

STATE OF MINNESOTA
COUNTY OF POLK

DISTRICT COURT
NINTH JUDICIAL DISTRICT
CIVIL DIVISION

TIMOTHY CHARLES HOLMSETH,
PETITIONER,

vs.

CITY OF EAST GRAND FORKS,
RESPONDENT,

COURT FILE NO.

MOTION
AND
REQUEST FOR
INJUNCTIVE RELIEF

July 27, 2014

Dear Administrator,

Because I am not an attorney, I am not trained in the field of law, and may not be filing this Motion exactly the way a licensed attorney might.

Petitioner does hereby request the Court grant temporary injunctive relief against Respondent pursuant to Rule 65.01 Minnesota Civil Procedure.

Petitioner requests East Grand Forks Power and Lights be forbidden from shutting off the power at 320 17th Street N.W. Unit 17, East Grand Forks, Minnesota, 56721.

My request is based up the following.

STATEMENT OF TIMOTHY CHARLES HOLMSETH

1. I am Pro Se and approved to proceed In Forma Pauperis in Minnesota Case Number 60-FA-13-468.
2. I am Pro Se and was approved on 07/22/2014 to proceed In Forma Pauperis in U.S. District Court case number 0:14-cv-02970-DWF-LIB.
3. I am requesting injunctive relief against the City of East Grand Forks Water and Light Department (hereby referred to as Respondent) forbidding Respondent from disconnecting my power, and/or until further order of this Court.
4. I have no income whatsoever and cannot pay to keep my electricity turned on.

5. The reason I have no income is the express responsibility of Respondent and select employees thereof.
6. Elected local leaders, government employees, law enforcement officers, and even court officers have been using 'Color of Law' and personal connections to violate my rights; in this instance, to hinder my ability to earn, and have taken special measures to get me fired from jobs.
7. Facts and circumstances indicate the aforementioned individuals may be under criminal investigation by state and/or federal authorities.
8. The aforementioned elected leaders and government employees are angry that I reported government corruption to United States Attorney B. Todd Jones, Minneapolis FBI, the Minnesota State Auditor's Office, and the Minnesota Bar Association.
9. In the summer of 2013 I was contacted by Matthew Petrovich, the guardian ad litem assigned to my son. He told me he had been reading my website where I had been publishing articles about local corruption. The articles I wrote included articles about corruption involving the East Grand Forks Police Department and City Attorney Ronald Galstad. Petrovich emailed me and told me I needed to get off the internet and start thinking about '**what is important to me**'. He was referring to my son. Only a few months later, my son's mother filed a Motion to the Family Court alleging I was "delusional" and "paranoid". She printed off articles I published about local officials and submitted them as evidence to support her assertion. Petrovich then submitted a Guardian Report asserting I am "paranoid" in all areas of my life and should be required to see my son under supervision. He stated I had filed complaints against the EGFPD and Ronald Galstad and pointed at that as evidence of my destructive 'paranoia'. In December of 2013, I was assessed by Dr. Madaline Barnes PhD. **She determined I am a fine father; mentally healthy; and recommended my parenting-time should be immediately re-instated.** Barnes' assessment was the **THIRD** time I had passed a Parental Capacity Evaluation – always defending myself against the onslaught of claims about my mental health. Nonetheless, Petrovich continued to attend court hearings and claim to the Judge I pose a threat to my son because I am "paranoid" and recommended I see him under supervision.
10. That matter is still under advisement by the Court. The reason it was pointed out in this Statement of Facts will be shown further in the statement.
11. On 07/22/14 I became the Plaintiff in a federal lawsuit against the City of East Grand Forks et al – U.S. District of Minnesota civil case # 0:14-cv-02970-DWF-LIB. The lawsuit is a civil rights action under 42 – U.S.C. – 1983 (Deprivation of Rights).

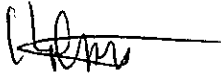
12. The lawsuit demonstrates a pattern and practice of the City of EGF violating my rights for a period spanning five years. Defendants named in the lawsuit have; among many different rights violations; deliberately targeted my employment and ability to earn.
13. For instance, in 2009, I was hired for a job through Express Personnel to work for the Grand Forks/East Forks Metropolitan Planning Organization. See Attached. I sat in the office of EDHA Director James Richter shortly before I began working. I worked only a few hours and was then told I was done. No explanation. However, the project itself continued.
14. Between 2009 and 2014 the City of East Grand Forks and Polk County Sheriff's Office has used its resources and 'Color of Law' to prevent me from drawing an income as a reporter and publisher.
15. The most recent example of the City's deliberate targeting of my employment was by EDHA Director James Richter. I became employed in January of 2014 and was required to alert EGF/EDHA/HUD to my income change.
16. James Richter subsequently instructed EDHA employee Kim Nelson to shred an address verification form regarding me, which was sent to the EDHA office by the investigative agency doing an employment background check on me for the United States Department Commerce. At the time the background check was being performed I was gainfully employed.
17. Kim Nelson told me James Richter told her to shred the address verification form and not respond to it. She said he was nervous because it came from a federal agency. This event occurred at a time the EDHA was being audited. The audit resulted in irregularities that have become known as the 'Boardwalk Enterprises' loan fraud scandal reported by the Grand Forks Herald and WDAZ.
18. The fallout resulted in James Richter retiring and EGF City Attorney Ronald Galstad being replaced by an outside lawyer for purposes of the 'Boardwalk Enterprises' investigation.
19. I filed a complaint regarding James Richter tampering with my employment and documents, and in June of 2014, EGF City Administrator David Murphy admitted that upon investigation, he learned Richter instructed Nelson to shred my address verification form. See Attached.
20. As was set forth in line item number nine, I was labeled by Minnesota Guardian ad Litem Matthew Petrovich as "paranoid" – a label that was to the express benefit of the City of EGF (but not backed up by one single mental health professional or anybody else). However – the facts and circumstances that unfolded in the spring of 2014 regarding James Richer shredding my federal background check verification form, as well as several city officials, and their

family (James Richter, Ronald Galstad, Lynn Stauss, Dan Stauss) being involved in a loan fraud scheme, proves I was right the entire time and was being targeted via my child and any other avenue they could find to hobble me.

21. Also employed by the City of EGF is Karen Lukasz, Housing Coordinator, EDHA. Kim Nelson told me Lukasz is the 'bookkeeper' that kept the books that resulted in the 'Boardwalk Enterprises' scandal. She also told me Karen Lukasz and James Richter were (at some in point in time) engaged in an extramarital affair. She also told me Richter commonly gave illegal instructions to deprive people of their rights to services (if he didn't like them). She also said he committed loan fraud in the past (before Boardwalk) and got away with it.
22. Karen Lukasz is married to Michael Lukasz. Michael Lukasz is an employee at the National Weather Service, Grand Forks. The National Weather Service is where I was gainfully employed while the background check was being done. I was employed by Five Star Enterprise to perform janitorial duties at the National Weather Service building. It was my full access to the National Weather Service building that required the aforementioned federal background check be conducted on me.
23. As is set forth in considerable detail in my federal complaint, Jeannette Ringuette, the Administrative Assistant at the National Weather Service building, and official Point of Contact between the NWS facility, Five Star Enterprises, and myself, began incessantly contacting Joe Armstrong at Five Star Enterprises shortly after I began working there and trying to have Five Star Enterprises fire me.
24. After my employment suitability background check (clearance) finally passed through the United States Department of Commerce to the chagrin of James Richter, Karen Lukasz, and Jeannette Ringuette; the fact that my clearance went through was kept a secret by Jeannette Ringuette for two weeks as she continued to contact Joe Armstrong to complain about me. Armstrong told me that Ringuette told her an employee at the NWS facility directed her to my website (I am an award-winning reporter, journalist, author, and publisher). Ringuette also told Armstrong I have had "trouble with the police". Joe Armstrong told me this was clearly a false statement by Ringuette because I passed the federal background check performed by the Department of Commerce, as well as a background check by Five Star Enterprises.
25. Joe Armstrong told me that when he refused to fire me because I was good employee with a clean record, Jeannette Ringuette and/or Greg Gust (acting supervisor at the NWS) contacted the main office of Five Star Enterprise in Kansas City and demanded I be fired.
26. The day before Joe Armstrong told me he had to terminate me, Michael Lukasz called me a "total scumbag" in the open air of the NWS operations room at the

NWS facility in front of several witnesses although my business there did not involve him whatsoever.

27. David Murphy, Ronald Galstad, James Richer, and Jeannette Ringuette are all named as Defendants in the civil rights action I filed in federal court.
28. The aforementioned facts demonstrate the City of East Grand Forks and the express efforts of its corrupt employees and/or others are responsible for me losing my job.
29. I respectfully ask the Court to issue a temporary injunction against the City of East Grand Forks forbidding them from shutting off my power until further Order of this Court.

Joseph Charles 
07/27/2014

6DIV,CV,PRO-SE

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:14-cv-02970-DWF-LIB**

Holmseth v. City of East Grand Forks et al
Assigned to: Judge Donovan W. Frank
Referred to: Magistrate Judge Leo I. Brisbois
Cause: 42:1983 Civil Rights Act

Date Filed: 07/22/2014
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Timothy Charles Holmseth

represented by **Timothy Charles Holmseth**
#17
320 17th Street NW
East Grand Forks, MN 56721
218-773-1299
PRO SE

V.

Defendant

City of East Grand Forks
*a municipal entity in the state of
Minnesota*

Defendant

Ronald Galstad
*city attorney for City of East Grand
Forks, in his official and individual
capacity*

Defendant

Barb Erdman
*Sheriff of Polk County, Minnesota, in
her official and individual capacity*

Defendant

James Richter
*director of Economic Development and
Housing Authority (retired), in his
official and individual capacity*

Defendant

Michael Hedlunc

chief of police for City of East Grand Forks, in his official and individual capacity

Defendant**David Murphy**

administrator for the City of East Grand Forks, in his official and individual capacity

Defendant**Rodney Hajicek**

lieutenant detective at East Grand Forks Police Department, in his official and individual capacity

Defendant**Aeisso Schrage**

police officer at East Grand Forks Police Department, in his official and individual capacity

Defendant**Michael Lacoursiere**

public defender for Minnesota Public Defender's Office, in his official and individual capacity

Defendant**John Doe**

in his/her official and individual capacity

Defendant**Jeanette Ringuette**

administrative assistant at the Grand Forks National Weather Service Office, in her official and individual capacity

Date Filed	#	Docket Text
07/22/2014	<u>1</u>	COMPLAINT against City of East Grand Forks, John Doe, Barb Erdman, Ronald Galstad, Rodney Hajicek, Michael Hedlunc, Michael Lacoursiere, David Murphy, James Richter, Jeanette Ringuette, Aeisso Schrage. Case

		assigned to Judge Donovan W. Frank per 6th Civil Rights List referred to Magistrate Judge Leo I. Brisbois. Filed by Timothy Charles Holmseth. No summons requested. (Attachments: # <u>1</u> Exhibit(s) A, B, C, # <u>2</u> Exhibit(s) D, E, F, G, # <u>3</u> Exhibit(s) H, I, J, K, # <u>4</u> Exhibit(s) L, M, N, O, P, # <u>5</u> Exhibit(s) Q, R, S, # <u>6</u> Exhibit(s) T and Additional, # <u>7</u> Envelope) (lmb) cc: Timothy Charles Holmseth. Modified on 7/23/2014 (lmb). (Entered: 07/23/2014)
07/22/2014	1 <u>2</u>	Application to Proceed in District Court without Prepaying Fees or Costs filed by Timothy Charles Holmseth. (lmb) (Entered: 07/23/2014)

Timothy Charles Holmseth
#17
320 17th Street NW
East Grand Forks, MN 56721

Mr. Timothy Holmseth
320 17th St. N.W. Unit 17
East Grand Forks, MN 56721

June 16, 2014

RE: June 12, 2014 Employment History Request

Dear Mr. Holmseth:

I am writing this letter in response to your Employment History Request dated June 12, 2014 and hand delivered to East Grand Forks City Hall.

I have checked with City Staff and have found that the projects for traffic counting were run through the Grand Forks/East Grand Forks Metropolitan Planning Organization, not the City of East Grand Forks. Any records regarding your employment counting cars would be kept in their files. Their contact information is:

Grand Forks/East Grand Forks Metropolitan Planning Organization
Executive Director Earl Haugen
255 N. 4th St.
P.O. Box 5200
Grand Forks, ND 58206-5200
701 746-2660

Sincerely,

David Murphy
City Administrator

Report Date 08/17/2014
Report Time 10:42 AM

Workforce Summary
Timothy J Holmstedt

User: ~~XXXXXXXXXX~~
Cell: 1437

ASSIGNMENT HISTORY

Company Name/Dept: BMS CAT

JO #: B800

Start Date: 11/04/2009 Approx. End Date: 11/06/2009

Actual End Date: 11/03/2009

Assignment Status: Associate canceled before start date

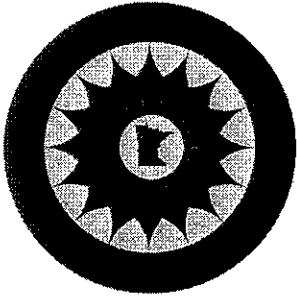
Company Name/Dept: Grand Forks / East Grand Forks Metropolitan
Planning Organization

JO #: B140

Start Date: 09/29/2009 Approx. End Date: 09/30/2009

Actual End Date: 09/30/2009

Assignment Status: Client ended early (work load)



City of East Grand Forks

Mr. Timothy Holmseth
320 17th St. N.W. Unit 17
East Grand Forks, MN 56721

June 12, 2014

RE: May 30th Complaint Form Regarding Employment Verification Form

Dear Mr. Holmseth:

I am writing this letter in response to your Complaint Form dated May 30th, 2014 and hand delivered to East Grand Forks City Hall.

I have reviewed your complaint and have interviewed all witnesses that still work for the City. After my review I have concluded the following:

- City Employee Kim Nelson received a letter addressed specifically to her, not to the City or EDHA from a Federal Agency.
- Ms. Nelson was out on leave during the time that the letter arrived.
- Ms. Nelson picked up the letter when she came in to the office to collect some personal items and brought it to her residence.
- Ms. Nelson opened the letter at her residence and phoned in to the EDHA Office to inquire what she should do with it.
- Ms. Nelson told EDHA Director Jim Richter that she had received an address verification form regarding Timothy Holmseth and that contained Mr. Holmseth's address, but not his apartment number.
- Mr. Richter told her that the policy was to shred documents that contain personal information and asked her if she had a shredder. She stated that she did and he told her to shred it.

After review of this situation, I have determined that the document was shredded in error. If you are still in need of address verification, please feel free to have the requesting entity to contact me..

Sincerely,

David Murphy
City Administrator