

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Kellye Strickland,

Plaintiff,

v.

Civil Action No. 0:25-cv-02056-DWF-DJF

Ramsey County, et al.,

Defendants.

**NOTICE REGARDING PROCEDURAL OBSTRUCTION, ADMINISTRATIVE
MISCONDUCT, AND EVIDENCE LAUNDERING**

TO: The Honorable Donovan W. Frank, United States District Judge

Plaintiff Kellye Strickland respectfully submits this Notice to inform the Court of ongoing procedural obstruction, administrative misconduct, and retaliatory practices occurring within the underlying state court proceedings. These events are contemporaneous evidence of systemic denial of due process, ADA discrimination, and retaliation, and they provide real-time proof of Plaintiff's Monell claim against Ramsey County.

I. Appellate Obstruction (HRO Appeal)

On August 20, 2025, Plaintiff filed her Notice of Appeal with the required \$550 filing fee to the Ramsey County District Court, Plaintiff's packet was returned without the money order enclosed. Court staff insisted "everything" had been returned, despite the clear omission. As a result, Plaintiff

was forced to incur additional costs to recover payment, purchase a replacement money order, and ultimately submit a second \$550 payment before the appeal was finally docketed — and then only after filing a writ of mandamus.

By contrast, when the appellate clerk later identified a technical defect (a missing certificate of service), Plaintiff was afforded ten days to cure and promptly did so. Ramsey County District Court, however, refused to allow any cure or provide notice, foreclosing Plaintiff's appellate remedy until extraordinary measures were taken.

This sequence demonstrates not only mishandling of filings and the unexplained loss of court-ordered funds, but also disparate and prejudicial treatment that imposed unnecessary expense and burden on Plaintiff as a disabled pro se litigant.

Evidence:

1. Returned packet letter from Ramsey County District Court, lacking the enclosed money order.
 2. Declaration of Kellye Strickland attesting to mailing, return of packet, missing funds, and subsequent costs.
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II. Conciliation Removal Sabotage

On August 19, 2025, Plaintiff filed a removal from conciliation court and tendered the required \$325 fee. The Court cashed the payment, opened the case, assigned Judge Stephen Smith, and permitted Defendant to file motions. On September 10, Judge Mark Ireland — who was not the assigned judicial officer — entered a sua sponte dismissal for “service not perfected,” despite Defendant's participation and waiver of any service defense under Minn. R. Civ. P. 12.08.

Plaintiff promptly filed a Motion to Vacate. Rather than placing the motion before the assigned judge, Court Administration rejected it with the notation “\$100 motion fee due.” When Plaintiff sought clarification, Court Administrator Michael Upton confirmed only that a \$100 fee is required for a Motion to Vacate but refused to answer the central question — whether Plaintiff’s Certificate of Service, already accepted into the docket, would be recognized to cure the alleged defect absent additional payment. Even after repeated written requests, Upton declined to provide clarity and instead demanded payment, characterizing the issue as a “legal question” he would not address.

This sequence shows Ramsey County first accepting jurisdiction, payment, and Defendant’s participation, then closing the case retroactively on a waived defense, and finally imposing shifting and unexplained fee demands as a barrier to judicial review. The administrator’s refusal to confirm the status of a docketed Certificate of Service underscores that access to the assigned judge is being obstructed administratively.

Evidence:

1. September 10, 2025 sua sponte dismissal order issued by Judge Mark Ireland.
2. Email chain with Court Administrator Michael Upton, showing his refusal to clarify whether the \$100 “motion fee” was required merely for the Court to recognize Plaintiff’s Certificate of Service

III. Service Hypocrisy (Bacon’s Motion to Dismiss)

Attorney Bacon failed to serve Plaintiff with his own Motion to Dismiss, forcing Plaintiff to discover the filing independently through PACER. When challenged, Bacon incorrectly cited electronic filing as sufficient service under Rule 5(b)(2)(E), despite knowing that Plaintiff, as a pro se litigant, does not

have CM/ECF access. Only after correction did he concede and agree to serve Plaintiff by mail or email. Nevertheless, his subsequent filings rely heavily on alleged service defects by Plaintiff.

Counsel who failed to properly serve his own motion cannot credibly invoke service defects as a basis for dismissal. This selective application of rules undermines credibility and highlights the unequal enforcement of procedural safeguards against a disabled, pro se litigant.

Evidence:

1. Email correspondence between Plaintiff and Attorney Bacon in which he first insists that e-filing constitutes service, then later concedes to serve Plaintiff directly.
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IV. Rule 7.1 and Procedural Failures (BGS/Kletscher)

Defendants failed to file any responsive pleading or motion by the September 2, 2025 deadline set by Rule 12(a)(1)(A)(i). Only after Plaintiff transmitted a courtesy notice of default did Defendants submit a barebones Motion to Dismiss, unaccompanied by the memorandum of law and meet-and-confer certification required by D. Minn. LR 7.1.

Two days later, on September 5, 2025, Defendants filed their memorandum belatedly — after Plaintiff had already mailed and filed her opposition to the defective motion. This deprived Plaintiff of any meaningful opportunity to address arguments raised for the first time in the untimely memorandum.

Defendants' conduct was untimely, procedurally defective, and prejudicial. Their filings violated both the Federal Rules of Civil Procedure and this District's Local Rules, leaving Plaintiff to respond under unfair and compressed circumstances.

Evidence:

1. Plaintiff's courtesy email transmitting notice of default, prompting Defendants' reactionary motion.
 2. Plaintiff's opposition filed prior to Defendants' memorandum, showing prejudice.
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V. Evidence Laundering into Federal Record

Ramsey County generated altered state court documents on **July 9 and July 24, 2025**. The July 9 versions contained judicial signatures added more than an hour after the referee signatures; the July 24 version carried a falsified "Filed July 24" stamp with the original July 14 metadata block blacked out.

At the **August 19, 2025 hearing**, Attorney Manderfeld introduced these altered documents into the record. Referee Starr adopted them wholesale in her Findings of Fact, treating them as "true and correct."

Subsequently, Attorney Bacon imported Referee Starr's order — built on these altered documents — into federal court as an exhibit to his Motion to Dismiss. In doing so, documents known to have been altered in state proceedings were laundered through a state judicial order and repurposed as "clean" evidence in federal proceedings.

This constitutes **evidence laundering**: the funneling of tainted records into federal court under color of judicial authority. It directly implicates due process, reinforces Plaintiff's Monell claim, and warrants close judicial scrutiny of any record emanating from the altered state documents.

Evidence:

1. July 9, 2025 altered orders with judicial signatures added post hoc (previously filed).
 2. July 24, 2025 hearing notice reissued with metadata block falsified (previously filed).
 3. Transcript and filings from the August 19, 2025 hearing showing introduction and adoption of altered documents by Referee Starr (previously filed).
 4. Defendants' Motion to Dismiss in federal court, incorporating Referee Starr's order (previously filed).
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VI. Selective Enforcement of Service Rules

Service rules have been applied against Plaintiff with absolute rigidity, while the same rules are disregarded when violated by Defendants or the Court itself:

- Plaintiff's removal to district court was dismissed sua sponte for alleged "service not perfected," despite Plaintiff's filed Certificate of Service, postal proofs of mailing, and Defendant's own filings demonstrating actual notice and waiver.
- Attorney Bacon failed to serve Plaintiff with his own Motion to Dismiss, yet relies heavily on alleged service defects by Plaintiff in his arguments.
- Attorney Manderfeld refused to provide a service address for his client or to forward filings, leaving Plaintiff to seek clarification directly from the Court.

This inconsistent enforcement is not neutral. It shows that service rules, which are designed as a safeguard for due process, are instead being selectively weaponized against Plaintiff while excused for

Defendants and the Court. Such double standards undermine credibility, deny Plaintiff equal protection, and amount to a due process violation.

Evidence:

1. September 10, 2025 sua sponte dismissal order (conciliation removal).
 2. Certificate of Service and mailing proofs filed by Plaintiff.
 3. PACER docket and email exchange with Attorney Bacon confirming his initial failure to serve Plaintiff with his Motion to Dismiss.
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SUMMARY OF FEDERAL IMPLICATIONS

The events described above provide contemporaneous evidence that:

1. Ramsey County mishandles filings and funds, imposes unlawful fee demands, and forecloses remedies without cure.
2. Judges act outside their assignments to dismiss cases sua sponte, while administrators obstruct access to the bench.
3. Defendants' counsel rely on service arguments they themselves fail to observe.
4. Altered documents are laundered into federal court through state orders.
5. Service rules are applied selectively and prejudicially.

These facts show that obstruction and abuse of disabled pro se litigants are not isolated, but so ingrained as to be routine. Plaintiff respectfully requests that the Court take judicial notice of these developments and permit them to supplement the evidentiary record.

Dated: September 12, 2025

Respectfully submitted,

/s/ Kellye Strickland

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Plaintiff, Pro Se