

STATE OF MINNESOTA
IN COURT OF APPEALS

Kellye Strickland,
Appellant,

v.

Madeline Lee,
Respondent.

Court of Appeals File No. A25-1655

District Court File No. 62-HR-CV-24-963

INFORMAL BRIEF OF APPELLANT

(Pro Se)

1. Statement of the Case

This is an appeal from a Harassment Restraining Order (“HRO”) entered in Ramsey County District Court. I am the Respondent in the HRO case and the Appellant here. I am self-represented, disabled, and I live in Arizona.

The HRO was filed in July 2024. Between September and December 2024, the district court held four hearings and entered multiple orders without ever obtaining personal jurisdiction over me. Deputies in two states were unable to serve me and filed sworn affidavits of no service. Certified mail was returned. Despite the absence of valid service, the court proceeded and issued orders in my absence.

When I finally learned of the case on February 27, 2025 and began participating, I discovered that the record contained numerous defects, including unsigned orders, altered or re-dated orders, and a Register of Actions that was out of chronological sequence. During this same period, I was requesting ADA accommodations and filing supervisory motions—including a Rule 107 referee objection—but the court ignored or refused to act on them. The district court later rejected a Motion for Clarification that this Court expressly stated I was permitted to file.

Because of these issues, I filed a federal civil-rights action, and the United States Department of Justice opened an ADA Title II review. After this Court intervened on November 6, 2025 and directed the district court to clarify the fee-waiver issue, Judge Nicole Starr issued a one-sentence denial that conflicted with the record, disregarded my disability, and ignored my previously granted waiver.

Most recently, while this appeal has been pending, the district court scheduled a November 25, 2025 hearing on an unidentified motion, sent mailings that were inconsistent or compromised, and provided only two practical days of notice while I was returning from a previously scheduled trip.

For these reasons, I am asking this Court to vacate all HRO orders as void, declare the HRO void ab initio, and dismiss the petition.

2. Statement of Facts

A. 2024: Defective Service, Four Hearings, and Orders Entered in My Absence

Respondent Madeline Lee filed the HRO petition on July 31, 2024. The district court scheduled hearings for September 5, October 3, November 8, and December 12, 2024, before Referees Elizabeth Clysdale and Jenese Larmouth.

I was never served. Deputies in two states attempted personal service and filed sworn affidavits of no service. Certified mail sent by the court was returned. First-class mail was also returned. At no point did the court have proof that service was completed.

On November 7, 2024, the district court issued an “Order for Publication,” but the order did not authorize publication in a legal newspaper. Instead, the court struck the publication requirement and replaced it with a directive to send first-class and certified mail to the same invalid addresses that had already been returned as undeliverable. Those mailings were again returned to the court.

As a result, no method of substitute service recognized under Minn. R. Civ. P. 4.04 was ever completed.

Despite the absence of service, the district court held all four hearings in 2024 and issued adverse orders against me. I had no notice of these hearings and no opportunity to participate. These 2024 orders later became the starting point for the 2025 proceedings, even though personal jurisdiction over me had never been obtained.

B. March–May 2025: Months of Barriers Just to Get a Hearing, Followed by ADA Violations at the First One I Could Attend

I first tried to participate in this case on **March 6, 2025**, as soon as I learned it existed. I immediately asked for a hearing. Instead of scheduling one, the court sent me a Deficiency Notice saying I had to either pay a **\$300 fee** or file for a fee waiver—because, according to the notice, the Petitioner “had not been granted” a waiver.

That was incorrect.

She **had** been granted a waiver. The court’s own ROA said so.

Still, I followed the instructions. I filed the fee-waiver application, and on **April 11, 2025**, the court granted it. But on that very same day—literally the same date stamp—the court denied my request for a

hearing anyway, citing a “deadline” that does not exist in Minnesota law. The order just invented a cutoff and blamed me for missing it.

So on **April 17, 2025**, I filed a Motion to Vacate the 2024 orders. The court granted a hearing on the motion, but set it for **May 23, 2025**, more than a month away.

By that point I had been receiving credible threats tied to the HRO issues. I filed a motion asking for the hearing to be moved up, explaining the situation clearly, but Referee Larmouth denied it.

When the May 23 hearing arrived, it was set for **8:15 a.m. Central**, which is **6:15 a.m. in Arizona** where I live. For someone with my disability limitations, that timing felt like it was designed to make participation difficult. My ADA accommodation requests—for help accessing the remote hearing and a more accessible time—were ignored.

When I called that morning to ask for assistance with the Zoom link, a clerk told me I might “miss [my] hearing” if I couldn’t “figure it out.” I logged in on time anyway and sat alone in the Zoom room. No court staff appeared until about fifteen minutes *after* the scheduled time. I documented the entire wait by taking screenshots every five minutes and emailing them to the court and the chief judge, because based on what had already happened, I feared the court would later claim I didn’t appear.

Once the hearing finally started, Referee Larmouth announced that it was “**not an evidentiary hearing.**” Despite saying that, she still made factual findings about service and my motives without taking any evidence, reviewing exhibits, or allowing me to respond.

She stated that I had been “evading service,” even though sworn affidavits show that deputies in two states couldn’t serve me, certified mail was returned, and the August 29, 2024 phone call she relied on wasn’t service and didn’t notify me of anything. She also treated the **outdated Mesa address** (which came from a private cease-and-desist email sent for safety reasons) as proof that I had concealed my

location—while completely ignoring the fact that when deputies reached me in February 2025, I immediately gave them my correct address with no hesitation.

After the hearing ended, Referee Larmouth issued an order denying my Motion to Vacate. But the order was **unsigned**—the “APPROVED BY THE COURT” line was blank. Under Minn. R. Civ. P. 58.01, it never became a valid order at all.

So from March through May, the pattern was the same:

- Wrong information from the court,
- invented deadlines,
- denied hearings,
- ignored ADA accommodations,
- hostile or dismissive treatment by staff,
- a hearing set at an inaccessible time,
- and finally, a ruling based on incorrect assumptions and no evidence, memorialized in an order that was never even signed.

This was the first “opportunity” I had to participate in the case, and it already showed that the process was not functioning in a way that provided meaningful access or reliable outcomes.

C. July 2025: Altered Notices, Missing Motions, and an Unsigned Order

By early July, I was trying to understand how so many things in the record didn’t line up. On **July 7, 2025**, I submitted a records request to the court administrator. On **July 9**, Court Administrator Nicole Rueger sent me **56 documents**, many of them unredacted and several containing judicial signatures that did **not match** the versions I had previously received in the mail. Some orders had signatures in

the PDF inventory that were missing in the mailed versions; others were dated differently. Nothing matched. It was the first clear confirmation that the record itself was inconsistent.

Because of that, on **July 10**, I sent litigation-hold (spoliation-hold) notices to all parties, including the county and BGS. The next day—**July 11**—I filed a Motion to Vacate based on the newly discovered discrepancies.

Three days later, on **July 14**, the court issued a hearing notice. Then, after the litigation-hold notices were in everyone's hands, and after my federal complaint was filed and docketed, the court mailed me **a second version of the exact same July 14 notice**, now stamped "**Filed July 24.**"

But this July 24 version wasn't just a reprint.

It had:

- the **metadata block blacked out**,
- a different "Filed" date,
- and it omitted several supervisory motions I had filed including:
 - my **Motion for Clarification**,
 - my **Motion in Limine**,
 - my **Motion for Judicial Notice**, and
 - my **Rule 107 Referee Objection**, which required referral to a district-court judge.

All were filed and later acknowledged by Judge Starr. None appeared on the July 24 notice.

The July 24 mailing also included a copy of my Rule 107 objection—as though the court was trying to show it existed—while simultaneously refusing to list it in the notice. The effect was to create an official document that hid my supervisory motions while still putting a loose copy inside the envelope.

Then, on **July 31, 2025**, Referee Larmouth issued her “Order on Respondent’s Removal Requests.” In that order she:

- denied recusal as “untimely,”
- ignored the Rule 107 objection altogether,
- ignored the reassignment request,
- claimed there was “no evidence” that any lawsuit involving her existed, even though my federal complaint was already publicly docketed,
- and referred to herself contradictorily as a “nominal defendant.”

At the very end, she announced: **“I voluntarily recuse myself from this matter.”**

But the July 31 order itself had a fatal flaw:

the **“APPROVED BY THE COURT” line was blank**. No judge ever signed it. The order I received in the mail was unsigned, just like the problematic orders from earlier in the case.

Under **Minn. R. Civ. P. 58.01**, an order is not effective without a judge’s signature. So even the order in which she recused herself—after denying recusal—was never legally valid.

From July 7 to July 31, the pattern was clear:

- mismatched versions of orders,
- signatures present in the internal PDFs but missing from mailed copies,
- a hearing notice altered after the litigation hold,
- blacked-out metadata,
- supervisory motions erased from the official notice but included loose in the envelope,
- and another major order issued without any judge’s signature.

This was not clerical sloppiness. It was a record that had ceased to function as reliable at all.

D. July 28, 2025: Federal Civil-Rights Complaint Filed (After Months of Notice)

It's important to be clear about the timeline, because the district court's later statements about "no evidence" of a federal case do not fit the actual record.

My **first federal civil-rights complaint was docketed on May 12, 2025**—the exact same day attorney Kyle Manderfeld filed into the HRO case. From that moment forward, the existence of the federal action was public and available to all defendants.

I also informed Referee Larmouth **directly** about the federal case during the May 23 hearing. It appears in the transcript, and I followed it with email notice to the chief judge. I mentioned the federal case in at least one written motion as well. No one involved could reasonably claim ignorance.

On **July 10, 2025**, I sent a detailed **litigation-hold (spoliation) notice** to every involved party—by email first, then by physical mail. The notice specifically listed the federal case name and number, and instructed recipients to preserve all evidence related to the matters already under review. This included the referees, the court administrator, Ramsey County, and attorney Manderfeld. By July 10, every defendant had both actual and written notice.

Then, on **July 28, 2025**, I filed a 77-page **amended federal complaint**, supported by roughly 200 pages of exhibits. This filing named Ramsey County, multiple referees (including Larmouth), court administrator Nicole Rueger, and attorney Kyle Manderfeld. By then, the case was long since active on PACER and publicly visible.

Referee Larmouth herself was **physically served on August 7, 2025**.

This means that when she issued her July 31 order claiming there was "no evidence" that any lawsuit involving her existed—while also calling herself a "nominal defendant"—that statement simply did not

reflect reality. She had been told about the federal case in May, the entire county had been put on litigation hold on July 10, and the amended complaint was days away from being filed.

The timing matters, because the **altered July 24 hearing notice** and the **unsigned July 31 order** were both created *after* the county and the court had clear, unequivocal notice of federal exposure. Those actions occurred during the exact period when everyone involved was supposed to be preserving the record, not modifying it.

E. August 19, 2025: Continued ADA Violations and Unresolved Motions

The August 19, 2025 hearing in the HRO matter repeated the same problems. My ADA accommodation requests were ignored. Notice was late and inconsistent. Multiple motions were still unresolved, including the Rule 107 objection and reassignment request, and objections related to the altered July 24 notice. None of these were docketed, heard, or decided.

Nonetheless, the district court proceeded as though it had jurisdiction and as though the record were intact.

F. November 6, 2025: Court of Appeals Intervention

On November 6, 2025, this Court issued an order that:

- gave me more time to perfect the appeal; and
- directed the district court to clarify the fee-waiver issue.

This order recognized that there were procedural problems below and did not treat my earlier mandamus petition as frivolous. Instead, it gave structure and guidance.

G. Judge Starr's Fee-Waiver Denial

In response, I filed a motion on November 3, 2025 asking to extend my previously granted fee waiver. I explained that:

1. Referee Rossow had granted me a full waiver on April 11, 2025.
2. I receive SSI, have no earnings, and have no personal discretionary income.
3. My spouse's income is consumed by basic living expenses and is not available for litigation.
4. I had already paid a \$550 fee for a related writ stemming from the same record.
5. I was requesting that this be treated as a reasonable ADA accommodation.

Judge Nicole Starr then issued a one-line order: "Household income is \$80,000; waiver denied." She made no findings, did not explain the number, did not address my disability, and did not reconcile her order with the earlier waiver and the court's own record.

H. November 13–23, 2025: Returned Clarification Motion and November 25 Hearing Notice

On November 12, 2025, this Court said that the issues I raised "may be raised in district court."

Following that, on November 14 I e-filed a Motion for Clarification in the HRO case to gather the procedural issues into one place.

The district court never docketed it. Instead, it mailed the motion back with a Deficiency Notice stating that, "at the discretion of the judge," my motion was refused for not e-serving opposing counsel. This contradicts Minn. Gen. R. Prac. 14, which does not require e-service by self-represented parties unless the court specifically orders it, and it contradicted how the court had treated my earlier filings.

The envelope to me used my correct Arizona address, but the Deficiency Notice inside listed an old New Hampshire address that had been removed from the ROA months earlier. In the same batch of

mail, the Clerk's Office accidentally sent me Respondent's confidential address. These mixed-up mailings show that court mail was compromised.

I was out of the country on a previously booked trip to Mexico from November 17–21. When I returned and picked up my mail on November 23, I discovered:

- the returned, undocketed Motion for Clarification and Deficiency Notice;
- the mailing that disclosed Respondent's confidential address; and
- a hearing notice for November 25, 2025 that did not identify what motion the hearing was for.

As a practical matter, I received notice of the November 25 hearing only two days before it was set, while this appeal was pending, and without any explanation of what the hearing concerned or how the district court believed it retained jurisdiction.

I immediately filed an Emergency Motion for Continuance and a Motion to Strike on November 23, explaining the timing, the compromised mail, my disability, my out-of-state residence, and the lack of clarity about the court's authority to act.

3. Issues on Appeal

1. Lack of Service / No Personal Jurisdiction

Can an HRO be upheld when I was never properly served, deputies in two states filed sworn non-service affidavits, mailings were returned, substitute service was never completed, and four hearings were held without me ever receiving notice?

2. Unsigned and Altered Orders / No Valid Judicial Authority

Are the HRO orders valid when multiple orders were circulated unsigned, later re-issued with changed

dates or changed judges, and when the July 31, 2025 order denying recusal (and then announcing recusal) was never signed by a judge as required by Minn. R. Civ. P. 58.01?

3. Altered Notices and a Compromised Record

Do the two different July 2025 hearing notices—with blacked-out metadata, different “Filed” dates, and missing supervisory motions—combined with inconsistent versions of orders and docket entries, require the orders to be vacated as void because the record cannot be relied on?

4. Failure to Follow This Court’s Fee-Waiver Directive

Did Judge Starr’s one-sentence denial (“Household income is \$80,000; waiver denied”) fail to comply with this Court’s instruction to *clarify* the fee-waiver issue, misapply Minn. Stat. § 563.01, disregard my disability and earlier waiver, and therefore constitute reversible error?

5. ADA and Due-Process Violations

Did the district court violate the ADA and due process by ignoring my accommodation requests, setting hearings at inaccessible times, refusing to docket a Clarification Motion that this Court said I could file, using an invented e-service rule to reject filings, mixing up addresses in court mail, and setting a November 25 hearing that provided only two practical days of notice?

6. Cumulative Structural Error

Even if any one defect might be called harmless, does the combination of:

- no service,
- unsigned orders,
- altered notices,
- missing motions,
- inconsistent versions of orders,
- ADA violations,
- and refusal to follow this Court’s instructions

amount to structural error requiring the entire HRO proceeding to be vacated and the petition dismissed?

4. Argument

Issue 1: Lack of Personal Jurisdiction

A court cannot issue a binding HRO without valid service. Here, service never happened:

- Deputies in two states filed sworn affidavits stating they could not serve me.
- Certified mail from the court was returned.
- First-class mail was also returned.
- The November 7 “Order for Publication” did **not** authorize publication in a legal newspaper, and the alternate mailings it ordered also came back undeliverable.

Under Minnesota law, strict compliance with service rules is required. If service is defective, the court never acquires personal jurisdiction, and all resulting orders are void. Because I was never served in 2024, the district court lacked authority to hold four hearings or issue any of the orders that followed.

Everything built on those 2024 orders is therefore void.

Issue 2: Unsigned and Altered Orders

Even setting service aside, many orders in this case fail the most basic requirement of validity: a judge’s signature.

Minn. R. Civ. P. 58.01 is clear — an order is not effective until it is signed by a judge and filed. The July 31, 2025 “Order on Respondent’s Removal Requests” was never signed by a judge; the “APPROVED BY THE COURT” line is blank. Yet that unsigned order purported to deny recusal, ignore a Rule 107 objection, ignore a reassignment request, and then announce voluntary recusal anyway.

Other orders in the record show similar problems:

- Some were mailed to me unsigned, then later reissued with signatures.
- Some had “Filed” dates changed without explanation.
- Some were later attributed to Judge Starr even though she did not preside at the time.

Minnesota law treats post-hoc alterations, unsigned orders, and inconsistent versions as **void**, not merely irregular. And if key orders are void, all later actions relying on them cannot stand.

Issue 3: Altered Notices and a Compromised Record

The problems extend beyond signatures. The July 14 and July 24, 2025 hearing notices demonstrate serious record irregularities:

- Two versions of the same notice were created.
- The July 24 version had its metadata block blacked out.
- The file date was changed from July 14 to July 24.
- Several supervisory motions I filed—motions the court later acknowledged—were removed from the July 24 notice entirely.

The July 24 envelope even included a loose copy of my Rule 107 objection while omitting it from the notice itself. The effect was to create an official document that hid the existence of those motions.

A judicial proceeding cannot be relied upon when notices are altered after the fact, metadata is obscured, and filings appear or disappear between versions. When the record itself is unreliable, the resulting orders cannot be trusted and must be vacated.

Issue 4: Failure to Follow This Court's Fee-Waiver Directive

This Court instructed the district court to clarify the fee-waiver issue. I responded by filing a detailed motion documenting:

- my previously granted fee waiver,
- my SSI income and lack of earnings,
- my disability and ADA request, and
- the \$550 fee I had already paid for a related writ.

Instead of clarifying anything, Judge Starr issued a single sentence:

“Household income is \$80,000; waiver denied.”

She did not explain the source of the number, address my disability, reconcile the denial with the April 11 full waiver, or engage with Minn. Stat. § 563.01 at all. This ruling did not comply with this Court's directive and added another unnecessary barrier to my access.

This alone is reversible error, and it fits the broader pattern of resistance to oversight.

Issue 5: ADA and Due-Process Violations

Throughout this case, I repeatedly requested accommodations because of my disability. These requests were ignored. Specific issues include:

- My ADA accommodation requests for the May 23 and August 19 hearings were not addressed.
- A clerk told me I might miss my hearing if I could not “figure out” Zoom myself.
- Hearings were set for 6:15 a.m. in my time zone despite my limitations.
- The district court refused to docket my November 14 Motion for Clarification — even after this Court said the issues could be raised below.
- The court rejected the filing based on a requirement that self-represented litigants e-serve, which is not the law.
- Court mailings contained inconsistent or outdated addresses, including one that listed a New Hampshire address removed from the ROA months earlier.
- The Clerk’s Office accidentally disclosed Respondent’s confidential address to me.
- I received only two days of practical notice of a November 25 hearing while this appeal was pending.

The ADA requires meaningful access. Due process requires notice and an opportunity to be heard. The cumulative effect of these actions denied both.

Issue 6: Cumulative Structural Error

Even if any individual mistake could be viewed as harmless, the combination cannot:

- No valid service for four hearings.

- Several unsigned orders.
- Altered notices with blacked-out metadata.
- Missing supervisory motions.
- Inconsistent versions of filings.
- Ignored Rule 107 objections and reassignment requests.
- Repeated ADA violations.
- A fee-waiver denial that contradicted the court's own record and this Court's directive.
- Refusal to docket filings.
- Compromised court mail and a last-minute hearing notice.

Together, these defects show a process that was not functioning in a neutral or reliable way. The structure of the case was compromised. Under basic due-process principles, when the foundation of the case is broken, the remedy is not more proceedings on the same record — it is vacatur.

The HRO must be vacated and the petition dismissed.

5. Relief Requested

I respectfully ask this Court to:

1. **Vacate all orders** issued in the HRO proceedings (District Court File No. 62-HR-CV-24-963);
2. **Declare the HRO void ab initio** due to lack of personal jurisdiction, the absence of valid judicial orders, and structural defects that undermine the integrity of the record;
3. **Dismiss the HRO petition in full**; and

4. **Grant any further relief the Court deems appropriate** to restore the case to a lawful posture and ensure future proceedings—if any—comply with due process and the ADA.

Dated: November 24, 2025

Respectfully submitted,

/s/ Kellye Strickland

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