

SUPREME COURT, STATE OF COLORADO

Court Address:
2 East 14th Avenue
Denver, Colorado 80203

FILED IN THE
SUPREME COURT

OCT - 3 2007

OF THE STATE OF COLORADO
SUSAN J. FESTAG, CLERK

ORIGINAL PROCEEDINGS PURSUANT TO
§ 1-40-107(2), C.R.S. (2005)
Appeal from Ballot Title Setting Board

CHILDREN EX REL.

Petitioners:
PAGE PENK

v.

Respondents:

MIKE COFFMAN, Respondent Superior
Major, United States Marine Corp Reserve
Colorado Secretary of State

Title Board:

DAN DOMENICA, WILLIAM A. HOOBS, DAN
CARTIN.

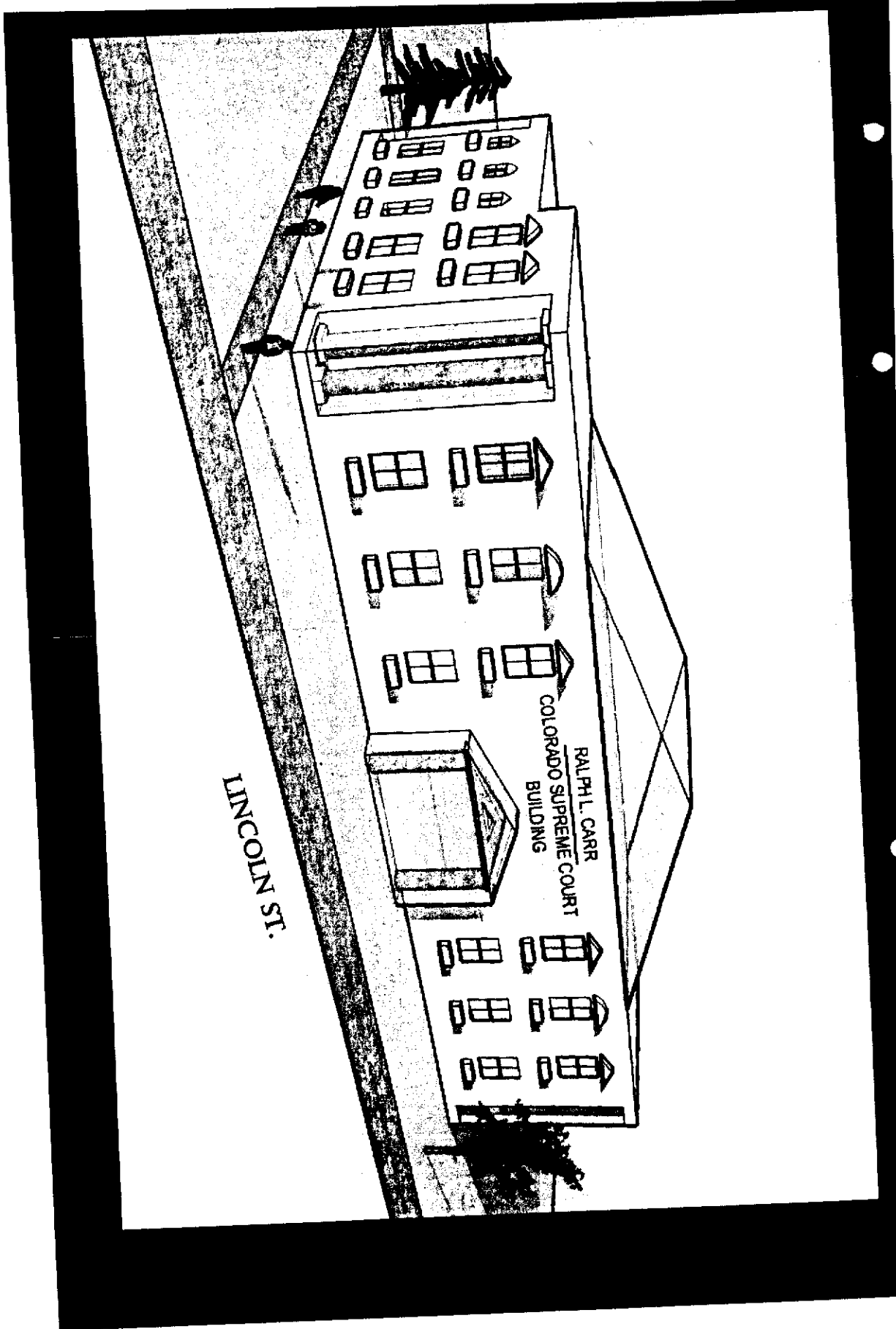
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Page Penk *pro se*
1304 S. Parker, PH 17
Denver, Colorado 80231
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Case No: 07 SA 288

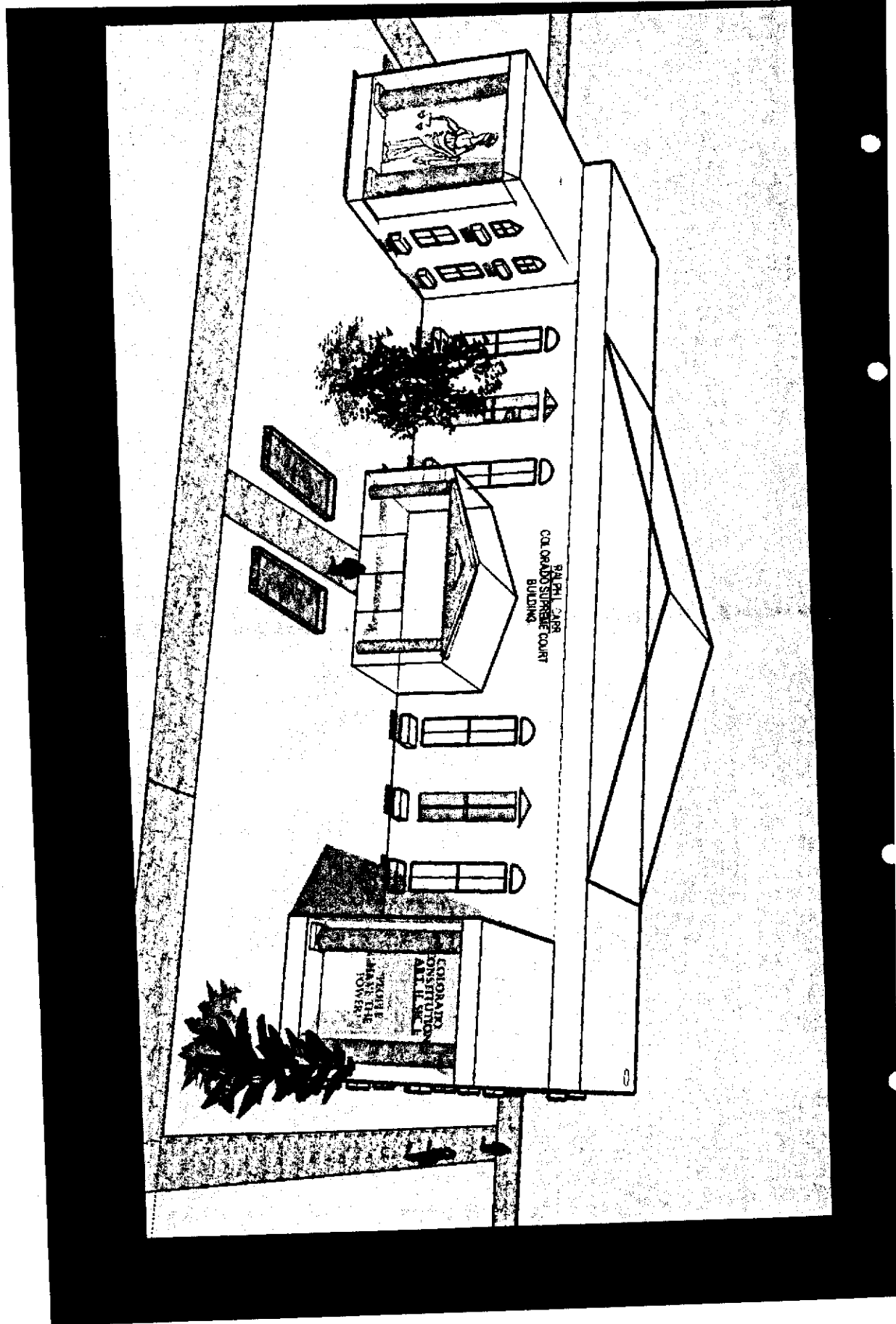
**PETITIONER'S EMERGENCY BRIEF
AND INTRODUCING:**

THE RALPH L. CARR
COLORADO SUPREME COURT
BUILDING



LINCOLN ST.

RALPH L. CARR
COLORADO SUPREME COURT
BUILDING



QUESTIONS PRESENTED

- I. Is any U.S. court aware that on October 19th, 2007, the Italian Constitutional Court is going to give legal permission for a lower Italian court to resume the trial of 26 Central Intelligence Agency agents for kidnapping an Egyptian in Rome¹, thereby beginning what a group of senior Chinese Air Force colonels called “lawfare” against the United States?

¹ Barry, Colleen, “First trial on CIA rendition program gets suspended” Denver Post, 19 June, 2007: 10A.

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STATEMENT OF THE LEGAL CASE

1. This case is simple. I want the respect of the Court in asking my opinion not only about the wording of Proposition #40, I respectfully ask this Court to open, as Justice Oliver Wendell Holmes called the “marketplace of ideas²”, for a new Colorado Supreme Court building, too.
2. I got married earlier this year to a beautiful Russian woman with a green card and a PhD. Part of the (mostly) unspoken compact between us when we got married was that I would enter the *Codex Americana*- translating PEACE IS POSSIBLE into all 6,000 human languages, in the competition for the re-design of Civic Center Park.
3. Unfortunately, there is going to be no competition for the Park. Apparently, our boy-wonder mayor John Hickenlooper, has again, without a competition, decided that he knows best for the Park and now I guess the Colorado History Museum is going there without debate³. Period

² Hitt, Jack, “The Marketplace of Ideas” Harpers, June 2007: 54.

³ Ditmer, Joanne, “Putting state museum in Civic Center is a travesty.” Denver Post, 28 August. 2007.

4. That's unfortunate for both me and Daniel Libeskind because the mayor had originally picked *him* to do Civic Center Park⁴, without a competition, before an uproar occurred over Mr. Libeskind's plan to wreck the Park with his shiny metals and sharp angled designs. Now, with Libeskind out, the mayor has hand picked one of his "friends" to do the Park instead.

5. Actually, I was sort of counting on that competition for Civic Center. I'm six hour short of my Master's Degree in Urban and Regional Planning and I was one of nine planners, designers and architects who gave presentations for Civic Center at the current Colorado History museum site on Dec. 6th, 2006. I thought for sure there would be a competition and I would have a fair chance at winning. So did my wife when we got married.

6. But there is going to be no competition for the Park or anything else in America today. No competition for the Park, no competition for the incorrect wording of Proposition #40, and I seriously doubt there will be a competition for the new Colorado Supreme Court building, either. And I would really like one, please.

⁴ Dunn, Julie, "A public competition is proposed beyond the conceptual vision unveiled by Daniel Libeskind." Denver Post, 23 Nov., 2006

7. Because the truth is that my wife left me when Mayor Hickenlooper didn't put Civic Center up for competition, for the second time. We're still married, she just doesn't live in Colorado anymore. Before we got married, she told me how she worked in Summit County cleaning hotel rooms for five years. How the employers would call the I.N.S. at the end of the month so as to avoid paying wages earned. And how they sometimes wouldn't pay the water and heat for the trailers they offered their workers, even in the dead of winter.

8. And what she told me after it was clear that the mayor wasn't going to have a competition for Civic Center was that now that she got a job in her field at the university, she couldn't bare to live with me anymore. It's not so much that she doesn't love me, it's just that she doesn't want to live the rest of her live in hardship because that's all she ever knew in the former Soviet Union and all, until recently, she knew in America. She told me once that if she'd known how hard it was going to be here, she never would have left Russia. And that it turns out that America is just like Russia because when it comes to government work and contracts, it's all who you know. And I don't know Mayor Hickenlooper and I wasn't the one he decided to give Civic Center Park to.

9. The larger picture here, of course, is that there is never going to any competition for anything in America concerning the Pentagon or the military. Eventually, or maybe right now, the military gets to do anything they want and no one is going to stop them. Be it launching nuclear warheads from across northern Colorado on the word of just one man or using Non-Lethal weapons or even expanding Pinon Canyon, which is already a done deal despite the lie told the American people to the contrary. Now, if it were up to me, I'd stop the Pinon Canyon expansion not by fighting it, but by giving it to it on just one condition. That condition? That the military use it as a test ground for their vast and growing but secret arsenal of Non-Lethal weapons. That will stop that nonsense. Period.

10. The one other area, closer to home, that there will be no competition for? The security plan for the State Capital building Colorado State Patrol Captain Mark Savage will present to the legislature in January. In my September 17th, 2007 call to Captain Savage, he told me directly that he knows all about non-lethal weapons, like the entangling foam and nets his men could have used to stop the Capital intruder they shot in the head instead. And he told me they never plan on using Non-Lethal weapons at the Capital. Ever. End of discussion.

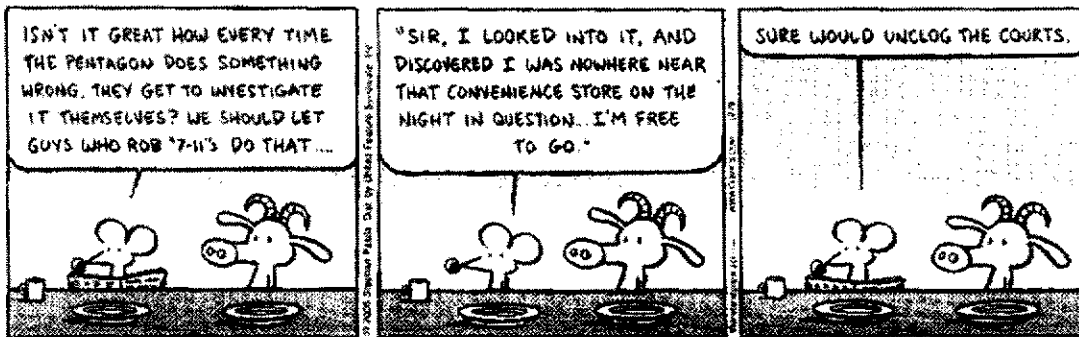
CONCLUSION

11. Here's the type of world we live in today. I've told Capt. Savage on at least two occasions not to place metal detectors under the stairs at the State Capital as a suicide bomber could kill many people in those concrete tunnels. Capt. Savage's response when I told him about that failing of his security plan? "I'm not changing it." And that's it for the security plan at the Capital. Just like according to the Colorado Attorney General, the state is not going to change the wording of Proposition #40. Just like the military has no plans on ever upgrading to Non-Lethal weapons.

12. How does this tie into the questions presented here and this lawsuit? On Oct. 19th, in about 2 weeks, the Italian Supreme Court will directly move against the entire American legal system by allowing its courts to legally attack U.S. citizens for conduct outside our country. The Italians, and everyone else on the planet, including a growing number of Americans, are tired the geographic bigotry of the armed forces that allows them to do any sick thing they want overseas with immunity but that they would never do in Oklahoma City.

Pearls Before Swine

by Stephan Pastis



13. There is still time, however, even if it is just a few days before the Italian Court is going to humiliate every lawyer in America for not disciplining our military in any way, shape or form to stop this coming lawfare attack. But in order to do that, the Supreme Court must give the Italians proof that they are serious about controlling our military. The way to do that is to overturn the Title Board's ruling and put "PEACE IS POSSIBLE" at the front of the ballot title and nowhere else. This is the smallest gesture an American court can offer the Italians that will show we are serious about legal reform and at least postpone the coming Oct. 19th offensive. I paid cash for this case because I think I can tell the Court a gentle story about the strength of our laws, the greatness of our nation and the goodness of people.

14. If anyone has a better plan for this or the new Carr building, go with it.

⁹ Denver Post, 9 December, 2006: 14F.

15. This is all the truth. Respectfully submitted October 3rd, 2007.

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CERTIFICATE OF SERVICE

I hereby certify that on October 3rd, 2007, a true and correct copy of the
forgoing

**PETITIONER'S EMERGENCY BRIEF
AND INTRODUCING:**

**THE RALPH L. CARR
COLORADO SUPREME COURT
BUILDING**

was placed in the United States mail, postage prepaid, to:

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