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| DISTRICT COURT, LARIMER COUNTY, COLORADO Larimer County Courthouse 201 LaPorte Avenue Fort Collins, Colorado 80521 | COURT USE ONLY |
| Plaintiff: Stacy Lynne v. Defendants: Sarah Esquibel and Sean McGill | |
| Stacy Lynne Mailing Address: 305 West Magnolia Street, #282 Fort Collins, Colorado 80521 | Case Number: Division Courtroom |
| VERIFIED COMPLAINT | |

Stacy Lynne, the Plaintiff in this civil lawsuit files the VERIFIED COMPLAINT against the above-named defendants, Sarah Esquibel and Sean McGill, stating and alleging the following:

JURISDICTION AND VENUE

1. Jurisdiction and Venue are proper because the primary damages and injuries at issue in this action have occurred in Larimer County, State of Colorado.
2. Stacy Lynne, Plaintiff, is a natural woman and at all times pertinent herein has lived in Larimer County, Colorado.
3. Sarah Esquibel, Defendant, at all times pertinent herein, has worked in Larimer County, Colorado.
4. Sean McGill, Defendant, at all times pertinent herein, has worked in Larimer County, Colorado.
5. The amount in controversy is over \$15,000 and the Plaintiff, Stacy Lynne, resides in Larimer County, Colorado, where the primary damages and injuries at issue in this action have occurred.

**COLORADO GOVERNMENTAL IMMUNITY ACT 90 DAY WAITING PERIOD
AND STATUTE OF LIMITATIONS**

1. Per Colorado Governmental Immunity Act (CGIA) requirements, after notice of claim is properly served upon defendant, 90 days must expire prior to filing of the lawsuit:
 - a. Defendant Sarah Esquibel was served CGIA Notice of Claim by Larimer County Sheriff's Office Process Server Brian Ficker on April 15, 2013 at 10:45 AM at the Larimer County Department of Human Services, 2601 Midpoint Drive, Suite 112, Fort Collins, Colorado 80525.
 - b. Defendant Sean McGill was served CGIA Notice of Claim by Larimer County Sheriff's Office Process Server Brian Ficker on April 15, 2013 at 10:10 AM at the Larimer County Attorney's Office, 224 Canyon Avenue, Suite 200, Fort Collins, Colorado 80521.
2. One-hundred fourteen days have passed after the proper service of the CGIA Notices of Claim to Sarah Esquibel and Sean McGill.
3. The waiting period requirements and the statute of limitations have been satisfied.

GENERAL ALLEGATIONS

- A. Sarah Esquibel and Sean McGill, acting in their capacities as hired government employees, have used blatant tactics meant to entrap, defraud, and extort money from Stacy Lynne. Their tortious actions, as enumerated in the claims for relief below, form the basis of this lawsuit.

- B. Sarah Esquibel and Sean McGill are “liable for willfully exercising discretion in a way that violates a known or well-established right”.¹

- C. Any violations, offenses, or crimes that Sarah Esquibel and Sean McGill have participated in against Stacy Lynne and her son Jaden, that are not specifically enumerated here, if and when such additional issues are revealed during discovery and depositions, will be included as additional claims for relief in this civil lawsuit.

- D. Sarah Esquibel and Sean McGill have repeatedly and maliciously threatened to remove Stacy Lynne’s guaranteed right to drive. Sarah Esquibel and Sean McGill have continued to act illegally against StacyLynne all the while abusing the power of their hired positions as a legal technician/paralegal and county attorney.

- E. Sarah Esquibel’s and Sean McGill’s actions have caused overwhelming and substantial damage to Stacy Lynne in mental suffering, physical suffering and emotional suffering.

- F. Stacy Lynne has repeatedly used written documentation to inform Sarah Esquibel and Sean McGill of their participation in illegal actions and they have refused to cease those illegal actions.

- G. Sarah Esquibel and Sean McGill knowingly, willfully and maliciously refused to obey the law and follow their own statutes.

¹ Malice Exception. (Black’s Law Dictionary, Third Pocket Edition, Bryan A. Garner, Editor in Chief, 2006.)

FIRST CLAIM FOR RELIEF: Fraud²

Stacy Lynne brings this first claim for relief pursuant to the civil tort for fraud. Sarah Esquibel and Sean McGill have been repeatedly informed of the facts in this case and they both intentionally ignore the facts on record and continue to knowingly act in a fraudulent manner.

1. On September 13, 2012, Julie Kunce Field, acting as judge in the Eighth Judicial District, in the city of Fort Collins, county of Larimer, state of Colorado, held an illegal and unethical secret hearing related to “child support”. **The illegal and unethical nature of that secret hearing has gone undisputed by Julie Kunce Field for 11 months because Julie Kunce Field has no defense to the facts that are on record with the Larimer County Sheriff’s Office and in the official court transcript that is in the possession of Judicial Administration (Janelle Brunin) and in case file 2011 DR 444.** The illegal and unethical violations are outlined in: Colorado Bar Association Rules of Conduct, the Colorado Judicial Canons, Colorado Revised Statutes, Colorado Court Rules, Colorado Rules for Civil Procedure, Colorado Rules for Evidence, the Colorado Constitution and the United States Constitution.
2. On an unknown date, an “order” was mailed by an unknown entity to Stacy Lynne. **The “order” was not dated. The “order” was not signed.** The “order” listed courtroom 5D (a judge’s courtroom), and the BLANK signature line said “magistrate”.
3. On May 24, 2013, an “order” was mailed by “Carolyn B. Pannell, Magistrate” to Stacy Lynne. The “order” says that “The motion/proposed order attached hereto: GRANTED”. **There was nothing attached to the “order”. There was nothing else in the envelope.** Carolyn B. Pannell had been previously legally served notice of claim against her and so, Pannell’s issuance of an “order”, even though she failed to attach an “order”, is a direct conflict of interest.
4. On June 20, 2013, a “DRIVER’S LICENSE SUSPENSION NOTICE OF NONCOMPLIANCE WITH A CHILD SUPPORT ORDER” was mailed to Stacy Lynne.
5. On July 18, 2013, Stacy Lynne filed a written NOTICE OF ADMINISTRATIVE REVIEW RE: DRIVER’S LICENSE SUSPENSION with Sarah Esquibel, Sean McGill, Family Support Registry, State Department of Human Services and the Larimer County Clerk of Courts. That written notice was nearly 300 pages and included verifiable evidence that the original “child support order” was issued using illegal and fraudulent tactics.

² Fraud: A tort arising from a knowing misrepresentation, concealment of a material fact, or a reckless misrepresentation made to induce another to act to his or her detriment; Unconscionable dealing; esp., in contract law, the unfair use of power arising out of the parties’ relative positions and resulting in an unconscionable bargain. (Black’s Law Dictionary, Third Pocket Edition, Bryan A. Garner, Editor in Chief, 2006.)

6. On July 19, 2013, Sarah Esquibel mailed a letter dated July 18, 2013, to Stacy Lynne. The letter from Sarah Esquibel said the Administrative Review of arrearages is scheduled on August 13, 2013, at 9:00 AM at 2601 Midpoint Drive. Sarah Esquibel continues in the letter: “You do not need to come to this office for the review to take place. Please mail to this office by 07/18/2013:”
 - a. **It is impossible for Stacy Lynne to respond in writing to Sarah Esquibel “by 07/18/2013” to a letter that was not mailed until July 19, 2013.**

WHEREFORE, Stacy Lynne requests this court to enter judgment in her favor and against Sarah Esquibel and Sean McGill for knowingly, willfully, and wantonly participating in fraud, and to award Stacy Lynne punitive damages, compensatory damages, actual damages, reasonable costs and such greater and further relief as this court deems just.

SECOND CLAIM FOR RELIEF: Intentional Infliction of Emotional Distress

Sarah Esquibel and Sean McGill have repeatedly attempted to force Stacy Lynne to break the law and to participate in fraud. Sarah Esquibel and Sean McGill have used extortion,³ coercion⁴ and threats⁵ in their efforts to force Stacy Lynne to commit that crime.

Stacy Lynne is a law-abiding woman and the constant pressure being placed on her to commit crimes in order to retain possession of her driver’s license is shocking to her conscience.

WHEREFORE, Stacy Lynne requests this court to enter judgment in her favor and against Sarah Esquibel and Sean McGill, and to award Stacy Lynne punitive damages, compensatory damages, actual damages, reasonable costs and such greater and further relief as this court deems just.

THIRD CLAIM FOR RELIEF: Abuse of Process

Sean McGill, “county attorney” and Sarah Esquibel, “legal technician/paralegal” abused the legal and lawful process in their capacity as hired government employees. Hired government employees do not have the legal jurisdiction or lawful authority to remove or restrict a woman’s natural and Constitutional rights. Rights are guaranteed by the United States Constitution. Those rights may not be abridged without due process of law procedures, including and not

³ Extortion: The offense committed by a public official who illegally obtains property under the color of office; esp., an official’s collection of an unlawful fee. The act or practice of obtaining something or compelling some action by illegal means, as by force or coercion. (Black’s Law Dictionary, Third Pocket Edition, Bryan A. Garner, Editor in Chief, 2006.)

⁴ Coercion: Conduct that constitutes the improper use of economic power to compel another to submit to the wishes of one who wields it. (Black’s Law Dictionary, Third Pocket Edition, Bryan A. Garner, Editor in Chief, 2006.)

⁵ Threat: A communicated intent to inflict harm or loss on another or on another’s property, esp. one that might diminish a person’s freedom to act voluntarily or with lawful consent. (Black’s Law Dictionary, Third Pocket Edition, Bryan A. Garner, Editor in Chief, 2006.)

limited to: the right to be heard, the right to be adjudicated by an impartial judge, and fundamental fairness. Paralegals and attorneys are not granted power to remove or restrict rights.

WHEREFORE, Stacy Lynne requests this court to award damages in her favor and against Sarah Esquibel and Sean McGill in a sum sufficient to cover the amount of Stacy Lynne's damages resulting from Sarah Esquibel's and Sean McGill's abuse of process as well as such greater and further relief at law or equity which this court deems appropriate under the circumstances, including but not limited to compensatory damages and punitive damages.

THIRD CLAIM FOR RELIEF: Request for Preliminary Injunctive Relief

Sarah Esquibel's and Sean McGill's repeated and harassing contact with Stacy Lynne using illegal and unlawful threats to suspend Stacy Lynne's driver's license are causing substantial interference with her ability to engage in a productive life.

Stacy Lynne is involved in the fight of her life: saving her son Jaden from abuse. If Sarah Esquibel and Sean McGill continue to illegally threaten Stacy Lynne with loss of her driver's license, then Stacy Lynne and Jaden will suffer irreparable injury through her inability to effectively litigate numerous lawsuits.

WHEREFORE, Stacy Lynne requests this court to enter preliminary injunctive relief prohibiting Sarah Esquibel and Sean McGill from contacting Stacy Lynne regarding the issue of child support and driver's license suspension until after this lawsuit has been settled.

FOURTH CLAIM FOR RELIEF: Violation of Colorado Bar Association Rules Of Professional Conduct

Sean McGill is an attorney (#26168) registered with the Colorado Bar Association. Sean McGill has repeatedly violated his Oath of Office and Standards of Professional Conduct. Attorneys and elected officials are held to a higher standard than the general public and those higher standards apply even when those attorneys and elected officials are not in public.

Sean McGill has violated the Colorado Bar Association Rules of Professional Conduct in the following ways:

✓ *Rule 8.4. Misconduct:*

- Engaging in conduct involving dishonesty, fraud, deceit or misrepresentation;
- Engaging in conduct that is prejudicial to the administration of justice;
- Knowingly assisted a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; and
- Engaging in public and private conduct that directly, intentionally, and wrongfully harmed, and continues to harm Stacy Lynne.

WHEREFORE, Stacy Lynne requests this court to take all necessary actions to prevent Sean McGill from violating the Colorado Bar Association Rules of Professional Conduct as this court deems just.

WHEREFORE:

Stacy Lynne, the Plaintiff in this civil lawsuit, makes these claims in good faith and with solid legal and lawful standing against Sarah Esquibel and Sean McGill, the Defendants.

Stacy Lynne's ultimate goals have always been and remain to this day: truth and justice and peace.

Stacy Lynne requests that this Court enter judgment in Stacy Lynne's favor and against Sarah Esquibel and Sean McGill, including punitive damages, compensatory damages, actual damages, reasonable costs, and such greater and further relief as this Court deems just under the guarantees provided to protect Stacy Lynne's life, her liberty, and her rights as they are protected by the Colorado Constitution and the United States Constitution.

All damages to Stacy Lynne are in the past, present and future, whether so specifically delineated in each paragraph or not.

CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2013, I caused the foregoing VERIFIED COMPLAINT against Sean McGill and Sarah Esquibel to be served upon the people listed below by:

1. Civil Process Service by the Larimer County Sheriff's Office to Sean McGill, Assistant County Attorney, 224 Canyon Avenue, Suite 200, Fort Collins, Colorado 80521
2. Civil Process Service by the Larimer County Sheriff's Office to Sarah Esquibel, Legal Technician/Paralegal, Department of Human Services, Child Support Unit, 2601 Midpoint Drive, Suite 112, Fort Collins, Colorado 80525
3. Registered Mail to Attorney General John W. Suthers, Office of the Attorney General, Colorado Department of Law, Ralph L. Carr Colorado Judicial Center, 1300 Broadway, 10th Floor, Denver, Colorado 80203

Date: August 13, 2013

Stacy Lynne
Mailing Address:
305 West Magnolia Street #282
Fort Collins, Colorado 80521

VERIFICATION

I, Stacy Lynne, possess and reserve all natural and Constitutional rights, and being of sound mind and body, do swear under penalty of perjury that I have prepared and read the forgoing VERIFIED COMPLAINT against Sarah Esquibel and Sean McGill. The statements set forth therein are true and correct.

Date: August 13, 2013

Stacy Lynne
Mailing Address:
305 West Magnolia Street #282
Fort Collins, Colorado 80521

Subscribed and sworn to before me by Stacy Lynne in the County of Larimer, State of Colorado, this 13th day of August, 2013.

My Commission Expires: _____

Notary Public