

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

Case No. 0:25-cv-02056-DWF-DJF

Kellye Strickland, Plaintiff

v.

Ramsey County, et al., Defendants

PLAINTIFF’S MOTION FOR REIMBURSEMENT OF WRONGFULLY EXTRACTED FEES

I. Introduction

Plaintiff respectfully moves for reimbursement of multiple filing, response, and litigation fees that Ramsey County improperly compelled her to pay in connection with the same underlying HRO matter. These fees were extracted despite an existing hardship-based fee-waiver determination, despite statutory protections under Minn. Stat. § 563.01, and despite the extensive procedural irregularities already documented in Plaintiff’s **Motion for Protective Order**.

The financial extractions at issue intensified immediately after **Referee Nicole Starr’s November 7, 2025 Order denying Plaintiff’s request for an extension of the existing fee waiver**—an order Plaintiff had not yet received when, **three days later**, Attorney Kyle Manderfeld filed a jurisdictionally void **“Motion for Contempt” on November 10, 2025 at 4:07 p.m., the night before a federal holiday**. That filing forced Plaintiff to pay an additional \$550 response fee and was submitted at a time

designed to ensure Plaintiff could not receive notice or respond before the courthouse closed for Veterans Day.

When viewed cumulatively, these events reveal a coordinated pattern of financial obstruction, discriminatory denial of access, and retaliatory conduct directed at a disabled pro se litigant who had raised concerns about document tampering, jurisdictional defects, and ADA accommodation failures. These actions violate **ADA Title II**, the **Due Process Clause of the Fourteenth Amendment**, and constitute the same systemic misconduct that underlies Plaintiff's claims under **42 U.S.C. § 1983**. Federal intervention is necessary to remedy the financial injuries already suffered and to prevent further discriminatory fee practices.

II. FEES WRONGFULLY EXACTED IN THE SAME UNDERLYING MATTER

1. \$550 Required to Respond to a Jurisdictionally Void and Misfiled "Motion for Contempt" (Filed November 10, 2025 at 4:07 p.m.)

On **November 10, 2025**, the night before Veterans Day, Attorney Kyle Manderfeld filed a so-called "Motion for Contempt" in district court. This filing:

- was jurisdictionally void, because the district court had already been divested of jurisdiction upon perfection of Plaintiff's appeal;
- was submitted to an unauthorized and improper service address;
- was filed **before Plaintiff even received** Judge Starr's November 7 Order denying the fee-waiver extension;

- forced Plaintiff to pay **\$550** to file a response on the same day.

These events occurred in a compressed and strategically timed sequence:

- **Nov. 7:** Starr denies fee-waiver extension.
- **Nov. 10 (4:07 p.m.):** Manderfeld files a defective contempt motion.
- **Nov. 10 (4:42 p.m.):** Plaintiff is forced to pay \$550 to reply in appellate court.
- **Nov. 11:** Federal holiday (Veterans Day), preventing Plaintiff from responding.
- **Nov. 12:** Plaintiff's Motion to Intervene is accepted into appellate court.

Plaintiff incurred this fee because Ramsey County refused to honor the existing fee waiver, in violation of **Minn. Stat. § 563.01**, which requires that an in forma pauperis determination apply to **all filings and proceedings in the same underlying case**.

This compelled payment constitutes:

- a **Due Process violation**, as Plaintiff was required to pay to respond to a void filing;
- **ADA Title II discrimination**, because the County refused accommodations and ignored the existing waiver;
- **ADA and First Amendment retaliation**, because the fee was imposed immediately after Plaintiff complained of misconduct.

Had the County honored the fee waiver and declined to accept a jurisdictionally void filing, Plaintiff would not have been required to pay this \$550.

2. \$550 Fee Paid for Writ of Mandamus Appeal Arising From the Same Matter

Plaintiff previously paid **\$550** to initiate a writ of mandamus appeal arising from the same underlying HRO dispute. Despite this payment and the pre-existing waiver, Ramsey County continued to treat Plaintiff as a fee-paying litigant.

The County ignored **Minn. Stat. § 563.01**, which mandates that an IFP determination, once granted, applies to **all** subsequent filings within the same case unless revoked.

This second \$550 fee imposed:

- **duplicative financial burdens,**
- **unlawful barriers to court access, and**
- **ADA Title II retaliation,** as the denial followed Plaintiff's protected complaints.

3. \$550 Money Order Retained for Months

Plaintiff submitted a **\$550 money order** that the district court retained for months without explanation, forcing Plaintiff to pursue recovery at her own personal expense.

This mirrors the pattern in Plaintiff's **Motion for Protective Order**, where Ramsey County routinely delayed, misfiled, or obstructed filings submitted by disabled litigants.

4. \$85 Conciliation Court Fee, Followed by Dismissal With Prejudice, Then Forced \$325 Removal Fee

Plaintiff paid **\$85** to file her Conciliation Court harassment claim. The court dismissed it with prejudice without adjudication, forcing Plaintiff to pay an additional **\$325** to remove the case.

This sequence contradicts the Due Process framework recognized in **Boddie, M.L.B.**, and **Griffin**, which prohibit escalating financial barriers that prevent indigent litigants from maintaining a single cause of action.

5. District Court Closure of Plaintiff's Case After Accepting Defendant's Unexplained \$425 Payment, Followed by an Attempted \$100 Fee to Reopen the Case

After removal, the district court **sua sponte closed Plaintiff's case immediately after accepting an unexplained \$425 payment from Defendant**. There is no provision under Minnesota law allowing a defendant's payment to terminate a pro se plaintiff's lawsuit. The acceptance of this payment—paired with the court-initiated dismissal—reflects a significant procedural irregularity.

When Plaintiff filed a **Motion to Vacate the sua sponte dismissal and reopen the case**, court clerk **Michael Upton rejected the filing**, stating that Plaintiff was required to pay a **\$100 filing fee** for the motion to be considered. This attempt to impose a new fee was improper because:

- the dismissal was initiated by the court itself, not by any party and
- nothing in the Rules permits the court to condition correction of its own error on a litigant's ability to pay.

Crucially, **one week later—on September 19, 2025, the same day the Office of Lawyers Professional Responsibility opened a preliminary investigation—Upton accepted the very same**

filing without requiring the \$100 fee.

The timing strongly suggests that the earlier fee demand was improper and that the County reversed position only after external oversight was triggered.

Together, these events demonstrate the County's pattern of using **fee manipulation as a tool of forum control**, including:

- accepting unauthorized payments from opposing parties,
- imposing new financial barriers only on Plaintiff, and
- attempting to condition judicial review on payment of a fee that was not required by statute or rule.

These practices disproportionately burdened a disabled pro se litigant and constitute violations of the **Fourteenth Amendment, ADA Title II**, and the systemic misconduct underlying Plaintiff's **42 U.S.C. § 1983** claims.

6. \$100 Fee Accepted for Motion for Default Judgment, With No Ruling for 28 Days

On **October 16, 2025**, the district court accepted **\$100** for Plaintiff's **Motion for Default Judgment**, which was valid under **Minn. R. Civ. P. 55.01(b)**. Defendant failed to answer by **September 1, 2025**; Plaintiff served notice on **October 7**.

Despite meeting every requirement, and despite accepting the payment, the court has taken **no action for 28 days**.

This delay constitutes:

- **procedural due process violations;**

- **denial of meaningful access;**
 - **ADA Title II discrimination;**
 - **retaliatory inaction**, consistent with the County's broader pattern.
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III. Cumulative Effect: A Pattern of Financial Obstruction and Retaliatory Denial of Court Access

When considered together, the above events form a **systematic pattern**:

- extracting fees despite an existing fee waiver;
- retaining funds for months;
- accepting unauthorized fees from opposing parties;
- accepting fees while withholding adjudication;
- forcing repeated payments within the same underlying matter;
- using jurisdictionally void filings to trigger fee obligations;
- imposing financial burdens immediately after protected activities.

This pattern is compounded by Attorney Manderfeld's conduct, including:

- filing a void contempt motion on November 10 immediately after the fee-waiver denial;
- requesting "attorney's fees" despite telling the court on **August 19, 2025** that he was **"appointed"** (a statement preserved in the transcript, even though he corrected himself);
- refusing to produce engagement documentation.

Whether privately retained, informally appointed, or provided by Ramsey County, his contradictory statements and fee requests contribute to the structural misconduct at issue.

For Plaintiff, the cumulative impact has been:

- **constructive denial of a neutral forum,**
- **ADA Title II discrimination and retaliation,** and
- **ongoing Due Process violations.**

To date, Plaintiff has been forced to pay **over \$2,000** in duplicative, unauthorized, and retaliatory fees simply to access the courts.

IV. Relief Requested

Plaintiff respectfully requests that this Court enter an Order providing the following relief:

1. Full reimbursement (refund) of all improperly required fees, including but not limited to:

- **\$550** paid to respond to a jurisdictionally void contempt motion;
- **\$550** paid for the writ of mandamus appeal arising from the same underlying matter;
- **\$85** paid to initiate Conciliation Court proceedings;
- **\$325** paid to remove the conciliation case after a dismissal with prejudice;
- **\$100** paid for the properly filed Motion for Default Judgment;
- **all ancillary costs** incurred in recovering the retained money order.

These amounts should be returned to Plaintiff **in full** due to Plaintiff's SSI status and the constitutional requirement that fees wrongfully extracted in violation of Due Process and ADA Title II must be restored.

2. A declaration that Plaintiff's original in forma pauperis (IFP) determination applied to all filings, proceedings, and motions within the same underlying matter, in accordance with Minn. Stat. § 563.01 and longstanding constitutional access-to-justice jurisprudence.

3. An injunction prohibiting Ramsey County, its agents, or its employees from imposing further fees, surcharges, or financial conditions upon Plaintiff in the same underlying dispute unless expressly authorized by statute and consistent with Due Process and ADA Title II.

4. Any additional relief necessary to ensure that Plaintiff is not subjected to further financial barriers, including reimbursement of any fees discovered during ongoing review or litigation.

Dated: November 14, 2025

Respectfully submitted,

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Plaintiff, Pro Se