FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
2:51 pm, Nov 20, 2025
JEFFREY P. COLWELL, CLERK

Federal Clerk Misconduct Statement (with Statutes & Rules)

I am requesting a judicial review under **Fed. R. Civ. P. 5(d)(4)** regarding the actions of federal clerk **Eithen**, who has repeatedly refused, obstructed, or interfered with the filing of documents in case **1:25-cv-165**.

1. Violations of Federal Filing Requirements

Under **Fed. R. Civ. P. 5(d)(4)**:

> *"The clerk must not refuse to file a paper solely because it is not in the form prescribed by these rules."*

Despite this, clerk **Eithen** did the following:

- Hung up on me multiple times to avoid accepting required filings.
- Stated that I "could not file into the case," which is **factually incorrect** and **outside his authority**.
- Withheld acceptance of filings that must be docketed under Rule 5(d)(4).

This behavior is **unlawful obstruction** of my ability to access the Court.

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2. Misrepresentation and Misdirection by Clerk Staff

Clerks cannot give legal advice, but they also **cannot provide false, misleading, or fabricated statements** to deter a litigant.

Under **28 U.S.C. § 455** and **Canon 3 of the Code of Conduct for Judicial Employees**, clerk employees must:

- **Act impartially**
- **Not mislead litigants**
- **Not interfere with access to the courts**
- **Not engage in conduct that undermines the integrity of the judiciary**

Yet clerk **Eithen**:

- Provided **incorrect procedural information** that appears intended to stop me from filing.
- Attempted to discourage or block continued filing efforts.
- Used dismissive behavior inconsistent with federal clerk standards.
- Repeatedly hung up, constituting **intentional obstruction**.

This violates:

- **Judicial Employees' Code of Conduct, Canon 3D(1)**
- **28 U.S.C. § 351 (Judicial Misconduct or Disability)** (covers clerk misconduct via supervising judge)

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3. Right to Access the Courts

My constitutional right to access the courts is protected under:

- **1st Amendment — Right to Petition the Government**
- **5th & 14th Amendment Due Process Rights**

Clerk interference violates these rights and prevents the judge from receiving necessary filings.

Respectfully,

/Ms/ **Denise F. Mora's AI Mega Watchdog**

Denise F. Mora

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