

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF KANSAS

FILED

MAR 22 2022

Clerk, U.S. District Court  
By: [Signature] Deputy Clerk

CELISHA TOWERS,

PLAINTIFF.

V.

**Daniel Soptic**, in his individual  
Capacity, and  
**Unified Government of  
Wyandotte County and  
Kansas City, Kansas, et al**, and  
**Michael Abbott**, in his capacity as Wyandotte  
County Election Commissioner and  
in his individual capacity, and  
**Melissa Bynum**, in her capacity as  
Board of Canvasser and in her individual capacity,  
**Gayle Townsend**, in her capacity as Board of  
Canvasser, and in her individual capacity, and  
**Tom Burroughs** in his capacity as Board of  
Canvasser and in his individual capacity,  
**Brian McKiernan**, in his capacity as Board  
of Canvasser and in his individual capacity,  
**Mary Gonzales**, in her capacity as Board of  
Canvasser and in his individual capacity, and  
**Gayle Townsend**, in her capacity as Board of  
Canvasser and in his individual capacity, and  
**Christian Ramirez**, in his capacity as Board of  
Canvasser and in his individual capacity, and  
**Mike Kane**, in his capacity as Board of  
Canvasser and in his individual capacity, and  
**Frances Shepard**, in her capacity as Assistant  
County Administrator and in her  
individual capacity, and  
**Marni Arevalo**, in her capacity as Voter Register,

CASE NO. 21-4089

**OBJECTION TO BIAS JUDGE  
REPORT AND RECOMMENDATION**


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and in his individual capacity, and )  
**Stephanie Grady**, in her capacity as Advance Voting, )  
and in her individual capacity, and )  
**Kyla Esparza**, in her capacity as Election Worker )  
Program Coordinator, and in her )  
individual Capacity, and )  
**Elizabeth Hernandez**, in her capacity as Election )  
Technology Program Coordinator and in her individual )  
Capacity, and )  
**Kim Rivera**, in her capacity as Election Equipment )  
Program Coordinator and in her individual Capacity, )  
**Don Ash**, in his capacity as Sheriff and in his )  
individual capacity, and )  
**Scott Schwab**, in his capacity as Secretary of State and )  
In his individual capacity, and )  
**Doug Bach**, in his capacity as County Administrator )  
And in his individual capacity, and )  
**Angela Markley**, in her capacity as Board of Canvasser )  
and in her individual capacity, and )  
**Jim Walters**, in his capacity as Board of Canvasser and )  
in his individual capacity, and )  
**Jane Philbrook**, in her capacity as Board of Canvasser )  
and in her individual capacity, and )  
**Henry Couchman**, in his capacity as Legal Counsel and )  
in his individual capacity, and )  
**Jeffrey Conway**, in his capacity as Legal Counsel and )  
In his individual capacity, and )  
**Suezanna Bishop**, in her capacity as Legal Counsel and )  
in her individual capacity. )

DEFENDANTS.

**OBJECTION TO BIAS MAGISTRATE JUDGE REPORT AND RECOMMENDATION**

COMES NOW on the 21<sup>st</sup> day of March 2022, Pro Se Plaintiff Celisha Towers  
“Plaintiff”, a very successful African American woman candidate registered to vote in  
Wyandotte County, Kansas, who participated in voting in the General Election on November 2,  
2021 and Primary Election, and ran for Sheriff receiving the majority vote from registered  
voters in Wyandotte County, Kansas beating out Caucasian candidate Daniel Soptic by

  
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thousands of votes, but denied certificate of election by named Defendants in their official Capacity and individual capacity when they rejected the African American Plaintiffs' valid and eligible ballot cast along with over 15,000 minority and women registered voters in Wyandotte County, Kansas valid and eligible ballots that were cast in favor of Plaintiff to become the First African American woman at the Sheriff seat in Wyandotte County, Kansas. Plaintiff objects to the Biased Judge report and recommendation that has no proper legal precedent in support for grounds of dismissal which is why she is trying to get a dismissal without prejudice, and Plaintiff therefore asks the Court to deny the report and recommendation and deny any dismissals of claims and remove the Judge from the case and provide time for Plaintiff to Amend Complaint. The Magistrate Judge screening for Merit is an attempt used as a tool to obstruct due process is the major issue when she failed to follow stare decisis, and clearly state to the Pro Se plaintiff that she is afforded an opportunity to Amend Complaint with a deadline added. Instead, the Judge concluded in a vague response in attempt to advocate for Defendants in a biased manner attempting as a last resort to get a dismissal on all claims with an outdated precedent that is in favor of the Plaintiff to proceed by filing an Amended Complaint with initial Summons to follow timely.

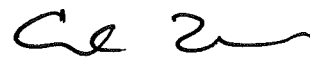
**PLAINTIFF OBJECTS TO MAGISTRATE DISTRICT COURT JUDGE ATTEMPT TO DISMISS PLAINTIFF CLAIMS. JUDGE IS OBLIGATED TO GIVE PLAINTIFF TIME TO AMEND COMPLAINT IF SUCH ERROR DOES EXIST FOR PRO SE PLAINTIFF DUE TO ESTABLISHED SUBJECT MATTER JURISDICTION AND STARE DECISIS.**

Pro Se Plaintiff is proceeding to have IFP status removed in motion and affidavit, with Notice of Improvement of Financial Situation, and a copy of money order and/or copy of payment ready to be filed or filed at time objection is submitted. The Judge states that when a Plaintiff

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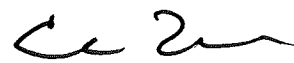
proceeds in IFP status, the court may screen the complaint under 28 U.S. C. § 1915 (e) (2)(B). The Judge also states that the Court may dismiss the complaint if it determines that the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915 (e)(2)(B). It is further stated that the purpose of § 1915 (e)(2) is to “discourage the filing of, and waste of judicial and private resources upon, baseless lawsuit that paying litigants generally do not initiate.” *Buchheit v. Green*, 705 F. 3d 1157, 1161 (10<sup>th</sup> Cir. 2012). The law in this Circuit is clear that “[o]rdinarily, a party must be given. . . opportunity to amend before the district court dismisses the complaint.” *Corsello v. Lincare, Inc.*, 428 F.3d 1008, 1014 (11th Cir. 2005). In addition, Federal Civil Procedure 15 (a) AMENDMENTS BEFORE TRIAL.(1)*Amending as a Matter of Course*. A party may amend its pleading. . . (B) if the pleading is one to which a responsive pleading is required. . .

Here, Plaintiff is familiar with the United States District Court for the District of Kansas proceeding as a Pro Se plaintiff in IFP status and has a history of being successful when she filed suit in the past and settled her own case while in Law School against some of the same Defendants where injury was determined by U.S. Equal Employment Opportunity Commission for Discrimination and Wrongful Termination with “Right to Suit” letter issued to Plaintiff. *See*, Case No. 17-2615-JAR-TJJ. It can be determined that the plaintiff history speaks for itself that not only has she been injured by defendants but also in past election in which plaintiff decided not to pursue claims of action due to one lawsuit already on file, and that the only time the plaintiff brings a claim for relief is when she has been injured to the point of irreparability. The Plaintiff claims are not baseless, malicious or frivolous and with certainty that presenting evidence before a Jury with possible Joinder of claims by Third Parties in the District Court, all claims made against defendants by Plaintiff and possible Third-Party Joinder claims involved will be found guilty. Plaintiff may or

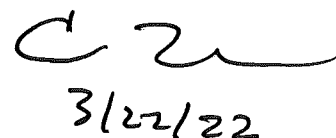
  
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may not remain Pro Se throughout her entire case. In addition, Plaintiff seeks to proceed removing the IFP status due to a significant change in the Plaintiff's financial situation. As stated, paying litigants do not bring baseless lawsuits and can proceed "sua sponte." The Court may try to argue on whether the Pro Se plaintiff acted in good faith when she submitted her motion and affidavit to proceed in IFP status. However, Plaintiff did act in good faith and will attach evidence and documentation to dissolve the possible argument in separate motion and affidavit mailed to be removed from IFP status. A motion and Affidavit with more evidence will support Plaintiff requesting to be removed from IFP status for further proceedings. Plaintiff also inserts that she will like time to Amend any deficiencies that may be present in her Complaint.

Furthermore, 28 U.S.C. § 1915 (e)(a) is being used by the bias Magistrate Judge in which she is proceeding with the presumptions that being poor and lacking legal representation equals to a plaintiff not deserving due process. Due process is denied if a litigant is denied an opportunity to be heard in the court of law. The bias Judge attempt to utilize the merit screening is being utilized as her opportunity to operate as a gatekeeper to known corruption in my case and third parties. The Judge continues to slander plaintiff and attempt to use a form of manipulation by attempting to deny the plaintiff the right to present evidence to a Jury. The Judge writing and declaring merit screening but in the mist is asserting as an advocate for the defendants with outdated judicial authority with an attempt to appear compliant with stare decisis is a form of corruption and an abuse of power by the Magistrate Judge Angel Mitchell against the Pro Se Plaintiff. Pursuant to Federal Rule of Civil Procedure 12 (b)(6), all factual allegations of the plaintiff are to be believed, and the claims must not be dismissed unless it appears that the plaintiff can prove no set of facts pursuant to her allegations which would entitle plaintiff to relief. At no time have the Judge mentioned that she believes the plaintiff claims are frivolous or incapable of not being able to prove. In the Magistrate

  
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Judge report and recommendation, at no time were the factual allegations believed by the plaintiff, and the Judge prematurely in a oblivious way continued to conclude that the Plaintiff was “unsuccessful” in her efforts running for sheriff of Wyandotte County, in which an open Election Contest is still on the table at the Supreme Court level in which the Bias Chief Judge Robert Burns violated stare decisis, Due Process and Federal Rules of Civil Procedure several times operating as a Gate Keeper for the Defendants on the State Court level with separate charges. The Judge utilizing failure to state a claim defense without offering the plaintiff the opportunity to clearly Amend Complaint according to precedent shows that the Judge is incapable of being non-bias, and will continue to try and manipulate paperwork, timelines, and rights afforded to the Pro Se plaintiff. By no examination of any record have the Judge preserved a fair record or recommendation and attempts to help defendants avoid responsibility in the Federal crimes they have committed not only against the Plaintiff, but also towards thousands of tax paying citizens in Wyandotte County who decided by ballot that Celisha Towers an African American woman was the most qualified, educated, experienced Candidate who they wanted to become their Sheriff of Wyandotte County. The defendants careless decision to act criminally by overthrowing democracy by wrongfully allowing Daniel Soptic to be sworn in as Sheriff against taxpayers will has caused 4 deaths at the Wyandotte County Jail due to negligence according to video evidence and 1 death in patrol during a wreck off of 90<sup>th</sup> and Parallel Pkwy in which the Deputy who was in a Hot Pursuit without her lights illuminated or sirens sounding killing an innocent civilian in a car crash according to video evidence which was all falsely report as no foul play. The same criminal behavior by the defendants in the 2017 Election by illegally Certifying Don Ash as Sheriff when the plaintiff received the majority of the vote caused two Deputies to be shot and killed with poor policies that still has not been updated. Over 40 Deputies have quit the job under Daniel Soptic due to a hostile work environment. Daniel



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Soptics' illegal Certification of election by the Defendants has caused injury not only to the plaintiff but also to third parties where a loss of several lives could have been preserved and exposes his failure as a Sheriff in a short amount of time and puts innocents lives in continued imminent danger.

**THE COURT HAS SUBJECT-MATTER JURISDICTION OVER PLAINTIFF CLAIMS.**

The district court has original subject matter jurisdiction over actions involving "federal questions," those civil actions arising under the federal Constitution, federal law or treaties of the United States. See 28 U.S.C. 1331. As the Judge quoted, "federal courts are courts of limited subject matter jurisdiction," and may only hear cases when empowered to do so by the Constitution and by the act of the Congress." *Gad v. Kan. State Univ.*, 787 F.3d 1032, 1035 (10<sup>th</sup> Cir. 2015) (quotation omitted). The power to hear a case "can never be forfeited or waived. . .," *Id* (quotation omitted); see also *Baso v. Utah Power & Light Co.*, 495 F.2d 906, 909 (10<sup>th</sup> Cir. 1974) ("If the parties do not raise the question of lack of jurisdiction, it is the duty of the federal court to determine the matter sua sponte.").

Here, the plaintiff brought only federal claims to the United States District Court for the District of Kansas claiming that her and third parties Civil Rights (Voting Rights), 14<sup>th</sup> Amendment and Nineteenth Amendment Rights, have been violated. The plaintiff claims raise federal question and arise under the federal Constitution of the United States, and can never be denied. These claims are separate claims from any case the plaintiff has on file, and can not be removed to the state court at any time by the defendants, because the plaintiff strategically insured that state claims weren't present. The plaintiff does not lack jurisdiction, so it is the federal courts duty to allow the plaintiff factual allegations be believed and proceed sua sponte with an opportunity to freely Amend Complaint according to Federal Rule Civil Procedure.

**PRO SE PLAINTIFF OBJECTS TO THE MAGISTRATE JUDGE LEGAL STANDARD USED IN REPORT AND RECOMMENDATION AND OBJECTS TO DISMISSAL ON**

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### QUALIFIED IMMUNITY ON ALL DEFENDANTS.

The Magistrate Judge cited that Dismissal under §1915(e)(2)(B)(ii) is governed by the same standard that applies to motions to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). *Kay v. Bemis*, 500 F.3d 1214, 1217 (10<sup>th</sup> Cir. 2007). "

Here the District court allowed Kay to amend complaint. Furthermore, plaintiff has motion and affidavit to follow to be removed from IFP status due to improvement in financial status. In addition, the plaintiff asks for time to Amend Complaint. [W]e must accept the allegations of the complaint as true and construe those allegations and any reasonable inferences that might be drawn from them, in the light most favorable to the plaintiff." *Gaines*, 292 F.3d at 1224. "[w]e look for plausibility in th[e] complaint." *Alvarado v. KOB-TV, L.L.C.*, No. 06-2001, 493 F.3d 1210, 1215 (10<sup>th</sup> Cir.2007). In particular, we "look to the specific allegations in the complaint to determine whether they plausibly support a legal claim for relief." *Id.* at 1215 n. 2. Rather than adjudging whether a claim is "improbable," "[f]actual allegations [in a complaint] must be enough to raise a right to relief above the speculative level." *Bell Atl. Corp.*, \_\_\_ U.S. \_\_\_, 127 S.Ct. 1955, 1965, 167 L.Ed.2d 929 (2007).

The Judge proceeds to cite to withstand a dismissal, "a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

Here, the district court moved for dismissal under Federal Rule of Civil Procedure 12(b)(6). However, when the court granted the motion, the U.S. Court of Appeals for Second Circuit overturned the dismissal. Further the lower Court denied dismissal due to Officials in this case were not qualified for immunity at the time of official status in which the Judge is trying to argue for the Defendants on the plaintiff Celisha Towers case. This case is in favor of the plaintiff and a dismissal

  
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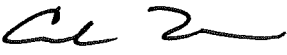


is not the proper action to take, not are the Officials who committed crimes against the plaintiff are immune from lawsuit in their official and individual capacity. The plaintiff inserts again that she would like time to Amend her Complaint.

The Judge continues to cite, . “Threadbare recitals of elements of cause of action, supported by mere conclusory statements,” are not sufficient to state a claim for relief. *Id.* Dismissal of a pro se plaintiff’s complaint for failure to state a claim is “proper only where it is obvious that the plaintiff cannot prevail on the facts. . . alleged and it would be futile to give [plaintiff] an opportunity to amend.” *Curley v. Perry*, 246 F .3d 1252, 1255 (10<sup>th</sup> Circ. 2001).

Unfortunately for the defendants, here the Magistrate Judge is the only one according to documents submitted attempting to create a cause of action by making conclusory statements that will not prevail on trial which is why she is attempting to get a dismissal without prejudice advocating for the defendants. Even putting the plaintiff through a merit screening, it is clear that the plaintiff passed the screening and should receive an order to proceed and opportunity to freely Amend complaint because a summons will timely follow. In addition, in *Curley v Perry* an inmate filed suit pro se in IFP status, and when the District Court dismissed the complaint for failing to state a claim, the Tenth Circuit granted a Motion for leave to proceed in IFP status on Constitutionality, and the United States filed a motion to intervene to defend the Constitutionality of the Congressional Act on behalf of the pro se plaintiff. Therefore, the case cited is in favor of the plaintiff, and that a dismissal violates established precedent. Plaintiff objects to any dismissal of any claims and requests leave to proceed and freely amend complaint until summons is timely served and defendants respond.

Furthermore, Judge cites, [t]he court must “accept the facts alleged in the complaint as true and view them in light most favorable to the plaintiff.” *Mayfield v. Bethards*, 826 F .3d

  
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1252, 1255 (10<sup>th</sup> Cir. 2016). “. . . to determine whether a plaintiff has adequately alleged subject-matter jurisdiction, the court looks to the face of the complaint. *Penteco Corp. v. Union Gas Sys., Inc.*, 929 F.2d 1519, 1521 (10<sup>th</sup> Cir. 1991).

In *Mayfield v. Bethards*, he proceeded pro se and claimed violations of his 4<sup>th</sup> Amendment rights and 14<sup>th</sup> Amendment Rights. The Deputy claimed qualified immunity defense and moved to dismiss for Federal Rule of Civil Procedure 12 (b)(6) for failure to state a claim and the District Court denied the motion. For these reasons plaintiff objects to any defendant being dismissed from claims on the defense of qualified immunity. The Secretary of State and Attorney General and other Defendants named and to be named received a timely Administrative Complaint from the plaintiff on claims prior to the State Canvass taking place and all individuals were negligent in investigating the falsified documents in which they signed off on. The plaintiff brings claims against defendants in their official capacity and individual capacity, so the defense is irrelevant in this matter before the court. In addition, in *Penteco Corp. v. Union Gas Sys., Inc.*, the court purported to find that the Plaintiff established Jurisdiction and proceeded. The plaintiff continues to assert she is asking for all dismissals to be denied, a change of judge and order to proceed, so plaintiff can freely amend her complaint until Summons is timely filed.

**PLAINTIFF CLAIMS ARE NOT SUBJECT TO DISMISSAL ACCORDING TO STARE DECISIS AND JUDGE HAS TO ALLOW FOR OPPORTUNITY TO AMEND.**


To withstand dismissal, “ a complaint must contain sufficient factual material, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). Here, plaintiff has presented factual allegations, and are to be believed and considered true. If there is any deficiencies in the plaintiff’s complaint an opportunity to amend had to presented. Furthermore, plaintiff has established subject-matter jurisdiction, went

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through an IFP screening process, and the court has no grounds for dismissal . A claim is plausible on its face “when the ple[d] factual content allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* (citing *Twombly*, 550 U.S. at 556). “ The plausibility standard is not akin to a ‘probability requirement,’ but it asks for more than a sheer possibility that a defendant acted unlawfully.” *Id.*

### **PLAINTIFF OBJECTS TO JUDGE CIVIL RIGHTS RECOMMENDATION**

With respect to the Civil Rights Act of 1964 plaintiff clearly identifies Title I of the Voting Rights Act seeking relief. The Judge cites, [t]itle provided that United States citizens “ who are otherwise qualified by law to vote at any election. . . shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude.” 52 U.S.C. § 10101(a)(1). The statute specifically prohibits persons acting under the color of state law from (1) applying “any standard, practice, or procedure different from the standards, practices, or procedures applied. . . to other individuals within the same county” in determining whether an individual is a qualified voter; (2) denying an individual the right to vote because of immaterial “ error or omission on any record. . .”; . . . *Id.* §10101(a)(2). The magistrate Judge cites *Reyes v. Oliver*, 345 F, App’x 329, 331 n.4 (10<sup>th</sup> Cir. 2009) in discussing the unambiguous language of private action and further states that a dismissal of complaint where a pro se plaintiff did not allege that he was a qualified voter or that the defendant acted based on race, color, or previous condition of servitude). Unfortunately for the Judge, she left of that she is using a convicted felony case on whether the plaintiff was qualified to vote. Furthermore, the Court permitted the pro se plaintiff opportunity to Amend his complaint to make additional allegations and when he failed to do so, action was dismissed. Therefore, the Judge still has no grounds for dismissal, and an order to proceed where the plaintiff is free to Amend her complaint should be


  
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ordered. Court precedent is in favor of plaintiff. The plaintiff is very clear on bringing claims against the defendants in their official capacity and individual capacity. . . .[A]n individual qualifies as an “employer” under Title VII [solely for purposes of imputing liability to true employer] if he or she serves in a supervisory position and exercises significant control over plaintiff’s hiring, firing, and conditions of employment. In such a situation, the individual operates as the alter ego of the employer, and the employer is liable for the unlawful employment practices of the individual without regard to whether the employer knew of the individual’s conduct. *Id.* 1125 (citations and quotations omitted).

Here, no defendant is immune from individual responsibility with they acting under the color of law by not only rejecting the plaintiff eligible valid ballot, but in addition over 15,000 eligible and valid ballot casts by black, Hispanic, Caucasian, Asian, and woman voters, and submitted an error and omission of record and falsely certifying Daniel Soptic and other Candidates with a certificate of election. The plaintiff believes this is the Judges attempt to free the defendants in their individual compacity and charge the taxpayers for the criminal behavior of the claims committed by the defendants. All the cases cited continue to order the Judge to allow time to Amend Complaint.

**PLAINTIFF IS AN AGGREIVED PARTY AND ABLE TO BRING CLAIMS ON BEHALF OF THIRD PARTIES.**


Third-party standing, an exception to the general rule, is allowed in. . . cases. A plaintiff who has satisfied the requirements of constitutional standing may assert the rights of others where (1) the plaintiff has a close relationship with the person possessing the right, and (2) the person possessing the right is hindered in the ability to protect it. *Kowalski*, 543 U.S. at 128-30; *Aid for Women v Foulston*, 441 F. 3d 1101, 1112 (10<sup>th</sup> Cir. 2006). Third- Party actions are

  
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permitted when it prevented a plaintiff from entering in a contractual relationship. The Sheriff seat is considered a four year contractual term when you receive the majority of the vote. When the defendants prevented that relationship after rejecting the plaintiff's valid and eligible ballot along with over 15,000 minority voters, and falsifying documents to certify Daniel Soptic as sheriff, the defendants prevented the plaintiff from a contractual relationship when they elected her as sheriff. Therefore, if any deficiencies exist in plaintiff's complaint, plaintiff is allowed to amend and present claims on behalf of the third-parties. The plaintiff has a very close relationship with over 15,000 voter who choose her for Sheriff to protect and serve them.

### CONCLUSION

Operating under § 1915(d) is improper even if legal basis underlying the claim ultimately proves incorrect. *Mckinney v. Oklahoma*, 925 F 2d 363. 365 (10<sup>th</sup> Cir. 1991). The Judge attempts to proceed under a standard of §1915(d) which gives the district court the unusual power to pierce the veil of complaints factual allegations and attempts to dismiss those claims. The Judge statements have been very bias conclusory, and she has operated in a manner advocating for the defendants to help them try and avoid responsibility for there federal violations of the law. The plaintiff has established subject matter Jurisdiction, past the merit screening. Meanwhile the Judge was very contradictory in her report as an advocate for the defendants with precedent that was is in favor of the plaintiff being able to proceed and amend complaint. All of the cases the Judge cited did not have an open election contest in the supreme court. In every case that the Judge cited the plaintiff was able to proceed, opportunity to amend complaint or the defendant's motion to dismiss claims were reversed or denied. It is very clear that the plaintiff has established subject matter jurisdiction, and that the plaintiff cannot be blocked on claims because the defendants fear of prosecution. The Judge advocating for the defendants alone and asking for

  
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qualified immunity shows that the plaintiff claims are not conclusory and are factual allegations that are believed to be true, and therefore able to proceed. The plaintiff requests order to proceed and time to freely Amend Complaint. Defendants cannot remove Federal claims and enjoin them with state claims unless there was a state claim present in this separate lawsuit proceeding of claims and there is not. All allegations must be believed as true by the plaintiff and cannot be blocked. Federal Courts will not enjoin pending state criminal prosecutions except under extraordinary circumstances where the danger or irreparable loss is both great and immediate in that there is a threat to the plaintiff's federally protected rights that cannot be eliminated. . .Pp 401 U.S. 43-54.

### CERTIFICATE OF SERVICE

I hereby certify that the foregoing copy of the document was served via email and mailed via electronic mail. A copy as also been sent to the U.S. District for the District of Kansas postmarked March 22, 2022, to establish a timely filing within 14 days in case inclement weather cause court to be closed for in-person filing:

Clerk of Court in Topeka at [ksd\\_clerks\\_topeka@ksd.uscourts.gov](mailto:ksd_clerks_topeka@ksd.uscourts.gov)

US Mail: 444 S.E. Quincy, Rm 490  
Topeka, Kansas 66683

Emails:

[kridgway@fbr2law.com](mailto:kridgway@fbr2law.com) [t.hayes@swrllp.com](mailto:t.hayes@swrllp.com)  
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[hcouchman@wycokck.org](mailto:hcouchman@wycokck.org) [jconway@wycokck.org](mailto:jconway@wycokck.org)  
[zbishop@wycokck.org](mailto:zbishop@wycokck.org) [gmdupree@wycokck.org](mailto:gmdupree@wycokck.org)  
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