

UNITED STATES DISTRICT COURT

for the

\_\_\_\_\_ District of \_\_\_\_\_

**MATTHEW ESCALANTE  
et al S.J.E, a minor child  
& S.G.E, a minor child**

\_\_\_\_\_  
*Plaintiff(s)*

Case No. **2:23-CV02536**

**BENCH TRIAL  
DEMAND**       Yes     No

-v-

**CHARLES DROEGE**  
in his official capacity as  
Chief Judge of the Johnson Co. District Court

\_\_\_\_\_  
*Defendant(s)*

**AMENDED  
COMPLAINT AGAINST THE CHIEF JUDGE OF THE JOHNSON COUNTY DT. CT.  
FOR VIOLATION OF CIVIL RIGHTS UNDER THE COLOR OF LAW  
DEPRIVATIONS OF CONST AMDT 6.6.5, 14 S1.5.5.2 & 14S1.5.8.1  
THAT NO STATE SHALL ABRIDGE  
WHILE COMMITTING A CRIME OF KSA 21-5907**

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	_____		
Address	_____		
	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	_____		
Telephone Number	_____		
E-Mail Address	_____		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person’s job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	_____		
Job or Title <i>(if known)</i>	_____		
Address	_____		
	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	_____		
Telephone Number	_____		
E-Mail Address <i>(if known)</i>	_____		

Individual capacity     Official capacity

Defendant No. 2

Name	_____		
Job or Title <i>(if known)</i>	_____		
Address	_____		
	_____	_____	_____
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	_____		
Telephone Number	_____		
E-Mail Address <i>(if known)</i>	_____		

Individual capacity     Official capacity

Defendant No. 3

Name \_\_\_\_\_  
Job or Title (*if known*) \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
County \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-Mail Address (*if known*) \_\_\_\_\_

Individual capacity  Official capacity

Defendant No. 4

Name \_\_\_\_\_  
Job or Title (*if known*) \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
County \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-Mail Address (*if known*) \_\_\_\_\_

Individual capacity  Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- Federal officials (a *Bivens* claim)
- State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

**Constitution Amdt14.S1.5.8.1 Parental and Children’s Rights and Due Process**  
**Amdt14.S1.5.5.2 Impartial Judge and Jury**  
**Amdt6.6.5 Right to Effective Assistance of Counsel**

And a Crime of KSA 21-5907 on November 16, 2023 KSA 21-5907 that removes immunity to bring action

### III. Statement of Claim

#### A. Where did the events giving rise to your claim(s) occur?

Johnson County District Court - Olathe courthouse  
150 W Santa Fe St.  
Olathe Kansas 66060

#### B. What date and approximate time did the events giving rise to your claim(s) occur?

Defendant manipulated civil dockets by faking a Chief Judge Order and putting that text in the docket intending to deceive.

11/16/2023 <\*\*\*\*\* Bench Notes \*\*\*\*\*>

BY ORDER OF THE CHIEF JUDGE THIS CASE IS TRANSFERRED  
TO AN OUT OF COUNTY JUDGE FOR THE PURPOSE  
OF DOCKET AND CASELOAD MANAGEMENT(JUDGE: DROEGE)  
11/16/2023 Judge OUT OF COUNTY JUDGE assigned to case

Shows in Both cases of Escalante v Escalante 18CV03813 and 22CV03813

#### C. What are the facts underlying your claim(s)?

The Defendants action outline above in the Johnson county dockets are False, they're fraud entries by the Chief Judge. This constitutes a crime of KSA 21-5907 Simulating Legal Process, as there is no Chief Judge Order in existence, nor ever was. An attorney appointed by the Court Edward Bigus verifies on Nov 28, 2023, stating, "The Case is NOT transferred out of county" and another witness Carol Roberts the court transcriber is also available to give witness testimony as she Docketed in Johnson county 18CV03813 on Dec 05, 2023. That cannot be if the case is in another county under another judge purportedly per the Defendant Droegge. And the civil attorney obviously has knowledge of Droegge's deception regarding 18CV03813 and 22CV03391. The Plaintiff also appeared in the Johnson county 12/06/23, and the sheriff was unable to retrieve from the Clerk the "Chief Judge Order" of transfer. That's because it doesn't exist but chief says he ordered it.

The civil case ARE still in Johnson County. The chief judge is just not letting one of the representing parties, Pro Se Plaintiff, practice law inside his own cases.

The Chief Judge on November 16, 2023 simulated issuing a Chief Judge Order that intended to deceive and fool the Plaintiff to cause him to believe that he has no civil cases to litigate in JoCo.

*KSA 21-5907. Simulating legal process. (a) Simulating legal process is:*

- (1) Distributing to another any document which simulates or purports to be, or is designed to cause others to believe it to be, a summons, petition, complaint or other legal process, with the intent to mislead the recipient and cause the recipient to take action in reliance thereon; or
- (2) printing or distributing any such document, knowing that it shall be so used.

***(b) Simulating legal process is a class A nonperson misdemeanor.***

*(c) This section shall not apply to the printing or distribution of blank forms of legal documents intended for actual use in judicial proceedings.*

*History: L. 2010, ch. 136, § 132; L. 2012, ch. 150, § 21; July 1.*

**All the facts present and witness testimonies available show the Chief Judge has actually NOT transferred 18CV03813 nor 22CV03391 constituting a Crime of KSA 21-5907 against the 3 plaintiffs as custody proceedings are being unlawfully blocked by the Chief Judge's actions. The Chief unlawfully simulated an issuance of a false Chief Judge 'Order' under also Rule 12 of local rules falsely designed to cause Plaintiff father to believe/mislead and then to cause the Plaintiff to take an action in reliance to this falsity of 'order'. So the Plaintiff now take federal action.**

#### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

**Docket deception by use of action barred by state law of KSA 21-5907 is dangerous to the plaintiff, it retaliatory and malicious but moreover, its a crime by the Chief**

The amount of injuries the Plaintiffs are experience in unable to fully described. The Chief Judge is leading actions with an intent to harm the plaintiffs companionship, love, trust, mentorship, image, reputation. He is causing emotional and mental harm to minor children, as all the other defendants are too involved in this atrocity.

The Defendant Droege is tampering a domestic relations protection from stalking case that Does have an active motion to modify of legal sufficiency docketed that is now way past statute requirement of being heard within 21 days KSA 60-31a06 KSA 60-31a05.

Plaintiff is convinced the above facts are a crime.

---

#### V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

**Injunctive immediate relief from the chief judge's malicious actions by the High Court removing ALL**

**of the Plaintiff's civil and criminal cases from the Johnson County judiciary. Plaintiff feels that the only resolution that can be granted since apparently the laws of the US do not allow for compensatory and/or punitive damages on Chief Judge of a district court**

**Plaintiff feels that he has shown enough compelling evidence of intentive deprivations that the court should grant the Plaintiff's a Civil professional attorney in the Kansas High Courts to stream line efficiency and to ensure fairness is given to the inexperience pro se Plaintiff**

**and to not produce any image of disrespect from Plaintiff, that is not what the Plaintiff aims to project but Defendant(s) are creating these circumstances in the district court. The Plaintiff's friends and family are paying for the movements of lawsuit in the Kansas High Court, and it should not be their burden but they also see Rights being stolen and stepped on by the JoCo court and they are impacted as well.**

**And whatever else relief the High Court may feel is equitable and just.**

---

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.


**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

**12/10/23**

Signature of Plaintiff



Printed Name of Plaintiff

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

\_\_\_\_\_  
*City*\_\_\_\_\_  
*State*\_\_\_\_\_  
*Zip Code*

Telephone Number

E-mail Address