A. Brannberg, MSc, respectfully petitions for a writ of certiorari to review the final judgment of the Colorado Supreme Court ("CSC") denying her Emergency Motion (App. 1-2), which foreclosed review of the constitutional and RICO claims arising from the fraudulent \$14.6 million Colorado Educational & Cultural Facility Authority ("CECFA") Bond executed and covered up by 25+ attorneys, including named Respondent Barry K. Arrington, now Acting Chief of U.S. Department of Justice ("DOJ") Civil Rights Division's Second Amendment Section, which caused the May 7, 2019 STEM School Shooting.

OPINIONS BELOW

Appendix A, App.1-2 - The CSC, sitting *en banc*, denied Petitioner's C.A.R. 21 Petition for Order to Show Cause, Expedited Motion for Stay of All Proceedings, and Request for Due Process Hearing on Unclean Hands Defense on May 8, 2026.

Appendix B, App.3 - The Denver District Court ("DDC"), while appeals were still pending, issued a sweeping *sua sponte* order closing the case, striking all post-April 15, 2025 filings, and imposing an unconstitutional blanket prohibition on any further pro se filings — slamming courthouse doors shut and denying Petitioner all access to Colorado Courts (November 14, 2025).

Appendix C, App.4-6 - DDC Order acknowledged that "due process requires the Court to conduct a hearing upon request" (*In re Marriage of Turilli*, 2021 COA 151 ¶ 30), yet unconstitutionally denied

Petitioner any hearing on her Unclean Hands defense and RICO claims (December 31, 2024).

Appendices G–I, Apps-18-23 and Appendix L – App.24-25 - DDC Orders vacated scheduled hearings, quashed 17 subpoenas, *sua sponte* barred further briefing on racketeering, and granted a Joint Injunction against Petitioner to suppress and actively run cover on RICO crimes (December 27, 2024 and February 3, 18, 19, 2025). Douglas County School District (“DCSD”), STEM School, and UMB had originally asked for Attorney Fees from Plaintiff. Once the subpoenas were issued, and Respondents were forced to testify under oath with a penalty of perjury, STEM, DCSD, and UMB withdrew their Motions for fees.

Appendix M – App.26-27 - DDC Order denied Petitioner’s renewed Motion for Default Judgment against Respondent John A. Cimino (and, by extension, the entire Enterprise) despite undisputed proper service, where he failed to file a timely responsive pleading, Cimino’s double default in both DDC and Court of Appeals (“COA”), and the re-engagement of all other Respondents through joint filings that triggered judicial estoppel and joint-and-several RICO liability. See *Bannon v. United States*, 156 U.S. 464 (1895); *Pinkerton v. United States*, 328 U.S. 640 (1946); *Salinas v. United States*, 522 U.S. 52 (1997); *United States v. Turkette*, 452 U.S. 576 (1981). The court had previously invited the renewed motion yet simply stamped it “DENIED BY COURT” while refusing any hearing on Petitioner’s Unclean Hands defense.

Appendix N, App.28-56 — DDC Omnibus Order (July 10, 2024) dismissing the majority of Petitioner’s federal claims with prejudice, denied default judgment against Cimino (who was never dismissed as a

party), while never dismissing named Respondents Philip J. Weiser ("Weiser"), Attorney General's Office, Cimino, or CSC and its Justices — all of whom were properly served and remained parties.

Notably, the July 10, 2024 Omnibus Order (App.28-52) never dismissed AG Weiser in his individual capacity, Attorney General's Office, CSC, its Justices, or Cimino. Despite undisputed proper service on all parties, these Respondents continued as named, undismissed Defendants while AG's Office directed their defense. This created an irreconcilable conflict of interest and a structural due process violation.

Appendix D, App.7-10 - JAMS Special Master Order denying all eight subpoenas and restricting the hearing to cover up the RICO crimes committed by subpoenaed witnesses with Unclean Hands.

Appendix E & F, App.-11-17 - Colorado COA Orders rejected JAMS-related filings, authorized spoliation of evidence, removed nearly 100 parties from the case caption, and permanently barred relief (April 16, 2026 and July 28, 2025)).

Appendix J - JAMS Special Master Order denied renewed motions to stay (May 8, 2026).

Appendix K, App.22-23 - CSC order striking Petitioner's filings concerning attorney misconduct and RICO claims (October 11, 2022).

JURISDICTION

The Supreme Court of Colorado denied discretionary review on May 8, 2026. This Court has jurisdiction under 28 U.S.C. § 1257(a).

On May 8, 2026, CSC, sitting *en banc*, denied Petitioner's C.A.R. 21 Petition for Order to Show Cause, Expedited Motion for Stay of All Proceedings, and

Request for Due Process Hearing on Unclean Hands Defense (App.1-2). This *en banc* denial constitutes the final judgment of the state's highest court and completes exhaustion of all available state remedies. Further proceedings in any Colorado Courts would be futile.

The lower courts have erected multiple unconstitutional barriers that closed the courthouse doors to Petitioner, including a sweeping *sua sponte* pro se filing ban and case closure (App.3), denial of any hearing despite the court's own acknowledgment that due process required one (App.4), wholesale denial of subpoenas (App.7-10), and other coordinated actions rendering state-court review unavailable.

STATUTORY PROVISIONS INVOLVED

U.S. Const. Amdt. I – Freedom of Speech and Religion. Petitioner engaged in constitutionally protected speech, whistleblowing, and silent practice of her Evangelical Christian faith. This led to retaliation and third-party employment discrimination by DCSD, Jefferson County Public Schools (“Jeffco”), State Board of Education (“SBE”) and Colorado Department of Education (“CDE”), resulting in denial of her seventeen charter applications and employment. In 2018, 2019, and 2023, Petitioner was denied the required community meeting under C.R.S. § 22-30.5-107(2) to suppress public exposure of the fraudulent \$14.6 million CECFA Bond and related RICO crimes. Her testimony was gagged and her applications altered to remove sections with mention of RICO crimes, bond fraud, forgery, and First Amendment violations.

U.S. Const. Amdt. V – Due Process and Takings Clause. In August 2024, Petitioner moved for entry of

default and default judgment against Defendant Cimino after undisputed proper service and his failure to file any responsive pleading in DDC (2023CV610). Cimino, Weiser, AG Weiser's Office, the CSC, and CSC Justices also failed to file an Answer Brief in the Colorado COA. All are jointly liable. (*Bannon, Pinkerton, Salinas, Turkette*).

U.S. Const. amend. VII – Right to a Jury Trial. Petitioner's claims — including civil RICO, civil rights under 42 U.S.C. § 1983, breach of contract, and fraud — are entitled to jury trial under Seventh Amendment. Yet trial court prematurely dismissed these claims (App.28-52), quashed subpoenas, and vacated hearings without permitting discovery or presentation of evidence (Appendices G-J, Apps- 18-21). These actions deprived Petitioner of her constitutional right to have factual disputes resolved by a jury.

U.S. Const. amend. IX & X – State Overreach & Federal Jurisdiction. Colorado's regulatory agencies — including AG's Office, CSC Office of Attorney Regulation Counsel ("OARC"), Colorado Civil Rights Division ("CCRD"), and SBE/CDE — exercised totalitarian control over third-party employment rights, charter school approvals, civil rights protections, attorney regulation, and judicial access. Acting under AG Weiser's subjugation, these agencies colluded to suppress whistleblowing, block judicial review, and shield themselves from accountability, exceeding their constitutional authority, now demanding federal review.

U.S. Const. amend. XIV, § 1 – Due Process and Equal Protection Clauses. At school district level, Petitioner was denied statutory compliance, equal protection, non-discriminatory third-party employment and property rights in her charter school applications.

Districts forged, disseminated and obstructed RICO evidence and denied community meetings required by C.R.S. § 22-30.5-107(2), denying charter approval.

At trial court level, Court quashed seventeen subpoenas, granted injunctions, and vacated a noticed hearing, violating due process (*In re Marriage of Turilli*, 2021 COA 151, ¶ 30).

At CSC level, Justices were disqualified as named Respondents, failed to recuse, but ruled — rendering the denial void (App.1-2). Only this Court can review. Certiorari is mandatory under 28 U.S.C. § 1257(a).

U.S. Const. amend. XIV – Retaliatory Interference With Legal Representation. Petitioner paid \$137,516.41 in legal fees to three attorneys (Williams, Cimino, and Klenda) who abandoned and sabotaged her cases. Attorney David K. Williams allowed Unauthorized Practice of Law (“UPL”) by disbarred attorney Clifford G. Cozier, who performed all legal work while Williams failed to disclose that Cozier was disbarred and failed to supervise him as required by Colorado Rule of Professional Conduct 5.5(d)(1). All three attorneys were bribed/bought out by DCSD, Jeffco, and/or Joint Defendants’ Attorney Elliott Hood — conduct documented in filings with CSC’s Attorney Fund for Client Protection. The CSC OARC refused to discipline them, functioning instead as the “Attorney Crime Protection Agency.”

Petitioner was forced involuntarily to proceed pro se against over a dozen powerful institutions and 25+ attorneys, while the regulatory agencies, corrupted by Weiser’s subjugation, obstructed all avenues of accountability. This constitutes a denial of legal representation and fair due process under Fourteenth

Amendment, caused by state retaliation, discrimination, and obstruction.

U.S. Const. amend. XIV – Judicial Misconduct and Color of Law Witness/Evidence Tampering. Petitioner was subjected to corrupt and abusive judicial conduct at trial court level, including spoliation of evidence (App.3, App.15-17), denial of hearings (App.4, App.20) and threats of sanctions for exposing RICO and attorney fraud (App.19 and App.22). The trial court granted a Joint Injunction, to gag and suppress all filings referencing the RICO Cartel Enterprise (App.24-25) — effectively aligning the court with the enterprise it was constitutionally obligated to hold accountable. These coordinated acts, executed under color of law to shield racketeering, constitute judicial corruption and denial of due process under Fourteenth Amendment.

18 U.S.C. § 201 - Bribery of public officials and witnesses. Defendants used public funds, bond proceeds, and legal payouts to bribe outcomes, suppress filings, and bribe charter approval (App.19).

18 U.S.C. § 242 and 42 U.S.C. § 1983 – Deprivation of Rights Under Color of Law. Government officials and judges deprived Petitioner of her First, Fifth, and Fourteenth Amendment rights.

18 U.S.C. § 371 – Conspiracy to Commit Offense or Defraud the United States. Defendants coordinated to file a Joint Injunction against Petitioner (App.24-25). The judiciary unconstitutionally issued a *sua sponte* gag order barring further RICO filings (App.19) and prohibiting pro se filings (App.3).

18 U.S.C. § 471 – Forgery of Documents. Respondent/Sterling Ranch Employee and DCSD Chief Officer Pat McGraw forged DCSD Board documents to feign

approval of the fraudulent \$14.6 million CECFA bond, despite STEM's \$2 million deficit and failure to meet four of seven safety contingencies, jeopardizing the safety of 2,000 students which caused the May 7, 2019 STEM School shooting. STEM, DCSD, CCRD, and Joint Defendants' attorney Hood illegally disseminated a forged one-way draft of Petitioner's mutual Confidential Separation Agreement, purporting it as the original two-way contract, in violation of 18 U.S.C. § 471.

18 U.S.C. § 666(a)(2) and Hobbs Act Extortion. On November 25, 2025, Douglas County Board of County Commissioners ("BOCC") voted to approve SRD's 13th Amendment to its Planned Development. Evidence from that hearing established that SRD President Brock Smethills secured this approval through criminal bribery in violation of 18 U.S.C. § 666(a)(2), offering "things of value" — including an 80-acre land "gift," a 50% build-out delay, and other benefits — conditioned on the BOCC's immediate performance of an *ultra vires* official act. This corrupt quid pro quo bribe directly implicated multiple Defendants, including CSI, John Adams Academy, BOCC, SRD, DCSD, CSI, and AG Weiser.

On December 16, 2025, the DCSD Board adopted a formal motion authorizing litigation against the BOCC and SRD unless specific recording conditions were satisfied by December 19, 2025. This contingent demand constituted a second violation of 18 U.S.C. § 666(a)(2), as well as Hobbs Act extortion under color of official right (§ 1951(b)(2)) and additional RICO predicates. These post-pleading governmental acts are new operative facts that altered the case and are part of Companion Case DDC 2025CV724.

18 U.S.C. § 873 – Blackmail and Extortion. CSC Justices and OARC attorneys issued threats in CSC Case 2021SC885 (Oct. 2022) to suppress attorney RICO exposure — conduct that meets the definition of coercive threat under FBI's Threat Intimidation Guide (Feb. 23, 2022), (App.22-23).

18 U.S.C. §§ 1503, 1512, 1513 – Obstruction of Justice. STEM, DCSD, and/or SRD issued four Cease and Desist notices to silence Petitioner's warnings of safety violations and RICO bond fraud which caused the preventable May 7, 2019 STEM School shooting. Respondent DCSD obstructed justice by forging DCSD Board documents, suppressing evidence, and quashing subpoenas. Threats issued by CSC Justices to cover up attorney crimes for which they have jurisdiction fall squarely within *FBI's Threat Intimidation Guide*. (App.22-23.)

18 U.S.C. § 1956 – Laundering of Monetary Instruments. Respondents Jeffco, DCSD, STEM, et al. laundered public funds and insurance proceeds, transmitted via interstate commerce, to pay for Special Master proceedings, attorney fees, and litigation expenses aimed at obstructing exposure of the RICO Cartel Enterprise crimes (App.19).

18 U.S.C. §§ 1961–1968 – RICO (Racketeer Influenced and Corrupt Organizations Act). All Defendants and their attorneys engaged in repeated RICO crimes. Petitioner seeks judgment and treble damages under civil RICO (18 U.S.C. § 1964(c)). While Petitioner seeks *civil RICO relief*, the misconduct also triggers criminal RICO liability.

18 U.S.C. § 1963 – RICO Forfeiture Provisions. Defendants obtained land, bond proceeds, federal grants, school contracts, real property, and employment

through coordinated bank/mail/bond/ wire/securities fraud, bribery, forgery, attorney sabotage, buy-outs, and obstruction — including the fraudulent \$14.6 million CECFA bond and breach of Petitioner's mutual CONFIDENTIAL SEPARATION AGREEMENT through illegal dissemination of a one-way forgery. In January 2014 Respondent DCSD Chief Officer/Union President/Sterling Ranch Employee Pat McGraw and in January 2020, Joint Defendants' Attorney Hood illegally disseminated the one-way forgery, purported as the two-way, mutual AGREEMENT — conduct falling within the statute of limitations for forgery, bribery, breach of contract, and RICO Enterprise crimes.

18 U.S.C. § 2331(5) – Domestic Terrorism. The May 7, 2019 STEM School shooting qualifies as an act of “domestic terrorism” under 18 U.S.C. § 2331(5), involving violence dangerous to human life and occurring after state officials deliberately suppressed safety warnings from Petitioner — including two Material Event Disclosures to UMB and CECFA on October 24, 2017 and January 3, 2018, and a formal warning to the DCSD Board on May 27, 2017. Their retaliatory failure to act on these whistleblower disclosures caused the shooting.

15 U.S.C. § 15(a) – Private Right of Action Under Antitrust Laws. The Clayton Act provides that “[a]ny person who shall be injured in his business or property by reason of anything forbidden in the antitrust laws may sue ... and shall recover threefold the damages ... together with the costs of suit, including a reasonable attorney's fee.” 15 U.S.C. § 15(a).

Yet the trial court dismissed Petitioner's Sherman Act claim with prejudice, erroneously ruling there is no private right of action. On July 10, 2024, the court acknowledged the claim arose under federal law but dismissed it for lack of jurisdiction, stating "it is the duty of the United States attorneys to enforce its provisions" (App.28-56).

The court neither stayed the case, permitted re-filing in federal court, nor referred the matter to the U.S. Attorney — thereby denying Petitioner any avenue to pursue her exclusive federal remedy. This refusal raises Supremacy Clause concerns (*Testa v. Katt*, 330 U.S. 386 (1947)). Although federal courts have exclusive jurisdiction over Sherman Act claims, the specific equitable relief sought — charter approval — is available only through Colorado's charter appeal structure (*Clasby v. Klapper*, 636 P.2d 682 (Colo. 1981)). Notably, DCSD itself admitted in its 2017 Position Statement to CCRD that the exclusive remedy for charter denials is APA review, which is why this Court is the proper venue.

20 U.S.C. § 7221b – Grants to Support High-Quality Charter Schools. Petitioner's schools are eligible for federal and state funding. By denying approval through civil and criminal RICO, Defendants obstructed federally funded education opportunities, including for students with Autism Spectrum Disorder ("ASD").

42 U.S.C. §§ 2000e et seq. – Title VII of Civil Rights Act of 1964 (as amended). Petitioner suffered third-party religious employment discrimination and retaliation when DCSD, Jeffco, and CCRD wrongly denied jurisdiction and obstructed employment and charter rights of a faith-practicing third-party applicant.

CCRD refused to assert jurisdiction, despite the EEOC *Policy Statement*, EEOC Dec. 87-2, ¶ 6869 (1987), to the contrary. See SCOTUS Petition 23-1292.

Application Of Supreme Court Rule 10(C): This Petition presents three important questions of federal law under Supreme Court Rule 10(c) that have not been, but should be, settled by this Court. These include whether Colorado's "finality" clause may constitutionally bar review of RICO and First Amendment retaliation claims (*Question One*), whether CCRD may refuse jurisdiction over third-party religious employment discrimination in conflict with EEOC policy (*Question Two*), and whether OARC's unreviewable structure may shield attorney RICO misconduct, forgery, and UPL. (*Question Three*).

INTRODUCTION

This Petition arises from more than a decade-long racketeering enterprise that began in 2014 with a fraudulent \$14.6 million CECFA Bond — executed and concealed by more than twenty-five attorneys, including named Respondent Barry Arrington (now Acting Chief of the U.S. DOJ Civil Rights Division's Second Amendment Section) — to secretly bail out STEM School Highlands Ranch from a \$2 million deficit. Petitioner repeatedly warned Respondents of the bond's illegality and resulting safety risks.

On May 5, 2017, two years before the preventable May 7, 2019 STEM School shooting, DCSD Board President Meghann Silverthorn confessed to Petitioner's Lobbyist Ted Harvey that she was responsible for illegally and secretly co-signing the fraudulent bond which STEM could not qualify for because of their \$2 million deficit, without board approval,

resolution or minutes. STEM never satisfied four of the seven required safety contingencies/milestones necessary to qualify for the low-interest BB+ CECFA bond, including the critical requirement of a legal and lawful Parent Complaint and Communication Policy. The unlawful Policy in place during the shooting, said that students would be expelled from the school if their parents complained.

On May 27, 2017, after President Silverthorn's confession (two years before the STEM School Shooting), Petitioner warned the full DCSD Board and Attorneys about the fraudulent bond, employment discrimination, and STEM's catastrophic financial failure. Instead of correcting these safety violations, respondents retaliated by denying Petitioner's seventeen charter school applications, bribing/buying out her attorneys, forging documents, and ultimately slamming courthouse doors shut through unconstitutional gag orders, a blanket *pro se* filing ban (App.24-25), and denial of any hearing on her Unclean Hands defense, (App.1, App.4-6) all to coverup their fraudulent bond.

On December 17, 2018 — five months before the shooting — an anonymous STEM parent warned the DCSD Board of "a repeat of Columbine or Arapahoe" and said: "Parents are afraid to speak out about STEM because there is 'a document online' (the illegal Parent Complaint and Communication Policy)" that says students will be expelled if they do." These warnings were covered up by STEM, DCSD, and DC Sheriff's Office to suppress, gag, and obstruct evidence of the fraudulent \$14.6 million CECFA bond.

On January 17, 2019, STEM Director Eucker and Respondent STEM Attorney Barry Arrington did the unimaginable and filed a retaliatory lawsuit (Douglas

County District Court Case No. 2019CV30047) against the parents who warned the school of danger and the imminent school shooting, in order to suppress, gag, and silence parent warnings about the unsafe school conditions and the fraudulent bond. Immediately after the shooting, the sued parents settled with STEM School under NDAs and were permanently silenced.

At the center of this Public Education Monopoly RICO Cartel Enterprise stands Colorado AG Weiser, who subjugated regulatory agencies (OARC, CCRD, SBE/CDE, CECFA), school districts, law enforcement, and the judiciary to shield the enterprise. This vertical integration collapsed Separation of Powers, weaponized state institutions against the whistleblower, and produced systemic constitutional violations under First, Fifth, and Fourteenth Amendments.

The District Court denied default judgment against Respondent Cimino despite his clear double default, triggering joint-and-several RICO liability exceeding \$2.8 billion for the entire Enterprise (App.26-27) (*Bannon, Pinkerton, Salinas, Turkette*).

The CSC then denied relief *en banc* on May 8, 2026, leaving Petitioner with no impartial state forum (App.1-2). These actions — combined with the fraudulent bond, attorney buy-outs, evidence suppression, and massive forfeiture demands (including all DCSD/Jeffco assets, full CECFA portfolio, and CSI assets) — present urgent, first-impression federal questions warranting this Court's review under Supreme Court Rule 10(c).

Petitioner has filed Petitions for Certiorari in 2023, 2024, and 2025, presenting these same facts. Not one time have Respondents filed a Brief in Opposition, nor

have they rebutted or denied the claims, because everything is truth.

The Court should grant certiorari to restore judicial review, enforce RICO forfeiture, and dismantle the government-enabled monopoly that has *corrupted public education and the legal system* in Colorado.

STATEMENT OF THE CASE

Petitioner Judy A. Brannberg is a charter school founder, education entrepreneur, and co-founder of STEM School Highlands Ranch. Between 2014 and 2023, she submitted seventeen excellent and innovative charter school applications in Douglas and Jefferson Counties. Each application was denied not on academic merit, but in retaliation to Petitioner's protected whistleblowing about the fraudulent bond and the RICO Enterprise Cartel crimes, and because Petitioner exercised her protected rights to silently practice her Evangelical Christian religion.

In 2014, Petitioner discovered and repeatedly warned Respondents about the fraudulent \$14.6 million low-interest BB+ CECFA Bond used to secretly bail out STEM School from a \$2 million deficit. The bond was executed through forged DCSD Board documents, concealment of 4 of 7 safety milestones/contingencies that were never met, and lack of a required 5-year contract. Named Respondent Barry K. Arrington, then counsel for Respondent STEM School, was the lead attorney who *knowingly executed the fraudulent CECFA bond to cover up STEM School's \$2 million bankruptcy deficit*. Because of their shortfall, STEM could not qualify for the low-interest BB+ CECFA Bond, and therefore DCSD Board President Meghann

Silverthorn secretly co-signed for the bond, without board approval, minutes, or a resolution.

On October 24, 2017 and January 3, 2018, Petitioner filed Material Event Disclosure warnings to UMB Bank and CECFA — protected under the First Amendment and Sarbanes-Oxley Act which were covered up by all Respondents. UMB and CECFA failed to file these disclosures on EMMA¹⁵ in violation of SEC Rule 15c2-12. Had they done so, the preventable shooting would have been averted.

Two years later, on May 7, 2019, the preventable STEM School shooting occurred, killing Kendrick Castillo and injuring eight others.

On October 27, 2023, Petitioner filed DDC Case No. 2023CV610 seeking judicial review of her 12 charter denials. She asserted civil RICO, fraud, antitrust, third-party employment discrimination, and constitutional claims against fourteen defendants, boards, and more than twenty-five attorneys. The operative pleading uncovered a white-collar, mafia-style crime ring, vertically integrated *Public Education Monopoly RICO Cartel Enterprise* operating under direction and subjugation of AG Weiser.

In December 2023, after conferring with the U.S. Attorney's Office, Petitioner amended her complaint to include federal antitrust claims.

On July 10, 2024, the trial court dismissed most claims with prejudice, erroneously ruling that the

¹⁵ <https://emma.msrb.org/Home/Index>, Electronic Municipal Market Access designated by the U. S. Securities and Exchange Commission as official source for municipal securities data and disclosure documents.

Sherman Act provides no private right of action (App.28-56).

Most significantly, in DDC Case No. 2023CV610 and related COA Appeal Case No. 2025CA639, the CSC, its Justices, AG Weiser (in his individual capacity), AG's Office, and Cimino were all properly served but never filed a Motion to Dismiss in the trial court or an Answer Brief — or any other responsive pleading — in the appeal. All other Respondents invoked the jurisdiction of the courts through joint filings. These widespread defaults triggered joint-and-several liability for the RICO Enterprise. (*Bannon, Pinkerton, Salinas, Turkette*).

In August 2024, Petitioner moved for default judgment against Petitioner's former counsel Cimino, who was bought out/bribed by DCSD/Jeffco to sabotage her legal cases and to deny her charters. Despite proper service, Cimino never filed a responsive pleading in 2023CV610 and failed to file an Answer Brief in 2025CA639, resulting in his double default which caused the joint-and-several RICO liability of the entire Enterprise.

Despite these clear defaults under C.R.C.P. 55(a), trial court denied default judgment (App.4-6), insulating all members of the RICO Cartel Enterprise from accountability for damages exceeding \$2.8 billion. Petitioner has also demanded, as mandatory RICO asset forfeiture and restitution under 18 U.S.C. § 1963(a), all assets of DCSD and Jeffco facilities, buildings, land, and related assets, as well as the entire CECFA portfolio — including all buildings, land, facilities, equipment, bonds, and associated assets valued in excess of \$10 billion — together with all assets of the Colorado Charter School Institute ("CSI"), to redress the Public

Education Monopoly RICO Cartel Enterprise's systematic denial of Petitioner's seventeen charter applications, unlawful taking of property interests, and unlawful monopolization of public education. Petitioner has filed Notices of Claim in excess of \$58 billion pursuant to C.R.S. § 24-10-109.

While default motions were pending, all other Respondents "re-entered" litigation through joint filings opposing Rule 60(b) relief and seeking injunctive relief to silence Petitioner and obstruct exposure of their RICO bond-fraud crimes and forgery/dissemination of her Confidential Separation Agreement. These actions triggered judicial estoppel and joint-and-several RICO liability for the entire Enterprise (*Bannon, Pinkerton, Salinas, Turkette*). The trial court wrongly denied default judgment (App.26-27), insulating the entire Cartel from accountability for damages exceeding \$2.8 billion.

On December 27, 2024, the court granted a Joint Injunction (App.24-25) gagging Petitioner from filing documents referencing the RICO Enterprise. In February 2025, the court *sua sponte* barred further briefing on racketeering (App.19), quashed seventeen subpoenas, and vacated the scheduled attorney-fee hearing. The Colorado COA and JAMS Special Master continued the pattern of suppression (App.7-20).

On November 14, 2025, while appeals remained pending before the Colorado COA, DDC issued a sweeping *sua sponte order* (App.3) declaring the case "closed," striking all post-April 15, 2025 filings, and imposing a blanket, unconstitutional prohibition on any further pro se filings.

The JAMS Special Master, Hon. McGahey, Jr., denied all eight subpoenas, rejected the Unclean Hands

defense, and refused to stay the May 29, 2026 hearing (App.7-10, App.21).

When exposed that Jeffco Chief Attorney Julie Tolleson secretly paid off the entire Special Master's Hearing at \$500/hour fees — despite Jeffco not being a party seeking fees — McGahey took no corrective action and continued the proceeding (Emergency Application, App. 8–9). This secret payment constitutes federal bribery of a quasi-judicial officer (18 U.S.C. § 201). (App.19). Because McGahey is now a named party in this litigation, he is constitutionally disqualified and should have recused himself. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 883 (2009) and *In re Cement and Concrete Antitrust Litig.*, 515 F. Supp. 1076 (1981). His refusal to disqualify himself and halt the corrupted proceedings demonstrates his *liability and complicity* in shielding the Public Education Monopoly RICO Cartel Enterprise.

At every level, AG Weiser exercised unlawful executive control over judicial defense, regulatory agencies (OARC, CCRD, SBE/CDE, CECFA), CSC and COA — collapsing Separation of Powers and creating structural immunity for the Enterprise's crimes.

When Petitioner raised an Unclean Hands defense based on the fraudulent bond and attorney misconduct, the courts acknowledged the due process right to a hearing (*In re Marriage of Turilli*, 2021 COA 151 ¶ 30) but unconstitutionally denied any hearing (App.4-6).

On May 8, 2026, the CSC, sitting *en banc*, denied Petitioner's C.A.R. 21 petition and request for a due process hearing (App.1-2), leaving her with no impartial state forum.

REASONS FOR GRANTING THE PETITION

This case presents urgent, recurring violations of federal constitutional law that have produced a complete breakdown of judicial integrity in Colorado.

I. AG Weiser Unconstitutionally Collapsed Separation of Powers by Exercising Executive Control Over Judicial Defense and Regulatory Agencies

Colorado AG Weiser has subjugated all branches and agencies — including OARC, CCRD, SBE, and judiciary — to shield the Public Education Monopoly RICO Cartel Enterprise from accountability.

Weiser personally signed briefs and directed litigation strategy on behalf of agencies and courts in which he and his office have direct conflicts of interest. This fusion of executive, regulatory, and judicial power violates fundamental structural protections of the U.S. Constitution.

This fusion first emerged October 13, 2025, when First Assistant AG LeeAnn Morrill filed Joinder for CSC and COA in companion DDC Case No. 2025CV724 (Notice of Federal Referral, 2026.02.11). To avoid illegal fusion in 2025CA639, Morrill left CSC, CSC Justices, Weiser, and AG's Office unrepresented and unprotected and did not file an Answer Brief, *despite proper service and all parties properly named in the January 11, 2024 Operative Amended Complaint*.

The constitutional gravity of error is magnified because the Omnibus Order (App.28-56) addressed claims implicating Weiser while never dismissing him in his individual capacity on any ground—service, immunity, or misjoinder. The January 11, 2024 Amended Complaint (CF Part I, pp. 7402–7445)

named Weiser individually, separate from AG's Office. His individual party status remained intact. Nevertheless, Weiser individually was removed from this appeal pursuant to the COA July 28, 2025 Order amending caption under C.A.R. 32(d) (App.15-17).

The *State's January 12, 2026 Joint Answer Brief* then proceeded on behalf of select State entities only—SBE, CDE, CCRD, and OARC—*while omitting Weiser individually, AG's Office, CSC, and CSC Justices as distinct Defendants, after proper service on all.*

This illegal removal of undisposed Defendants, while litigation continued under authority of AG's Office, constitutes structural obstruction of judicial process, Separation of Power violations, and denial of due process—each a *federal constitutional violation*.

When Weiser—an undismissed Defendant—directed his subordinate, First Assistant AG LeeAnn Morrill, to remove him and CSC as Defendants from the caption, briefing, and litigation posture despite their continued party status and proper service, *that misconduct constitutes structural obstruction directed at the judiciary itself. Such misconduct strikes at the integrity of appellate process and is punishable by up to twenty years' imprisonment.*

Within minutes of January 30, 2026 Omnibus filing exposing 20-year prison terms under 18 U.S.C. § 1519, Morrill stepped down as lead counsel, and Assistant Solicitor General Talia Kraemer stepped up—further evidence of the crumbling Enterprise structure, now under 28 U.S.C. § 535(b) Federal Referral. This effected erasure of an undisposed Defendant Weiser, while Weiser simultaneously exercised supervisory control over litigation for multiple State Defendants, including SBE, CDE, CCRD, OARC,

CECFA, CSC (Justices Boatright, Berkenkotter, Gabriel, Hart, Hood, Marquez, Samour), COA (Justices Orlov, Welling Yun)—to influence judicial outcomes—constitutes use of a fraudulent misrepresentation “record” in 18 U.S.C. § 1519. Such concealment collapses Separation of Powers and adversarial process.

“[A] fair trial in a fair tribunal is a basic requirement of due process,” *In re Murchison*, 349 U.S. 133, 136 (1955), due process is violated by probability of bias alone. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 883 (2009).

Misconduct permitting the State’s chief law-enforcement officer AG Weiser to hide his own party status while controlling defense of judicial courts adjudicating his misconduct renders state-court remedies structurally corrupt.

By simultaneously directing litigation for the State, controlling defense of adjudicatory bodies, and benefiting from dismissal, *Weiser occupied roles of judge, jury and executioner—violating Separation of Powers and converting dismissal into de facto immunity.*

Separation of powers violations are structural constitutional errors reviewed *de novo* and require no showing of intent or actual bias.

“The accumulation of executive and judicial power in the same hands ... is the very definition of tyranny.” *The Federalist No. 47 (Madison)*.

Where executive officials (Weiser) control judicial defense while possessing personal liability in the same controversy, impartial adjudication becomes structurally impossible. This structural defect permeates all Appellees’ arguments, as detailed below.

When state officers act *ultra vires* to enforce unconstitutional misconduct, they are stripped of official immunity and cannot shield themselves behind sovereign authority or procedural labels. *Ex parte Young*, 209 U.S. 123, 159–60 (1908).

Orders entered under conditions that extinguish judicial independence cannot be insulated from appellate review. *All Defendant-Appellees' failure to respond to this Separation of Powers argument in their Answer Briefs is dispositive and requires vacatur and remand.*

Weiser's conduct has produced systemic immunity for attorney crimes, suppression of whistleblower evidence, and the denial of any impartial forum.

By prioritizing the defense of his own personal and official interests, AG Weiser has abdicated his fundamental duty to represent the public interest of Colorado. Residents no longer have an impartial AG charged with protecting them from the racketeering enterprise he is now shielding and directing.

Federal intervention is required to restore constitutional separation of powers.

II. The Lower Courts Unconstitutionally Denied Petitioner Any Hearing on Her Unclean Hands Defense Despite Acknowledging the Due Process Requirement

The DDC expressly acknowledged that “*due process requires the Court to conduct a hearing upon request*” (*In re Marriage of Turilli*, 2021 COA 151 ¶ 30), yet deliberately denied Petitioner any hearing on her Unclean Hands defense grounded in the fraudulent \$14.6 million CECFA Bond, attorney buy-outs, forgery, and

related RICO predicate acts (App.4-6). This denial was compounded by gag orders, (App.24-25), a blanket pro se filing ban, (App.3), quashing of subpoenas (App.18), and the JAMS Special Master's refusal to consider *unclean hands* evidence (App.7-10, 21).

Unclean Hands is a core equitable defense that bars relief to a party who has engaged in misconduct directly related to the transaction at issue. By refusing any evidentiary hearing on this defense while simultaneously granting injunctive relief and default judgment denials in favor of *unclean parties*, courts violated Petitioner's right to be heard — a bedrock requirement of due process.

Under Colorado law, the doctrine of Unclean Hands bars any party guilty of misconduct directly related to the subject matter from obtaining relief in equity. *Salzman v. Bachrach*, 999 P.2d 337, 340 (Colo. 2000) (quoting *Rhine v. Terry*, 111 Colo. 506, 143 P.2d 684 (1943)). As the CSC has recognized:

“Generally, ‘[o]ne who comes into equity must come with clean hands.’ ... The clean hands doctrine is one of public policy, devised to protect the integrity of the court.”

Salzman, 999 P.2d at 340.

Here, SRD, its counsel, and related Respondents come before JAMS with profoundly *Unclean Hands* — having participated in or benefited from the execution, forgery, and concealment of the fraudulent bond. Respondent and Sterling Ranch Current Employee/DCSD Chief Officer/DCSD Union President Pat McGraw is the Ringleader and Hitman in this

illegal Public Education Monopoly RICO Cartel Enterprise Conspiracy (18 U.S.C. § 1962(d)).

In January 2014, McGraw illegally forged and then disseminated Applicant's Confidential Separation Agreement from STEM School Director Penny Eucker to DCSD (CF Part I, pp 823-829); engineered the DCSD-STEM \$2M bail-out with a fraudulent \$14.6 million CECFA Bond financed by UMB without meeting 4 of 7 required safety contingencies which caused the May 7, 2019 STEM School Shooting of eight and murder of one student (CF Part 1, pp. 5784-6773); forged and altered the DCSD Board documents to cover up the fraudulent bond, (CF Part I, pp. 6071-6086); (McGraw together with DCSD attorneys knowingly committed fraud in many arenas, breaching the safety of all DCSD students); bought out and bribed Plaintiff-Appellant's Attorney Williams (CF Part 3, pp. 110-180) and later Plaintiff-Appellant's Attorney Cimino (CF Part 3, p. 190) to stop Applicant Judy A. Brannberg from publicly exposing the RICO Cartel Enterprises' crimes, and then illegally denied Petitioner's schools from locating in DCSD/Sterling Ranch Development in 2014, 2017, 2018, 2019, and 2023 — establishing DCSD and Sterling Ranch Development's vicarious liability under Respondent Superior (CF Part 4, pp. 2965-3182).

Respondent Superior is a legal doctrine used in tort that holds an employer (Sterling Ranch/DCSD) legally liable for wrongful RICO predicate crimes by their employee (McGraw). This conduct is central to Unclean Hands and 18 U.S.C. §§ 666/201 claims, Bribery and Theft of Programs Receiving Federal Funds.

The denial of the Unclean Hands defense and all critical subpoenas (App.7-10) prevents any

presentation of these facts and renders the JAMS proceeding fundamentally tainted. Proceeding at this time would ratify the corruption and cause irreparable harm. An immediate stay is required so the Supreme Court of the United States can address these equitable and constitutional violations.

These two structural violations, combined with the fraudulent bond that caused a school shooting and the \$2.8 billion default judgment triggered by Cimino's (Weiser/CSC's) defaults, present clear, recurring federal questions that this Court should resolve.

**III. Respondent STEM School Bond Counsel
Barry K. Arrington's Recent Promotion to
Acting Chief of the U.S. DOJ Civil Rights
Division's Second Amendment Section
Creates A Catastrophic Conflict Of
Interest And Requires New Material
Event Reported To EMMA**

Barry K. Arrington, former 2014 STEM School bond counsel for the fraudulent \$14.6 million CECFA Bond, and a *named Respondent* in this litigation, was recently promoted to a high-level position in the U.S. DOJ. Arrington personally initiated, structured, and executed the fraudulent \$14.6 million CECFA Series 2014 Refunding Revenue Bond while serving as counsel for STEM Charter School and Lighthouse Building Corp. Arrington *knowingly committed fraud* and multiple RICO predicate acts detailed throughout this Application.

On April 21, 2026, Applicant served a comprehensive *Amended Material Event Disclosure* on UMB Bank (Dissemination Agent and Trustee), CECFA

(Issuer), and all named Respondents. This disclosure expressly exposes that

Respondent Arrington, now Acting Chief of U.S. DOJ Civil Rights Division's Second Amendment Section and the Public Education Monopoly RICO Cartel Enterprise are engaged in, and its activities substantially affect, interstate and foreign commerce within the meaning of 18 U.S.C. § 1962(c), as demonstrated by the multi-state \$11 billion CECFA municipal bond portfolio, cross-state bank, wire, securities, and mail communications, involvement of out-of-state bond counsel, and the interstate movement of students, employees, and funds.

Under Section 7 of the Continuing Disclosure Agreement and SEC Rule 15c2-12, UMB Bank and CECFA were required to file this disclosure on EMMA within 10 business days. The deadline expired on May 5, 2026, with no filing. On May 6, 2026, Applicant caused the disclosure to be filed directly on EMMA.

The appearance that Barry K. Arrington, a named defendant in active RICO-related litigation involving bank, wire, securities, and mail fraud on a municipal bond issuer CECFA, has now been promoted to a senior position inside the DOJ creates an intolerable conflict.

This new development materially increases the risk that Arrington could influence or shield outcomes related to his own prior fraudulent conduct. *See Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009). Public disclosure of this conflict, combined with systemic bond fraud and preventable loss of life, will have catastrophic consequences for the entire \$11 billion CECFA portfolio — triggering widespread bond

downgrades to junk status, dramatically increased borrowing costs, and restricted access to capital markets.

IV. Mandatory Material Event Disclosures Reported to EMMA

Applicant and Whistleblower Judy A. Brannberg made repeated mandatory Material Event Disclosures directly to UMB Bank and CECFA on October 24, 2017, January 3, 2018 (two years before the May 7, 2019 STEM School shooting), and September 10, 2021, warning of the fraudulent \$14.6 million CECFA bond, the school's \$2 million deficit, and resulting safety dangers to children.

On April 21, 2026, Applicant served an Amended Material Event Disclosure detailing the ongoing RICO predicate acts, Barry Arrington's lead role in the fraudulent bond, and its direct causal link to the shooting. The 10-business-day deadline expired May 5, 2026 with no filing.

On May 6, 2026, Applicant filed it directly on EMMA. This continuing violation of federal securities law will trigger catastrophic downgrades of the \$11 billion CECFA portfolio to junk status and dramatically increased borrowing costs across more than 26 states — confirming the interstate-commerce element of the RICO claims.

V. CSC and COA Justices Were Disqualified as Named Parties Yet Failed to Recuse, Rendering Their Rulings Void

The CSC Justices (named Respondents) and Colorado COA panel (Justices Tow, Yun, Welling, and Lipinsky de Orlov) were personally named as parties

in this litigation. Despite clear personal and institutional conflicts, they failed to recuse themselves and instead issued rulings adverse to Petitioner, including the *en banc* denial on May 8, 2026 (**App.1-2**) and the April 16, 2026 COA order (**App.11-14**).

A judge's impartiality might reasonably be questioned when he or she is a named defendant in the very case before the court. *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868, 883 (2009) and *In re Cement and Concrete Antitrust Litig.*, 515 F. Supp. 1076 (1981).

When a named party sits in judgment of claims against himself or his institution, due process is violated and the ruling is constitutionally void. The failure of these Justices to recuse themselves created an appearance of bias so extreme that no impartial state forum remained, making federal review under 28 U.S.C. § 1257(a) not only appropriate but necessary.

This Petition exposes the illegal Public Education Antitrust RICO Cartel Enterprise endangering all Colorado and U.S. public school students — and asks this Court to stop it.

Relating to Question One

VI. Certiorari is necessary to strike down Colorado's "finality" clause, which unlawfully bars judicial review of charter school denials, suppressing First Amendment whistleblowing and RICO accountability

Colorado's "finality" clause — C.R.S. § 22-30.5-108(3)(d) — states the SBE's decision on charter school appeals is "final and not subject to appeal." This statutory language was used as a legal firewall

to deny judicial review, block constitutional redress, and suppress whistleblower claims concerning public education RICO crimes. This clause barred review of seventeen charter denials from 2014 to 2023 — despite overwhelming documented evidence of civil and criminal RICO, forgery, retaliation, systemic third-party employment discrimination from Authorizer DCSD, attorney sabotage and buy-outs, statutory non-compliance, breach of contract, and safety violations resulting in the May 7, 2019 STEM school shooting.

On October 28, 2021, the Colorado COA ruled in Petitioner's favor in *Case No. 2020CA0641*, holding that a State Board decision is not final when charter review process involves statutory noncompliance. This ruling would have restored judicial review under precisely the circumstances presented here. However, in late 2022, after Petitioner exposed the Public Education Monopoly RICO Cartel Enterprise in her OARC filings, her attorney Steven Klenda resigned, stating: "if anything that resembles this is filed with a court or otherwise sees the light of day in public, I will withdraw permanently/forever—from representing you."

Petitioner was forced to proceed pro se amidst threats from CSC Justices, once she filed the same CSC OARC briefs exposing attorney corruption, bribery buy-outs by DCSD, forgery, bond fraud, and other RICO predicate acts by the Attorney RICO Cartel Enterprise, evidencing that the CSC, judiciary, and AG Weiser were now part of the active coverup by the "attorney crime protection agency" aka the CSC OARC (App.22-23).

In March 2023, the CSC reversed the CCA and reinstated the finality clause — a retaliatory,

unprecedented act following Petitioner's exposure of the attorney RICO Cartel's criminal enterprise.

On May 10, 2023, Petitioner filed a Petition for Certiorari Case No. 22-1106, raising these same constitutional violations. That Petition explained how the finality clause, when weaponized by government officials acting under color of law, nullifies First Amendment protections, stifles whistleblowing, and obstructs all federal remedies for antitrust and civil rights violations. That Petition was denied without hearing or written opinion.

Since then, the record grew substantially, exposing a massive web of coordinated white-collar civil and criminal racketeering by Defendants acting under color of law, subjugated by AG Weiser, who signed briefs for OARC, CCRD, and SBE/CDE to shield and coverup the public education monopoly and the Cartel Enterprise's crimes.

The 22-1106 and 23-1292 SCOTUS Petitions laid the foundation. The 2025 Petition (25-27), together with over forty supplemental briefs, presented full RICO case evidence, demonstrating that when state statutes bar any court — including this one — from hearing constitutional claims, they cease to be procedural rules and become constitutional violations.

Certiorari is urgently required to confront the federal-state breakdown, dismantle the legal firewall protecting retaliation, judicial obstruction, antitrust, and racketeering, and ensure charter school entrepreneurs and whistleblowers are not permanently silenced by a state-protected and operated RICO Cartel Enterprise.

State reliance on "finality" is a structural defect: jurisdiction-stripping to halt review once RICO exposed.

Applied to foreclose constitutional claims, it violates First and Fourteenth Amendments. Statutes barring review may not preclude constitutional challenges, denying redress (*Johnson v. Robison*, 415 U.S. 361 (1974); *Bowen v. Michigan Academy of Family Physicians*, 476 U.S. 667 (1986)).

C.R.S. § 22-30.5-108 confers finality on charter merits; it cannot extinguish review of fraud, retaliation, RICO, non-compliance, third-party discrimination, or criminal misconduct under color of law. Courts do not treat finality as license for RICO, obstruction, or religious discrimination. Finality does not equal immunity from adjudication or consequence. It does not bar claims with due process denial, access denial, or racketeering to foreclose review. It does not immunize post-decision misconduct invoking power to silence, misdirect, or manufacture default.

Appellant seeks adjudication of RICO misconduct before, during, and after "final" decision, including mail/wire/bank/bond/court/securities fraud; forgery, bribery; coordinated predicates; and jurisdictional manipulation by SBE, Weiser, CCRD, CSC, et al. C.R.S. § 22-30.5-108 does not insulate discretion infected by fraud, conspiracy violations, nor bar review of post-misconduct. Trial court erred treating finality dispositive without adjudicating statute as RICO instrumentality depriving Constitutional First, Fifth and Fourteenth rights.

Relating to Question Two

**VII. Certiorari is warranted to correct
CCRD's unlawful refusal to assert
jurisdiction over third-party employment
discrimination in violation of federal
EEOC policy thereby denying
constitutional redress for discriminatory
interference and retaliation in violation
of Title VII and Fourteenth Amendment**

This refusal is particularly egregious because religious discrimination and retaliation were committed by the third-party authorizer (DCSD) — not by Petitioner's own charter school. Colorado law makes the authorizer (here, DCSD) the gatekeeper with exclusive power over charter approval. By shielding authorizer misconduct from civil rights scrutiny, CCRD has effectively granted school districts unchecked authority to discriminate against charter school founders on the basis of religion while evading federal oversight.

CCRD, under subjugation by AG Weiser, refused to assert jurisdiction over third-party employment discrimination — directly conflicting with controlling federal law, EEOC policy, and the core purpose of Title VII of the Civil Rights Act of 1964.

Between 2007 and the present in 2023CV610 Petitioner filed well-supported civil rights employment complaints with CCRD proving retaliation, religious discrimination, forgery of CCRD documents, mail fraud, and attorney/legal/charter sabotage by public entities who controlled her employment as school leader/CEO.

CCRD denied jurisdiction, claiming she was not a "direct employee" of the district — a legally incorrect position.

As explained in *EEOC's Policy Statement on Control by Third Parties*, issued on 05-20-1987 by Former EEOC Chairman Justice **Clarence Thomas**, the law recognizes third-party employment discrimination when a public or private entity — such as a school board — has *power to affect employment opportunities or block formation of a direct employment relationship*. The *Policy Statement*, EEOC Dec. 87-2, ¶ 6869 (1987) states on pp 7, 8:

A sufficient nexus will exist where the third party (e.g., state board or school districts) has the ability to thwart the creation or continuation of a direct employment relationship, or to affect the terms, conditions, or privileges of employment.

This principle has been affirmed by federal courts. In *Sibley Memorial Hospital v. Wilson*, 488 F.2d 1338, 1340-42 (CA10, 1973), court held *Title VII protections extend even in the absence of a direct employment relationship* where a third party controls access to employment. That precedent applies here: DCSD, Jeffco, SBE, SRD and other state actors controlled Petitioner's access to employment, including charter school leadership and staffing rights and used control to retaliate and obstruct protected civil rights activity.

Despite notice of these facts, CCRD — through filings signed by Colorado AG — repeatedly mailed dismissal letters to an address Petitioner had not lived at in over eight years, even after receiving correction.

This was no clerical error; it was deliberate misdirection of legal notices designed to deny Petitioner her appeal rights. This constitutes mail fraud under 18 U.S.C. § 1341 and a predicate act of racketeering under 18 U.S.C. § 1961(1).

Petitioner raised these issues in her 2024 Petition for Certiorari (Case No. 23-1292.) CCRD's refusal to assert jurisdiction over third-party discrimination not only contradicts federal law — it eliminates civil rights protections for entire categories of whistleblowers, *faith-based employees, and public servants in charter and contract-based education.*

This Court's intervention is necessary to resolve jurisdictional conflict between state and federal enforcement mechanisms and to confirm that Title VII applies whenever third-party actors interfere with federally protected employment rights. Left unchecked, CCRD's position will continue to deny protection to faith-based employees working in charter education who depend on Title VII for civil rights enforcement.

Relating to Question Three

VIII. Certiorari should be granted because CSC OARC has created structural immunity for attorney crimes and misconduct — including forgery, bribery, attorney buy-outs, judicial sabotage, RICO, religious discrimination, and UPL by a disbarred attorney — with no review mechanism for victims

Colorado's attorney regulation system— subjugated and weaponized by OARC and shielded by AG and CSC—created a structurally immune ecosystem for attorney crimes and misconduct including RICO and

UPL. Like the finality clause invoked in charter school context, OARC operates under a doctrine of absolute totalitarian discretion, rendering it unreviewable—even in cases involving documented federal crimes.

This structure, subjugated by AG Weiser and OARC Director Jessica Yates, allowed attorney, school district, CCRD, et al. defendants' civil and criminal RICO crimes and UPL to go unpunished for more than a decade.

Beginning in September 2015, and again in March 2020, Petitioner filed a multi-part Evidentiary Record with the OARC, totaling nearly 7,000 pages, with an additional 1000 exhibits. This record detailed ongoing attorney crimes, judicial fraud, forgery, bribery, negligent homicide, fraudulent bond approvals, bank/wire/bond/mail/securities fraud, obstruction of justice, civil rights violations, attorney buy-outs, UPL, and sabotage tied to Petitioner's civil litigation.

Despite the severity and breadth of evidence, the CSC OARC Director Jessica Yates took no disciplinary action, and neither did the Sheriff, nor CCRD.

AG Weiser — who oversees the OARC, CCRD, and SBE/CDE — declined to intervene or petition for a grand jury under C.R.S. § 13-73-101, effectuating a coordinated cover-up of the civil and criminal RICO Cartel Enterprise.

Petitioner's OARC complaints named Attorneys Williams¹⁶, Cimino, and Klenda, and included communications showing attorney buy-outs by

¹⁶ David K. Williams committed suicide on October 23, 2021, during the OARC Investigation. OARC refused to discipline attorneys and to reimburse Petitioner's attorney fees. <https://www.horancares.com/obituaries/daviddk-williamsjr>

Respondents DCSD, SRD, Jeffco, and their Joint Counsel Hood. These complaints were later submitted in CSC Case No. 2021SC885 in October 2022. They were struck from the record, and Petitioner was threatened with sanctions for exposing Defendant Attorney civil and criminal RICO and other crimes.

Colorado courts rely on *Chessin v. OARC*, 458 P.3d 888, to argue OARC decisions are “final” and unreviewable—**effectively placing attorneys above the law**. As in *Chessin*, Petitioner’s filings demonstrate this “regulatory” structure actively shields and covers up crimes. Where RICO activity, constitutional violations, and systemic fraud are at issue, OARC’s refusal to investigate and discipline becomes a constitutional failure.

This OARC system is referred to as the “Attorney Crime Protection Agency.” It is not hyperbole. Those with access to power are protected, while whistleblowers exposing attorney crimes are punished.

Unable to retain legal counsel willing to oppose the Enterprise, AG Weiser, and OARC, Petitioner was forced to proceed pro se.

This Court’s review is essential to dismantle the constitutional defect at the heart of Colorado’s attorney regulation corrupt regime which is part of the RICO Cartel Enterprise. Where there is no mechanism for redress, no external review, and a pattern of suppression in the face of documented civil and criminal RICO conduct, federal oversight is necessary under 28 U.S.C. § 1257(a), Supremacy Clause, and fundamental principles of due process.

This systemic failure mirrors the ongoing cover-up documented in companion federal case *Gregory v. Colorado Judicial Discipline Rulemaking Committee et*

al., No. 1:25-cv-03361 (D. Colo.), where parallel facts of attorney RICO misconduct and OARC/Weiser-enabled impunity remain unaddressed.

These white-collar, mafia-style RICO crimes were organized by AG Weiser through subjugation and weaponization of CSC OARC, CSC, CCRD, SBE/CDE, and COA — resulting in blanket immunity for crimes and widespread constitutional violations.

Acting in violation of 18 U.S.C. § 242, these agencies shielded unlawful misconduct behind assertions of unreviewable discretion — denying Petitioner constitutional due process, redress, right to counsel, and charter approval. This Court's intervention is necessary where state regulatory bodies are weaponized to conceal white-collar RICO and obstruct federal accountability.

* * *

Petitioner has spent over a decade exposing and breaking the stranglehold of the Public Education RICO Cartel Enterprise — a mafia-style monopoly that not only clutches power over education, but extends its grip into the legal system, civil rights enforcement, regulatory agencies, banks, bonding authority, and law enforcement, silencing justice at every level. Because all named Respondents are members of the same RICO Cartel Enterprise and conspiracy, they are jointly and severally liable (*Bannon, Pinkerton, Salinas, Turkette*).

All Defendants and their attorneys engaged in repeated RICO crimes. Petitioner seeks judgment and treble damages under RICO (18 U.S.C. § 1964(c)). While Petitioner seeks RICO relief, misconduct here also triggers criminal RICO liability.

If this Court does not intervene, this RICO Cartel will persist unchecked, government officials will continue to operate above the Constitution with impunity. This Court stands as the last firewall against unprecedented corruption.

For the foregoing reasons, the Petition for a Writ of Certiorari should be granted. The decisions below should be reversed or vacated, and the case remanded with instructions to (1) conduct a full evidentiary hearing on **Unclean Hands** defense and RICO claims, (2) enter default judgment against Respondent Ciminio (who double-defaulted) and the other defaulting parties (including the CSC, its Justices, AG Weiser in his individual capacity, and AG's Office), which triggered joint-and-several liability exceeding \$2.8 billion for the entire Enterprise, (3) enforce Petitioner's \$58+ billion Notices of Claim, (4) remand to DCSD and Jeffco with orders to immediately approve Petitioner's twelve (12) pending charter school applications, and (5) grant full injunctive and monetary relief — including mandatory RICO forfeiture of the entire Public Education Monopoly RICO Cartel Enterprise assets under 18 U.S.C. § 1963 — including all assets of DCSD and Jeffco facilities, buildings, land, and related assets, as well as the entire CECFA portfolio — including all buildings, land, facilities, equipment, bonds, and associated assets valued in excess of \$10 billion — together with all assets of Colorado CSI, to redress the Public Education Monopoly RICO Cartel Enterprise's systematic denial of Petitioner's seventeen charter applications, unlawful taking of property interests, and unlawful monopolization of public education.

CONCLUSION

This Court should grant certiorari.

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