



PAGES 1-5 are primary KORA Violation Occurring By Chief Judge, for AG investigation please. but the rest of the Pages, The AG can potentially ignore if they want, but the other pages shows the connection of this KORA to large and long Judicial Fraud upon the Johnson County Court of family court Judge Paul Burmaster and how Burmaster has Illegal Detained me for whistleblowing while he stole my daughters and issued fraud protective orders. I'm clearing the records of what these Judges have done against Kansas laws wherever I can to make it back to my daughters. Thank you.

## **Kansas Attorney General**

**Kris W. Kobach**

120 SW 10th Avenue, 2nd Floor

Topeka, KS 66612-1597

PHONE: (785) 296-2215 • FAX: (785) 296-6296

[www.ag.ks.gov](http://www.ag.ks.gov)

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## **Kansas Open Meetings Act / Kansas Open Records Act Complaint Form**

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**The Kansas Open Meetings Act (KOMA) declares that it is the public policy of this state “that meetings for the conduct of governmental affairs and the transaction of governmental business be open to the public.” K.S.A. 75-4317(a).**

**The Kansas Open Records Act (KORA) declares that it is the public policy of this state “that public records shall be open for inspection by any person unless otherwise provided by this act, and this act shall be liberally construed and applied to promote such policy.” K.S.A. 45-216(a).**

The Attorney General or the County/District Attorney may investigate alleged violations of these acts. See K.S.A. 75-4320 and 75-4320b (KOMA); and K.S.A. 45-222 and 45-228 (KORA).

Citizens may use this form to file a complaint with the Office of the Attorney General. If you are under 18 years of age, a parent or guardian may file for you. K.S.A. 45-252 and 75-4320e require the complaint to be made on a form prescribed by the Attorney General and attested under penalty of perjury. The form below complies with the statutory requirements.

After we receive your complaint, we will:

- Process your complaint and assign a case number;
- Review it to determine whether you have alleged a violation of the KOMA or the KORA. This review is conducted by an attorney; and
- Contact you in writing in approximately 10 to 14 business days to tell you the status of your complaint.

After we receive your complaint, we may:

- Refer the complaint to the appropriate County or District Attorney for further action;
- Investigate the allegations;
- Seek the appropriate remedy under the KOMA or the KORA;
- Hold it open for a short period of time to determine if there are other similar complaints against the same public body or agency; or
- Close the matter if we do not find a violation.

If we accept your complaint for investigation, we will:

- Contact the public body or agency and give them a chance to respond. An investigation may take 3 – 4 weeks or several months, depending on the nature and number of the alleged violations; and
- Tell you about the outcome *after* we conclude our investigation.

**By submitting your complaint, you understand the following:**

- **We will share your complaint with the public agency or official you identified and ask for a response. This will help us understand what happened in your particular situation;**
- **Your complaint may be open to others under the Kansas Open Records Act;**
- **Any investigation conducted by this office is conducted on behalf of the State of Kansas;**
- **We cannot act as your private attorney. Any investigation conducted by this office is not conducted on your behalf as a private citizen;**
- **We cannot give you legal advice about your complaint; and**
- **We cannot represent you if you decide to file your own action for violation of the KOMA or the KORA. Please review K.S.A. 75-4320a (KOMA) or K.S.A. 45-222 (KORA) for further information on filing your own separate cause of action. Kansas law limits the period of time you have to file any private legal action(s).**

## General Information

Your Name: \_\_\_\_\_

Address: \_\_\_\_\_

Kansas

<sup>Apt.</sup>  
66030

*State*

*ZIP*

Phone: \_\_\_\_\_

Alternate Phone: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

## Background Information

Have you complained about this matter to any other office?

Yes

No

Have you filed a private lawsuit related to this matter?

Yes

No

## Violation Details

Type of Violation:

Kansas Open Meetings Act

Kansas Open Records Act

Name of public agency/entity/official you are requesting we investigate:

10th District Courthouse / Chief Judge Charles Droege

Public Agency/Entity/Official Address:

150 W Santa Fe St

Olathe KS 66061

Public Agency/Entity/Official Phone Number:

913,7153400

Date of Alleged Violation:

10/18/23

Location of Alleged Violation:

Div 14

The Complainant, now fearing for his safety and his children's safety has approached the Kansas Attorney's General's Public Protection Office on Good Faith, in filings against District Judge Burmaster of the 10th District engaged in a form of protective order criminal fraud of 22CV03391, it consequentially violated the KORA(Kansas Open Records Act)in open report PP-24-000051, a simulation of legal process KSA 21-5907, was performed in the Complainants children's custody case, by Burmaster who separated a dad from his daughters years ago, and I never saw them again. I discovered Burmaster misconduct and he retaliated in 2022 in a form of Child Abuse stealing my 2 beautiful daughters from shared custody rights in 18-CV03813. This new filing for the AG, today April 5th 2024, contains another KORA violation from the 10th District discovered. As a father, I have sought nothing but to give my daughter back what they deserve in life and thats two parents who love them equally, All Children deserve that, and what I got back from the 10th district is more misconduct, constitutional deprivations and loss. There is only so much a daddy can do in those circumstances, Mr Kobach. I've caught a bad rap from the beginning unjustified. And I watched the 10th district hurt my children I did what I thought was best and sought to properly report it to authorities and no action was taken and retaliation ensued by the 10th. Today I have another reporting of KORA violation and done so by the leader of the Judiciary, Chief Judge Charles Droege. On or around April 4th 2024, the Chief Judge engaged in the commission of a crime also of KSA 21-5907 and I'm placing it in the scope of the Attorney General because the Commission of Judicial Conduct will do nothing as they have left district burmaster at large, and after burmaster was pulled off my proceedings and left a mess for me and no kids. The of this complaint is none of the above. Its the Violation of the Kansas Open Records Act that Chief has produced with the attached hereto as, Exhibit A. The attached exhibit A, appears to be an Administrative Order from the undersigned Chief Judge Charles Droege in another man's custody case. The administrative order is not Filed, nor stamped with the Clerk of the District Court. It is not in proper format of an Administrative Order in that it is not numbered by ##-###(2 digit year-Number sequence of the court). And moreover and most importantly, it does not show in the Exhibit B, Administrative Order screens of Johnson county KS 10th District, <https://public.jccocourts.org/admord/> That's not an authentic, legal administrative order, Mr Kobach. I asked for a copy of it from a Clerk today and got silence. I am declaring the 10th District/Chief Judge Charles Droege in violation of the KORA act pertaining to A.O. 24-04, that I have in my possession on April 4, 2024, and it should be labeled in the Exhibit B, as presumably A.O. 24-04, its not there. It's not file stamped, it's not numbered. The nature of the Exhibit A, is onto another Kansas Respondent Father (22CV00890) that was also under District Judge Burmaster's jurisdiction, but the Father also had to have Burmaster pulled off his proceeding entirely and the same day that he was suspended off mine(18CV03813) on Nov 16, 2024. So what is that fake admin order doing in that case of 24-CV00890, upon examination, it is Threatening the father of that case with contempt and sanction if the document is shared. What is the document? The document attached to the fake admin order is children's report from an Agency of Children's Peace Alliance Foundation, and the document Counters everything that Judge Burmaster sought to do with us as father's, Discredit Us. The CPAF, reports in a non-confidential report that the Children love their father. And a review of the case, shows an assault verbally, and mentally by Judge Burmaster onto the Dad. And now Chief Judge is attempting to hide that report from any view using a Fake Administrative Order in that case,\*\*\*\* its a document that pretends to be a Legal Admin Order

The definition of KSA 21-5907 Simulation of Legal Process Crimes Affecting Government Functions >  
 (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; b) Simulating legal process is a class A nonperson misdemeanor  
 Charles Droege just escaped my Federal Lawsuit against him and he is tampering with my civil docket not letting my restore Justice I request a Copy of the Exhibit A, certified and authenticated from the Johnson Co. Court, because I didn't get it when I asked.

10th District Chief Judge is in violation of the KORA with failure to reproduce the Public Admin Order as a reprint. Please inquire under KSA 75-43

**What remedy would you like to see to resolve this matter:**

- Receive requested records
- Receive notice of meetings
- Other: Any other relief that is equitable and just for the protection of the Judiciary, and that parties children, and my children as he is doing the same stuff in my proceeding.

**Verification**

**By signing my name below, I declare under penalty of perjury that the foregoing is true and correct. I further certify that I have read and understand this complaint form.**

4/5/24

**Signature of Complainant (Required)**

**Date**

This KORA complaint on Chief Judge is connected to Judge Paul Burmaster fraud in the Escalante children's custody case,

### JOHNSON COUNTY COURT ADMINISTRATIVE ORDERS

Type(Micro)	Doc Date	Remarks
<a href="#">ADMORD</a>	03/04/24	A.O. 2024-01 (1ST AMENDED) RE: DEATH OF JOSHUA K. ALLEN
<a href="#">ADMORD</a>	02/28/24	A.O. 24-03 SUBSTITUTION OF COUNSEL
<a href="#">ADMORD</a>	02/27/24	A.O. 24-02 SUBSTITUTION OF COUNSEL DISTRICT ATTORNEY'S NOTICE OF ASSIGNMENT
<a href="#">ADMORD</a>	01/08/24	A.O. 2024-01 RE: DEATH OF JOSHUA K. ALLEN
<a href="#">ADMORD</a>	09/26/23	A.O. 23-05 SUBSTITUTION OF COUNSEL DCF NOTICE OF ASSIGNMENT
<a href="#">ADMORD</a>	08/01/23	A.O. 23-04 SUBSTITUTION OF COUNSEL
<a href="#">ADMORD</a>	06/14/23	A.O. 23-03 SUBSTITUTION OF COUNSEL DCF NOTICE OF ASSIGNMENT
<a href="#">ADMORD</a>	04/19/23	A.O. 23-02 ORDER REGARDING REQUESTS PURSUANT TO THE OPEN RECORDS ACT K.S.A. 45-215 ET. SEQ.
<a href="#">ADMORD</a>	03/20/23	A.O. 23-01 SUBSTITUTION OF COUNSEL (ARNOLD S HARRIS)
<a href="#">ADMORD</a>	01/25/23	A.O. 22-03(A) AMENDED ORDER RESTRICTING LEONID KHAYET'S CONTACT WITH COURT OFFICES
<a href="#">ADMORD</a>	10/25/22	A.O. 22-04 RE: DEATH OF DONNA M. MANNING
<a href="#">ADMORD</a>	09/23/22	A.O. 22-03 ORDER RESTRICTING LEONID KHAYET'S CONTACT WITH COURT OFFICES
<a href="#">ADMORD</a>	03/04/22	A.O. 22-02 ORDER REVISING COVID PROTECTION PROTOCOLS FOR THE 10TH JUDICIAL DISTRICT
<a href="#">ADMORD</a>	01/05/22	A.O. 22-01 ORDER TEMPORARILY SUSPENDING JURY TRIALS IN THE 10TH JUDICIAL DISTRICT
<a href="#">ADMORD</a>	12/30/21	A.O. 21-07 ORDER DESIGNATING JUNETEENTH AS AN OBSERVED HOLIDAY IN THE TENTH JUDICIAL DISTRICT
<a href="#">ADMORD</a>	12/30/21	A.O. 21-06 AUTHORITY FOR COURT SERVICES OFFICERS TO PROVIDE INFORMATION
<a href="#">ADMORD</a>	08/13/21	A.O. 21-05 ORDER TEMPORARILY SUSPENDING JURY TRIALS IN CONSIDERATION OF COVID PROTECION PROTOCOLS FOR THE 10TH JUDICIAL DISTRICT
<a href="#">ADMORD</a>	05/31/21	A.O. 21-04 ORDER REVISING COVID PROTECTION PROTOCOLS FOR THE 10TH JUDICIAL DISTRICT
<a href="#">ADMORD</a>	05/17/21	A.O. 21-03 RE: DEATH OF SHERWIN L. EPSTEIN
<a href="#">ADMORD</a>	04/14/21	A.O. 21-02 RE: DEATH/INCAPACITY/DISAPPEARANCE OF CHRISTOPHER SHEPARD
<a href="#">ADMORD</a>	04/02/21	A.O. 21-01 INTERIM PROCEDURES FOR CIVIL ACTIONS UNDER SB 40
<a href="#">ADMORD</a>	12/29/20	A.O. 20-19 RE: COURT TRUSTEE ENFORCEMENT FEE FOR CHILD SUPPORT AND MAINTENANCE ORDERS

This is Exhibit B, dated 4/5/24

on next the Exhibit A, next slide, if that was a legit admin order it would appear on this JoCo admin screen, and you can see its not there. I request a copy of it, as AO 24-04, dated from 4/4/24 it looks like it should have been. It's too late to make it now, of Droege. KORA violation.



**Expedited Child Interviews**  
**Children's Peace Alliance Foundation**  
**Confidential**  
**For Professional Use Only**



Children's Peace Alliance  
Foundation

February 4, 2024

Hon [REDACTED]  
Johnson County District Court  
Div. 22

RE: S [REDACTED] Roche  
C [REDACTED]

Children: S [REDACTED]  
R [REDACTED]

Dear Judge [REDACTED]

[REDACTED]



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*IN CONCURRENCE WITH:  
Children's Peace Alliance Foundation Staff*

# Expedited **Child** Interviews

## Neutral.

When information is needed from a child, that child deserves the opportunity to speak with an un-biased and neutral third-party. Children's Peace Alliance Foundation fulfills this role.

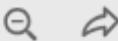
## Professional.

The professionals who conduct expedited child interviews for the Children's Peace Alliance Foundation are impeccably trained and strive to conduct thorough, sound, and child-led interviews. To provide

## Non-Confidential.

The interviewer will submit a report to the court outlining the information provided by the child during the expedited child interview process. The interviewer does not make decisions, and recommendations will

That missing KORA Record, is a Kora violation. I will take it up with the subjects mentioned in this complaint, with the Commission of judicial conduct as to the Oppression and Fear that Charles Droege is trying to place on that divorced family with a fake admin order,



# JOHNSON COUNTY COURT ADMINISTRATIVE ORDERS

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<a href="#">ADMORD</a>	04/02/21	A.O. 21-01 INTERIM PROCEDURES FOR CIVIL ACTIONS UNDER SB 40

Back to This: Exhibit B

Unrelated to the KORA, but related to judicial fraud. The separate Yellow highlighted Administrative order Above is a legitimate administrative order. It is done properly.

ORDER RESTRICTING L\*\*\*\*\* K\*\*\*\*\* CONTACT WITH THE COURT, is like all Admin Orders, they have to be signed by only the Chief Judge, as only he holds jurisdiction to govern the entire processes of the Courthouse and its Staff, and Visitors. That Order is AO-22-03. And I know it by heart because it was de-frauded on top of me, 12 months ago, in a perverted form of justice.

AO 22-03 is the next Exhibit C, signed by chief Judge.

And Exhibit D, is a copy of AO-22-03 but its not signed by Chief Judge its signed by a District Judge Paul Burmaster and its called ORDER

RESTRICTING MATTHEW ESCALANTES CONTACT WITH

THE COURT, but then mine is an Admin Order too, but it has no jurisdiction to

do what it did, one year ago onto me. Thats the Amount of Fraud that has occurred

onto me by joco judges and destroyed pieces of my baby girls as the judges targeted me for

being Honest of what I saw in Joco

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

ADMINISTRATIVE ORDER NO. 22-03

**ORDER RESTRICTING LEONID KHAYET'S CONTACT  
WITH COURT OFFICES**

1. Leonid Khayet, has demonstrated a persistent practice of contacting various Court personnel in all departments of the Tenth Judicial District, employees of the Kansas Supreme Court Office of Judicial Administration and Johnson County agencies and officials in his quest to seek procedural assistance and/or obtain background information on persons involved, directly or tangentially, to his pending cases in this judicial district.

2. This pattern of behavior is related to Mr. Khayet's pending criminal case in Johnson County District Court - Case Number 22CR2179, and in Mr. Khayet's pending civil litigation in Johnson County District Court - Case Number 22CV3824. Both cases are assigned to Division 6. Nothing in this Order is intended to conflict with or contravene any and all Orders issued in the cases assigned to Division 6.

3. Mr. Khayet has repeatedly engaged various personnel in the Court Administrator's office and the Clerk of the District Court's office for the Tenth Judicial District through emails and telephone calls and has made repeated inquiries and requests for assistance and requests for documents unrelated to these two cases.

4. Mr. Khayet has incessantly called and sent email correspondence to the Clerk's office staff and to various administrative assistants for the divisions of the District Court in which his cases have been previously assigned.

5. Mr. Khayet has extended his on-going requests and demands for action to the Chief Judge, Court Administration, and personnel in the Kansas Supreme Court Office of Judicial Administration.

6. Mr. Khayet's pattern of behavior has become onerous and harassing to the employees of the Tenth Judicial District Court, requiring the employees to have repetitive and lengthy engagements with the Defendant which far outweigh the nature and extent of services extended to other members of the public and to litigants in other Court cases

and Court business.

7. In the interests of the expeditious and efficient administration of justice, so other members of the public may be served, and so employees time and energy are not monopolized by Mr. Khayet's practice of repeated requests for information regarding the status of his cases or by Mr. Khayet's seeking judicial responses or relief through correspondence to the Court and its staff, the Chief Judge hereby authorizes and directs all staff of the Tenth Judicial District to decline further requests of Mr. Khayet for assistance in his pending cases or any future cases.

**IT IS, THEREFORE, ORDERED** that Leo Khayet is prohibited from initiating any direct contact with chambers of the District Court judges and administrative assistants for such judges, with any staff personnel of the Clerk of the District Court, any members of Court Administration for this judicial district and any member of the Court Services department, whether by email, telephone, or in-person. Any violation of this order will subject Mr. Khayet to possible sanctions and/or citation in contempt of Court.

All contact and filing of papers that Mr. Khayet wishes to have with the Court must be in writing and sent to the Court by U.S. Mail. Any specific relief or matter to be addressed by the courts as sought by Mr. Khayet shall be limited to written motions filed in his pending active cases involving Mr. Khayet. Such matters may be addressed only by written motion filed in accordance with the Local Rules of the Tenth Judicial District and filed of record in the Court's case file.

*Nothing in this order restricts or is intended to restrict Mr. Khayet's ability to file pleadings or otherwise represent himself in his respective cases. However, the requirement now imposed on Mr. Khayet is that all pleadings must be sent to the Court by U.S. mail for filing in accordance with Kansas Supreme Court Rules and the Local Rules of the Tenth Judicial District.*

The court's mailing address is:

Clerk of the District Court  
150 West Santa Fe Street  
Olathe, KS 66061

Dated this \_\_\_\_\_ day of September 2022.

**IT IS SO ORDERED.**



*/s/ J. Charles Droege*

J. Charles Droege

Chief Judge -10<sup>th</sup> Judicial District

Johnson County District Court - Division 8

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of September, 2022, I served the above Order on Leonid Khayet by depositing a copy thereof in the United States Mail, with first class postage prepaid, affixed, and addressed to:

Leonid Khayet

14150 Russell Street, No. 207

Overland Park, KS 66223

And by email to Leonid Khayet at: LEOKHAYET@GMAIL.COM

*/s/ J. Charles Droege*

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS  
CIVIL COURT DEPARTMENT

In the Matter of: )  
)  
JANELLE ESCALANTE, )  
Petitioner, )  
and ) Case No 18CV3813  
) Division No. 14  
MATTHEW ESCALANTE, )  
Respondent. )

**ORDER RESTRICTING**

**MATTHEW ESCALANTE'S CONTACT WITH THE COURT**

1. Matthew Escalante, has demonstrated a persistent practice of contacting various Court personnel in various departments of the Tenth Judicial District, and Johnson County agencies and officials, in his quest to seek procedural assistance and/or relief in cases, both pending and closed, in this judicial district.

2. Mr. Escalante has ongoing issues regarding parenting time and child support in case 18CV3813, assigned to Division 14 and the Hearing Officer respectively. However, his pattern of behavior extends as well to a closed case in the U.S. Bankruptcy Court, a Protection From Stalking case -- 22CV3391, a closed criminal case in the Johnson County District Court -- 18DV1086, and various other matters which may or may not be connected to any actual case.

3. Mr. Escalante has repeatedly engaged various personnel in the Self-Help Center of the District Court and the Clerk of the District Court's office for the Tenth Judicial District through emails, telephone calls, and in-person contact. He has made repeated inquiries and requests for assistance and requests for documents unrelated to or tangentially related to and/or beyond the scope of 18CV3813, 18DV1086, 22CV3391, and other matters.

4. Mr. Escalante has incessantly emailed correspondence to the Help Center, the Clerk's office staff, and to various administrative assistants for the divisions of the District Court in which his cases are or have been previously assigned.

5. Mr. Escalante has extended his on-going requests and demands for action to Division 14 and other Divisions, the Hearing Officers, the Court Clerk's Office, the Self-Help Center, the Chief Judge, various police officers, the District Attorney's Office, the Kansas Department for Children and Families, the Office of the Disciplinary Administrator, the Kansas Commission on Judicial Qualifications, the GAL, Petitioner's counsel, and others.

6. Mr. Escalante's pattern of behavior has become onerous and harassing to the employees of the Tenth Judicial District Court, requiring the employees to have repetitive and lengthy engagements with him which far outweigh the nature and extent of services extended to other members of the public and to litigants in other Court cases and Court business.

7. In the interests of the expeditious and efficient administration of justice, so other members of the public may be served, and so employees time and energy are not monopolized by Mr. Escalante's practice of repeated requests for information, for meritless filings, seeking judicial responses, or relief through correspondence to the Court and its staff, the Chief Judge hereby authorizes and directs all staff of the Tenth Judicial District to decline further requests by Mr. Escalante for assistance in his pending cases or any future cases.

**IT IS, THEREFORE, ORDERED** that Matthew Escalante is prohibited from initiating any direct contact with chambers of the District Court judges and administrative assistants for such judges, with any staff personnel of the Clerk of the District Court or the Self-Help Center, any members of Court Administration for this judicial district and any member of the Court Services department, whether by email, telephone, or in-person. Any violation of this order will subject Mr. Escalante to possible sanctions and/or citation in contempt of Court.

All contact and filing of papers that Mr. Escalante wishes to have filed with the Court must be in writing and sent to the Court by U.S. Mail, U.P.S., or FedEx. Any specific relief or matter to be addressed by the courts as sought by Mr. Escalante shall be limited to written motions filed in any pending active case involving Mr. Escalante. Such matters may be addressed only by written motion filed in accordance with the Local Rules of the Tenth Judicial District and filed of record in the Court's case file.

***Nothing in this order restricts or is intended to restrict Mr. Escalante's ability to file pleadings or otherwise represent himself in his respective cases. However, the requirement now imposed on Mr. Escalante is that all pleadings must be sent to the Court by U.S. Mail, by FedEx, or by U.P.S., for filing in accordance with Kansas Supreme Court Rules and the Local Rules of the Tenth Judicial District.***

The court's mailing address is:

Clerk of the District Court

150 West Santa Fe Street

Olathe, KS 66061

Dated this 20th day of March, 2023.

**IT IS SO ORDERED.**

**BURMASTER DOESNT HAVE JURISDICTION TO COPY AN ADMINSTRATIVE  
ORDER FROM SAME ORDER YOU JUST SAW 2 SLIDE UP(AO 22-03) ONLY  
DROEGE COULD SIGN THIS ORDER FOR PROPER JURISDICTION NO MATTER  
/s/ Paul W. Burmaster  
HOW THEY TITLED IT, THE ORDER ISN'T JUST OVER ME, ITS OVER THE WHOLE  
District Court Judge  
COURTHOUSE. LEGALLY INSUFFICIENT SIGNED BY A DISTRICT JUDGE  
10<sup>th</sup> Judicial District**

Johnson County District Court - Division 14

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of March, 2023, I served the above Order on Matthew Escalante by depositing a copy thereof in the United States Mail, with first class postage prepaid, affixed, and addressed to:

Matthew Escalante  
20815 W. 99th St.  
Lenexa, KS 66220

And by email to Matthew Escalante at: [eskie678@aol.com](mailto:eskie678@aol.com)

**/s/Stacey Pennell**

Administrative Assistant - Div. 14

JUDGE PAUL BURMASTER  
in his official capacity of district judge )  
Petitioners )  
v. )  
MATTHEW ESCALANTE, )  
Defendant )

**OF THIS MOTION, THAT IS ALL TRUE**

**EXPARTE**  
**FATHERS MOTION TO CORRECT ILLEGAL**  
**SENTENCE IN MEMORANDUM OF LAW**

The Defendant, respectfully by and through his own counsel requests this Court correct the Defendant’s illegal sentence and delete it the sentence from County and State records. This Court convicted the Defendant on One count of Direct Criminal Contempt on April 27, 2023, of a legally insufficient show cause order lacking affidavit alleging any facts. The affidavit is required under Kansas Law of KSA 20-1204a, Contempt Procedure. As a result, the Defendant’s sentence violates K.S.A. 20-1204a and is an illegal sentence. The Defendant respectfully requests this Court remedy the Defendant’s illegal sentence by removing from Johnson County Correctional Record, the Charge of JoCo Booking #23003975, CONTEMPT - DIRECT, Bond Type, No Bond that is listed under Civil Case 18-CV03813, dated April 27, 2023. In support of the Courts duty to correct the Illegal Sentence of Direct Criminal Contempt, the Defendant shows unto Court the Following facts and case record exhibits in support:

**FACTUAL BACKGROUND**

1. Mr Matthew Escalante, is Respondent Father in Johnson County divorce case of 18-CV03813 Escalante vs Escalante, filed on in July of 2019. The high conflict divorce case, remains as such because the Court/Petitioner of the divorce has deviated from prior agreed upon and identified and then signed into Court Order, the Best Interest of Children principles for the parties two minor daughters, S.J.E and S.G.E. The former presiding judge Paul W Burmaster had prejudiced the Kansas father since, he acted as pro se litigant in Summer 2021, asking only simply for a hearing in the civil case 18CV03813, to address the issues of alienation in a Motion to Enforce Parenting Plan. The Court and Judge refused to enforce the Parenting Plan that was in place. And a catastrophic chain of events for all parties has resulted to now in April 2024, Judge Burmaster has been suspended from the Escalante proceedings entirely, been sued three times s in the US Courts Escalante vs Burmaster I, II, and III, and now a Burmaster IV is imminent as the Equal Employment Opportunity Commission has granted father a Letter and Notice to file yet another lawsuit and this time with the same claims from Burmaster I, a meritless gag order restricting filings that is completely counter to prior Kansas Rulings on Orders Restricting

filings.

2. On March 20, 2023, Judge Paul Burmaster sua sponte ordered Document 262 while offering no due process of the Law. A judge deos hold this ability to issue orders sua sponte but that Judge must exercise great due diligence and responsibility or the act of sua sponte can become an Abuse of Discretion that is prohibited under Kansas Judicial Codes of Kan R Rel Jud Cond 1 and 2.
3. Doc 262, with the undersigned Paul William Burmaster and stamped by the District Court on March 20, 2023 is a 3 page docuement, that upon inspection by any person can determine that the ORDER RESTRICTING MATTHEW ESCALANTE'S CONTACT WITH THE COURT, does not have an end date listed that the Restriction of Court Filings will end over the recipient of the Order, Father Matthew Escalante.
4. The argument of this Motion for Show Cause is Not Focused on the Doc 262 ORDER RESTRICTING MATTHEW ESCALANTE'S CONTACT WITH THE COURT. It is focused on the Facts, that Judge Paul W. Burmaster brought an Allegation upon the District Court on April 12, 2023, alleging that Mr Escalante violated the Doc 262 ORDER RESTRICTING and is verified issuing a SHOW CAUSE FOR CONTEMPT ORDER SUMMONS, attached hereto as Exhibit B.
5. In the State of Kansas, a moving party desiring to place another into Indirect or Direct Contempt must follow the Law of KSA 20-1204a, and this because the statutes indicate that no other course of Law exists for contempt proceedings in the State of Kansas outside of KSA 20-1204a.
6. Judge Burmasters, Order for Show Cause Summons, must have met the requirements of the statutes that he used to bring this summons/order for Contempt hearing. KSA 20-1204a holds  
*When an order in a civil action has been entered a), the court that rendered the same may order a person alleged to be guilty of indirect contempt of such order to appear and show cause why such person should not be held in contempt if there is filed a motion requesting an order to appear and show cause which is accompanied by an affidavit pecifically setting forth the facts constituting the alleged violation.*
7. Judge Burmaster improperly summoned the Defendant/Respondent with an Order for Show Cause that Lacked the Listing of a Single Fact as to what was the purported contempts violation action and what order was even violated. The vagueness of the missing required information under statute is clearly evident when a Fair reviewer takes into account KSA 20-1204a and then asks the question of, "What did Mr Escalante even do to be placed into Contempt?"

- 8, Legally insufficiency of the Contempt order/summons, File 18CV03813\_\*\*\*\*\* is verified as insufficient as the question of the purported offense is not able to be determined at all. Period.
9. The Defendant father became a victim to Div 14 negligence and it should be deemed as misconduct as well. Because it is factual, that Mr. Escalante is on court record during that April 27, 2023 hearing specifically telling the civil judge Paul Burmaster that he was not objecting to any hearing being held because he couldn't against an abuse of power, but he specifically cited for the transcriber, Carol Roberts to notate, that he was not waiving the Jurisdictional Defect of the Insufficient Show Cause Summons/Order that was not in adherence with Kansas Law of KSA 20-1204a.
10. The Defendants Court Appointed Counsel, Attorney Edward Bigus, also told the judge that day, that Meigs vs Black, case in the Appellate Court had made prior precedent ruling on the matters of Insufficient Show Cause Documents and that the Judge was leading a course of Action that was matter affecting one's liberty. And judge showed negligence in the form of Misconduct against Rule 2.3, of Kan R Rel Jud Cond 2, Bias/Prejudice as he then ignored all parties warnings that an unconstitutional deprivation of protected immunities was being taken from Matthew Escalante, his liberty and done so without proper jurisdictions of Burmaster not following the Law.
11. The Response from Judge Paul William Burmaster, that four witnesses of the Court, Admin Asst Stacey Pennell, Opposing Counsel Chris Wilson, Opposing Party Mother J.L.E, Court Transcriber Carol Roberts, and the Defendants Counsel Edward Bigus all heard from Judge in regards to the notification that he was not following Kansas Law and about to cause an Illegal Charge and Sentence Direct Criminal Contempt, was Judge stated, which is on record, that he said, "HE DIDNT HAVE TO FOLLOW THAT LAW"(referencing KSA 20-1204a indirect contempt procedure)
12. The Defendant has suffered by the Negligence, Carelessness, Harmful and Hateful treatment that Judge Paul Burmaster has given him for years. And this event is a testimony to it. The EEOC has now given the Defendant a Letter and Notice of Right to Sue the Johnson Co. 10th District Court under federal anti-discrimination statutes, but that will unfold in the future, but now the Defendant Motions to the Johnson County District Court to correct the Illegal Sentence of April 27, 2023, detainment of Matthew Escalante and Charge of Direct Criminal Contempt to be appropriate by way of Ex Parte issuance of Order Reversing the Charge (Booking Number 23003975) and Remove that wrongful demeaning prejudiced mug shot from county records because the Judge upon all facts of KSA 20-1204a, and the Revisor of Statutes Case Annotations alongside the JoCo court document of 18CV03813\_2043343.pdg deems it TRUE that Judge Paul Burmaster had NO authority nor jurisdiction to cause a course that put it there by false arrest.

WHEREFORE, the Defendant shows the Grounds for a reversal of sentence and removal of Charge DIRECT CONTEMPT upon the showing of the facts and case records of this April atrocity. Defendant formally requests to the Johnson County District Court Chief Judge to now correctly reflect the Defendants meritless arrest and county records of jail time served on April 27 and April 28, 2023. This entire Motion and Facts are supported in the Authorities of KSA 20-1204a Case Annotated, in specific the Case of 1. Contempt proceedings founded in statute must follow prescribed procedure and be strictly construed against movant. *In re Seelke*, 235 Kan. 468, 470, 680 P.2d 288 (1984), & Case of #7. No contempt proceeding unless motion and affidavit requesting order to appear and show cause filed. *Everett v. Topeka Correctional Facility*, 16 Kan. App. 2d 739, 741, 828 P.2d 949 (1992), & Case of #10. Motion for contempt pursuant to K.S.A. 20-1204a is strictly construed against the movant. *Electronic Realty Assocs., Inc. v. Gomez*, 18 Kan. App. 2d 122, 124, 848 P.2d 458 (1993). & #12. Instrument, simply acknowledged, setting forth facts constituting alleged contempt insufficient to support indirect contempt order. *Meigs v. Black*, 25 Kan. App. 2d 241, 960 P.2d 770 (1998). The Defendants charge of April 27, 2023 was without jurisdiction to call him into to Court, from the Deficient 18CV03813\_2043343.pdf, having not listed a single fact of any allegations to support a Motion/Order for Show Cause, and that is not consistent with KSA 20-1204a, it was independent of the Law of KSA 20-1204a, and again Kansas Law of 20-1204a and Case #1 states the following

*1. Contempt proceedings founded in statute must follow prescribed procedure and be strictly construed against movant. In re Seelke 235 Kan. 468, 470, 680 P.2d 288 (1984).*

**The Johnson County District Court is now asked by motion demand and facts to Reverse and Delete the Charge and Sentence from the State Courts records entirely please. And offer any other relief that may be proper equitable and just, please.**

Respectfully Submitted,

/s 

Matthew Escalante  
733 Hemlock  
Gardner KS 66030  
Phone 913-286-2250  
Email Eskie678@aol.com  
Fax No Fax



## TABLE OF AUTHORITIES

1. Contempt proceedings founded in statute must follow prescribed procedure and be strictly construed against movant. *In re Seelke*, 235 Kan. 468, 470, 680 P.2d 288 (1984).
2. Contempt proceedings for past-due child support payments not defeated by children reaching adult-hood; absence of affidavit waived by past conduct. *Johnson v. Johnson*, 11 Kan. App. 2d 317, 319, 320, 721 P.2d 290 (1986).
3. Contempt reversed in holding K.S.A. 23-106 permits either parent, noncustodial or custodial, to give consent to minor child's marriage. *Yoder v. Yoder*, 11 Kan. App. 2d 330, 333, 721 P.2d 294 (1986).
4. Statute may be used to enforce payment of past-due court-ordered child support installments after children reach majority. *Crumpacker v. Crumpacker*, 239 Kan. 183, 718 P.2d 295 (1986).
5. Cited; contempt of court for disposing of subject matter of lawsuit while litigation pending examined. *Edmiston v. First Nat'l Bank of Holcomb*, 242 Kan. 13, 15, 18, 744 P.2d 829 (1987).
6. Citation for contempt as not a proceeding for keeping a judgment alive (K.S.A. 60-2403) examined. *Cyr v. Cyr*, 249 Kan. 94, 99, 815 P.2d 97 (1991).
7. No contempt proceeding unless motion and affidavit requesting order to appear and show cause filed. *Everett v. Topeka Correctional Facility*, 16 Kan. App. 2d 739, 741, 828 P.2d 949 (1992).
8. Service by certified mail on party allegedly in contempt insufficient to confer jurisdiction; subsequent proceedings also void. *Sramek v. Sramek*, 17 Kan. App. 2d 573, 575, 840 P.2d 553 (1992).
9. Trial court did not err in granting summary judgment on claim of false arrest and imprisonment. *Dozier v. Dozier*, 252 Kan. 1035, 1037, 1041, 1042, 1043, 850 P.2d 789 (1993).
10. Motion for contempt pursuant to K.S.A. 20-1204a is strictly construed against the movant. *Electronic Realty Assocs., Inc. v. Gomez*, 18 Kan. App. 2d 122, 124, 848 P.2d 458 (1993).
11. Actions of attorney who was tardy and absent from scheduled hearings constituted direct contempt. *State v. Jenkins*, 263 Kan. 351, 357, 364, 950 P.2d 1338 (1997).
12. Instrument, simply acknowledged, setting forth facts constituting alleged contempt insufficient to support indirect contempt order. *Meigs v. Black*, 25 Kan. App. 2d 241, 960 P.2d 770 (1998).
13. Defendant's uncounseled misdemeanor conviction included in criminal history score; imprisonment was for contempt, not for conviction. *State v. Long*, 41 Kan. App. 2d 477, 203 P.3d 45 (2009).
14. Personal service required on party alleged to be in contempt of court. *Padron v. Lopez*, 289 Kan. 1089, 220 P.3d 345 (2009).
15. An accused person must be present in court for a district judge to proceed with an indirect contempt hearing. *S.M.J. v. Ogle*, 310 Kan. 211, 444 P.3d 997 (2019)

KSA 22-3504 Correction of Sentence

Constitutional Amendment 14.S1.5.2 Liberty Deprivations and Due Process

## CERTIFICATE OF SERVICE

I hereby certify that the Motion to Correct Illegal Sentence in Memorandum of Law was sent to the Clerk of the Johnson County District Court on April 5th 2024 and to the following parties in proceeding

J.L.E through Attorney Chris Wilson  
cwilson@bkwflaw.com

Guardian ad litem  
Lewanna Bell Lloyd  
Lewannalaw@gmail.com

# EXHIBIT A- Insufficient/Inconsistent/No Juris

18CV03813  
Div14

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS  
CIVIL COURT DEPARTMENT

In the Matter of: )  
)  
Janelle Escalante, )  
Petitioner, )  
and )  
Matthew Escalante, )  
Respondent. )

Case No. 18CV3813  
Division No. 14

**ORDER TO APPEAR AND SHOW CAUSE**

To: **Matthew Escalante**

It having been made to appear to the Court that you have failed to comply with the previous orders entered by this Court. You are hereby commanded to appear on the 27th day of April, 2023 at 9:30 a.m. in the District Court of Johnson County, Kansas, Division 14, and show cause, if any you have, why you should not be punished for indirect contempt of this Court. Failure to appear will result in a warrant for your arrest.

**IT IS SO ORDERED.**

*/s/ Paul W. Burmaster*  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

**PRAECIPE FOR SERVICE**

To the Sheriff of JOHNSON  
County, KS, serve Defendant at:

MATTHEW ESCALANTE  
11741 S BRENTWOOD DR  
OLATHE, KS 66062

In The Matter Of  
ESCALANTE, JANELLE

Case No: JO18C003813  
Division: 14

And

ESCALANTE, MATTHEW

**EXHIBIT B - For Comparative to Exhibit A**  
**Exhibit B is Sufficient/Jurisdiction**  
**ORDER TO APPEAR AND SHOW CAUSE**

TO: MATTHEW A. ESCALANTE  
20815 W 99<sup>TH</sup> ST  
LENEXA, KS 66212

UPON REVIEW of the Motion for an Order to Show Cause and supporting Affidavit alleging that you should be held in Contempt of Court:

**IT IS HEREBY ORDERED** that MATTHEW A. ESCALANTE, Obligor in the above-captioned case, personally appear before the Court on **May 18, 2023, at 9:30 a.m., in Room 1A** of the Johnson County Courthouse, 150 W. Santa Fe, Olathe, KS 66061 to show cause as to why he or she should not be held in Contempt of Court for failing to comply with this Court's orders as alleged. **Failure to appear as ordered will result in a warrant being issued for your arrest.**

**YOU ARE FORMALLY NOTIFIED** that Contempt of Court proceedings have penalties ranging from additional financial penalties to potential incarceration. As such, you are entitled to retain an attorney to represent you, or you may apply for a court-appointed attorney if you claim you cannot afford one. If you do not retain an attorney and the Court finds that you are not entitled to an appointed attorney, you will be required to represent yourself. The Court may or may not grant a continuance in order to hire counsel.

**YOU ARE FORMALLY NOTIFIED** that whether or not you have the ability to pay your support obligation as ordered will be a primary consideration of the Court in determining whether your non-payment is willful and thus in Contempt of Court. If you intend to claim "inability to pay" as your defense to this Accusation in Contempt, or if you intend to ask for an appointed attorney claiming you can't afford one, **you must bring with you** the following kinds of documentation to the hearing to assist the Court in making that determination:

- a. If disabled, copies of disability award and paperwork, copies of recent disability checks, and copies of rent, utility bills and other bills and expenses paid from disability proceeds.
- b. If claiming there is a medical reason why you are unable to work, medical records, workers comp records, or a statement or records from a medical provider giving an explanation of your condition.
- c. If unemployed, copies of your last paycheck from your previous job, copies of current unemployment checks, and copies of rent, utility bills and other bills and other expenses paid from unemployment proceeds.
- d. If employed, but unable to make full support payments, bring copies of current employment checks, and copies of rent, utility bills and other bills and other expenses paid from employment proceeds.
- e. Any and all financial documentation, including your W2s, 1099 forms and state and federal tax returns for the last three years.
- f. Any documentation verifying you receive federal or state welfare benefits including food stamps, housing assistance, childcare assistance or temporary assistance for needy families.

*Clerk of the District Court, Johnson County Kansas*  
04/11/23 03:54pm CM

ESCALANTE, JANELLE

Case No: JO18C003813

And

ESCALANTE, MATTHEW

- g. Any documentation verifying you receive temporary disability payments and/or worker's compensation benefits.
- h. Recent bank statements for any account held in your name or jointly with another person which show self-employment income and expenses or personal income and/or expenses.
- i. Documentation concerning any automobiles or other vehicles, homes or other real property or other asset of significant value.
- j. Any other financial documentation that supports your claim of inability to pay.

Date: 4/4/2023

/s/ Michael Anderson  
Hearing Officer

Prepared By:

/s/ Bradly Bergman, #22792  
Deputy District Court Trustee  
150 W Santa Fe Suite 1400  
Olathe, Kansas 66061  
(913) 715-3600 FAX# (913) 715-3700  
court-trustee@jocogov.org

*Clerk of the District Court, Johnson County Kansas*  
*04/11/23 03:54pm CM*

ESCALANTE, JANELLE

And

ESCALANTE, MATTI

I hereby certify that a true and correct copy of this electronic notification, certificate, and order is being filed with the court.

JANELLE L. ESCALANTE  
(Address on file with Court)

MATTHEW ESCALANTE  
ESKIE678@AOL.COM

/s/ Bradly Bergman, #22  
Deputy District Court Trustee  
150 W Santa Fe Suite 100  
Olathe, Kansas 66061  
(913) 715-3600 FAX# (913) 715-3601  
court-trustee@jocogov.com

Case No: JO18C003813

**THE FATHER OF 18CV03813 was being battered with false claims and dogged b/c he was struggling with Child Support and the Truth is the Court was retaliating on him while telling him to get a job and the Court was issuing void gag orders restricting filings and on that day of March 20, 2023 and ORDER RESTRICTING MATTHEW ESCALANTE'S CONTACT WITH THE COURT was issued in prejudice, well Burmaster in misconduct issued that order to hide disclosures i was making of judge conduct, and he didn't know i was being interviewed by the Court for a job at that time the gag order has no jurisdiction and it over stepped federal anti discrimination law to**

**prejudice and silence a whistle blower**

Title VII does not define "color", but the Equal Employment Opportunity Commission reads "color" to have its commonly understood meaning, namely, pigmentation, complexion or skin shade or tone. Therefore, color discrimination occurs when a person is discriminated against based on the lightness, darkness, or other color characteristic of the person. When Title VII was amended in 1972 it provided that "all personnel actions affecting employees ... shall be made free from any discrimination based on race, color, religion, sex or national origin." (emphasis added) The United States Supreme Court has held that Title VII's prohibition "to assure



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

St. Louis District Office  
1222 Spruce, Room 8100  
St. Louis, MO 63103  
(314) 798-1960  
Website: www.eeoc.gov

**DETERMINATION AND NOTICE OF RIGHTS**  
(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 03/12/2024

To: Matthew A. Escalante  
733 S Hemlock St  
Gardner, KS 66030

Re: Matthew A. Escalante v. State of Kansas / 10th Judicial District/ Johnson County  
District Court  
EEOC Charge Number: 28D-2023-00538

EEOC Representative and email: Joseph J. Wilson  
State, Local & Tribal Program Manager  
Joseph.Wilson@EEOC.gov

**DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC has adopted the findings of the state or local fair employment practices agency that investigated your charge.

**NOTICE OF YOUR RIGHT TO SUE**

... your people hired was within ... class, and all four people hired were female, while ... is male. One of the four people hired was outside Complainant's protected class of color, and the color of the other three is not known.

Clerk of the District Court, Johnson County Kansas  
04/11/23 03:54pm CM

**BOOKING NUMBER: 23003975**

**BOOKING DATE: 04/27/23**

**RELEASE DATE: 04/28/23**

**CHARGE & BOND INFORMATION**

**COURT DATES**

<b>CASE#</b>	<b>CHARGES</b>	<b>BOND AMOUNT</b>	<b>BOND TYPE</b>	<b>JAIL DISPO</b>	<b>COURT LOCATION</b>	<b>COURT DATE</b>
<u>18CV03813</u>	CONTEMPT-DIRECT		NO BOND	RELEASE ORDER		



**BOOKING NUMBER: 23003975**

**BOOKING DATE: 04/27/23**

**RELEASE DATE: 04/28/23**

**CHARGE & BOND INFORMATION**

**COURT DATES**

<b>CASE#</b>	<b>CHARGES</b>	<b>BOND AMOUNT</b>	<b>BOND TYPE</b>	<b>JAIL DISPO</b>	<b>COURT LOCATION</b>	<b>COURT DATE</b>
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