

The United States District Court District of Colorado 901 19th St, Denver, CO 80294 (303) 844-3433 Plaintiff: Joshua Abrams v. Defendant(s): Division of Unemployment Insurance, JOE BARELA JEFF FITZGERALD Etc.	FILED UNITED STATES DISTRICT COURT DENVER, COLORADO <i>8:03 am, May 02, 2025</i> JEFFREY P. COLWELL, CLERK ▲ COURT USE ONLY ▲
Joshua Abrams, Pro Se abramslive@gmail.com 720-910-4829 1881 E 112th Pl, Northglenn Colorado 80233	Case Number: 1:24-cv-03390-RMR Division: Courtroom
Plaintiff's Emergency Injunction Reply Brief	

Plaintiff, Joshua Abrams, arguing pro se, disabled, and indigent respectfully submits this Reply to address critical deficiencies in Defendants' Response to Plaintiff's Emergency Motion for Injunctive Relief. Defendants' Response not only mischaracterizes the nature of Plaintiff's claims, but also fundamentally fails to engage with the complete record before the Court—including Plaintiff's March 25, 2025 Brief in Support of Emergency Injunction (Dkt. 16) and its accompanying exhibits documenting systemic, ongoing constitutional violations.

Rather than rebutting the factual showing of widespread deprivations of due process, access to justice, and Americans with Disabilities Act protections, Defendants narrowly confine their arguments to Plaintiff's individual circumstances. They instead present an idealized depiction of administrative procedures which, as the record conclusively shows, do not function in practice. Their failure to address the broader constitutional issues raised, combined with their omission of any engagement with Plaintiff's supplemental filings, operates as a concession under binding when failure to respond to argument may constitute waiver or consent.

Defendants' selective and incomplete response only underscores the urgent need for this Court's immediate intervention to preserve the constitutional rights of not just Plaintiff, but thousands of similarly situated Coloradans and growing, whose access to critical public benefits remains impermissibly restricted by a broken and unconstitutional administrative structure.

Plaintiff's March 25, 2025 Brief in Support of Emergency Injunction (Dkt. 16) significantly expanded upon the original Emergency Motion by presenting unrebutted evidence of systemic violations of the First, Fourth, and Fourteenth and even numerous amendments; statutory violations of the Social Security Act § 303 and 42 U.S.C. § 503; and failures under Title II of the Americans with Disabilities Act.

The Brief documents pervasive harm inflicted upon thousands of Colorado claimants through public Google Maps reviews, investigative journalism, and formal oversight reports from the U.S. Department of Labor's Office of Inspector General (Exhibits A–C). It further reveals contractor misconduct, ineffective fraud prevention practices, and deliberate administrative obstruction of claimant rights. Plaintiff proposed targeted, reasonable reforms—such as creating integrity hold appeals processes, implementing enhanced notice requirements, and expanding accessible communication alternatives.

Defendants' Response fails to engage any of these systemic issues. Instead, it limits itself to Plaintiff's individual circumstances and ignores the extensive evidence of broader constitutional violations. This non-response constitutes a waiver leaving the systemic violations undisputed for purposes of this Motion.

The procedural history in this matter is straightforward and dispositive on the question of Defendants' engagement with the record:

- **February 26, 2025** — Plaintiff filed an Emergency Motion for Injunctive Relief, identifying immediate constitutional and statutory violations arising from systemic failures within the Division of Unemployment Insurance's communications and appeals processes.
- **March 25, 2025** — Plaintiff filed a Brief in Support of Emergency Injunction (Dkt. 16), substantially expanding upon the original Emergency Motion. This filing included evidence of systemic due process violations, ADA compliance failures, widespread claimant harm, and public interest factors compelling immediate judicial oversight.
- **Around April 4, 2025** — Counsel for Defendants entered their appearance on the docket, thereby gaining full access to the Court's electronic records, including all supplemental filings.
- **April 7, 2025** — Defendants moved for and were granted an extension of time to respond to Plaintiff's Emergency Motion. The extension encompassed all live filings on the record, including Plaintiff's March 25 Brief and the accompanying evidence.
- **April 21, 2025** — Defendants filed their Response. However, Defendants' Response fails to address or even acknowledge Plaintiff's March 25, 2025 Brief in Support or the systemic constitutional issues, legal arguments, and exhibits raised therein.

Plaintiff respectfully submits that Defendants' failure to engage with the full factual and legal record constitutes waiver of opposition to those arguments and factual assertions.

In particular, Plaintiff's March 25, 2025 Brief introduced unrebutted evidence demonstrating that the Division's phone systems, online portals, notice mechanisms, and integrity hold review processes systematically violate the constitutional rights of claimants statewide by denying timely notice, appealability, and reasonable access to administrative remedies thereby amounting to ongoing deprivation of property rights without due process of law in direct contravention of the 1st and Fourteenth Amendment.

(A) Plaintiff's Emergency Motion Satisfies the Standard for Injunctive Relief

Defendants wrongly characterize Plaintiff's Emergency Motion as seeking a "disfavored" form of relief. In fact, Plaintiff's Motion squarely satisfies the ordinary standard for preliminary injunctive relief and is fully consistent with controlling Tenth Circuit authority.

A preliminary injunction requires showing: (1) a substantial likelihood of success on the merits; (2) a threat of irreparable harm absent the injunction; (3) that the balance of equities favors the moving party; and (4) that the injunction is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). Plaintiff's March 25, 2025 Brief in Support of Emergency Injunction (Doc. 16), which Defendants ignored, provided detailed factual and legal grounds establishing all four elements. Plaintiff satisfies all 4 elements in full detail later in this brief.

(B) Defendants' Ongoing Due Process Violations Are Unrebutted

The heart of Plaintiff's Emergency Motion—and the March 25, 2025 Brief—is the ongoing and systemic denial of procedural due process to thousands of claimants, including Plaintiff.

Defendants' Response does not refute these essential facts:

- Defendants admit that no actionable disqualification decision was ever issued after the Plaintiff's 2023 integrity hold was triggered;
- No notice of disqualification, no explanation of appeal rights, and no communication of a denial was ever transmitted to Plaintiff regarding either the 2023 or 2025 claim periods;
- Defendants attempt to retroactively justify their inaction by asserting that Plaintiff "returned to work," without identifying any contemporaneous determination, notice, or documented closure of the 2023 matter as required under their own integrity hold protocols.

Critically, Defendants' own declarations confirm that when a claimant fails to respond to an integrity hold within seven days, the Division is obligated to issue a disqualification notice,

including an appealable determination. Yet they now seek to excuse their admitted failure by referencing post hoc facts irrelevant to the actual seven-day statutory and procedural deadlines. No document has been produced, no date of mailing or issuance has been identified, and no proof of delivery has been presented.

This failure is not a mere technicality—it strikes at the core of Plaintiff’s constitutional claims. Without an actionable disqualification decision, Plaintiff was deprived of any opportunity to appeal, to seek administrative remedy, or to petition the Division for redress. These omissions violate well-established due process standards under *Goldberg v. Kelly*, 397 U.S. 254 (1970) and *Mathews v. Eldridge*, 424 U.S. 319 (1976), which require notice and a meaningful opportunity to be heard before deprivation of a protected property interest.

Defendants’ evasions, contradictions, and incomplete record demonstrate that Plaintiff’s harms were not isolated errors but the predictable and systemic result of constitutionally defective administrative practices that remain ongoing. Immediate judicial intervention is thus warranted to prevent further irreparable harm. These failures constitute textbook procedural due process violations. The Fourteenth Amendment requires that individuals be afforded "adequate notice and a meaningful opportunity to be heard" prior to the deprivation of protected interests.

Mathews v. Eldridge, 424 U.S. 319, 333 (1976); *Goldberg v. Kelly*, 397 U.S. 254, 267–68 (1970).

Where no notice or appealable determination is issued—as occurred here—the exhaustion doctrine cannot apply. See *McCarthy v. Madigan*, 503 U.S. 140, 146–48 (1992) (exhaustion not required where administrative remedies are unavailable or inadequate).

This selective non-response constitutes a procedural and substantive concession under District of Colorado Local Rule 7.1(d) and binding Tenth Circuit precedent. The Court is therefore entitled

to treat Plaintiff's evidence of systemic violations as uncontested and to grant emergency relief accordingly. Defendants' omission of any response to these due process arguments, particularly those documented in Plaintiff's unrebutted March 25 Brief is considered and constitutes concession.

(C) Defendants' Own Declarations Confirm Ongoing ADA Violations

Plaintiff's March 25, 2025 Brief also demonstrated systematic violations of Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12131 et seq.

Jeff Newcomb's declaration, submitted by Defendants, admits that claimants can only request disability accommodations after reaching a call center agent. This excludes claimants with disabilities affecting communication, technology access, or stamina—those most in need of accommodation.

Such barriers directly contravene *Tennessee v. Lane*, 541 U.S. 509, 533–34 (2004), which held that Title II requires public programs to afford "meaningful access" to individuals with disabilities. Furthermore, Defendants' reliance on broken portals and unreachable call queues to serve as de facto accommodation mechanisms violates the ADA's mandate that accommodations must be "reasonable and effective."

There is no evidence of any functional, accessible online accommodation request portal or standardized procedure for disabled claimants to assert rights. Defendants' limited admissions underscore the systemic nature of these ADA violations.

(D) The Systems Described by Defendants Are Theoretical and Constitutionally Deficient

Defendants describe a series of administrative processes—including phone centers, virtual assistants, document submission portals, and appeal pathways—that, according to the record and their own admissions, do not function in practice and fail to meet constitutional requirements.

Plaintiff's un rebutted evidence establishes the following:

- **Phone System Capacity:** Defendants admit their phone system infrastructure can accommodate only approximately 300 callers at a time, despite serving hundreds of thousands of active or recent unemployment claimants. This structural bottleneck predictably denies access to the vast majority of claimants seeking assistance, in violation of procedural due process requirements.
- **Absence of Callback or Prioritization Systems:** There is no functioning callback system or any method for claimants to reserve a place in queue, escalating the barriers to access for individuals with urgent claims or disabilities.
- **Non-Functionality of the "Virtual Assistant" and Feedback System:** Defendants' "virtual assistant" was non-functional during Plaintiff's attempts to use it in 2023 and was entirely unavailable as of early 2025. The "feedback form" merely advises users to attempt phone calls again, offering no substantive resolution pathway.
- **Inadequacy of the MyUI+ Portal:** The MyUI+ portal does not provide any avenue for claimants to contest integrity holds, request reasonable accommodations under the Americans with Disabilities Act, or escalate constitutional grievances. It lacks any two-way communication capability necessary for basic due process protections.
- **Lack of Privacy Compliance:** There is no publicly accessible or claimant-facing privacy policy describing how personal and sensitive information (e.g., identity documents, Social Security numbers, medical records) is collected, used, shared, or protected, in violation of applicable federal and state privacy laws.

- **Failure to Issue Actionable Decisions:** Plaintiff never received a disqualification notice, appealable determination, or explanation of rights following the 2023 integrity hold or during the 2025 claim period. This failure to provide timely notice and an opportunity to be heard constitutes an ongoing violation of due process rights under the Fourteenth Amendment and Title III, Section 303 of the Social Security Act.

These failures are not isolated to Plaintiff alone, but reflect systemic practices that predictably and unlawfully deprive thousands of claimants of access to public benefits, redress, and constitutionally guaranteed procedures. The administrative frameworks Defendants describe do not exist in any operational sense and are constitutionally insufficient as a matter of law.

Constitutional rights cannot be made contingent on successfully navigating an overburdened, nonfunctional administrative gauntlet. See *Bounds v. Smith*, 430 U.S. 817, 822–23 (1977) (state must ensure meaningful access to the processes necessary for protecting fundamental rights).

IV. Plaintiff's Emergency Motion Meets and Exceeds the Standard for Relief

Plaintiff's Emergency Motion for Injunctive Relief, supported by the March 25, 2025 Brief in Support (Dkt. 16), satisfies and exceeds the standards for preliminary relief under *Free the Nipple-Fort Collins v. City of Fort Collins*, 916 F.3d 792 (10th Cir. 2019) and Rule 65 of the Federal Rules of Civil Procedure. Defendants' selective and incomplete Response fails to rebut the systemic constitutional violations demonstrated, leaving them conceded under controlling law. See *Phillips v. Calhoun*, 956 F.2d 949, 953–54 (10th Cir. 1992); *Sawyers v. Norton*, 962 F.3d 1270, 1286 (10th Cir. 2020).

1. Plaintiff Demonstrates a Strong Likelihood of Success on the Merits

Plaintiff shows systemic deprivation of procedural due process under the Fourteenth Amendment. The failure to issue appealable determinations for integrity holds, the absence of effective notice, and the lack of functioning resolution channels.

Plaintiff asserts a clear violation of Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12132, which prohibits public entities from denying qualified individuals with disabilities equal access to public services. Defendants' own declarations confirm that accommodations can only be requested if the claimant successfully reaches a phone agent—an impossibility given the call system's severe dysfunction OR by arriving at an in person appointment to request this on the spot.

Plaintiff establishes that Defendants have violated the First Amendment right to petition the government for redress of grievances. Systemic barriers—including chronically overburdened and understaffed phone systems, inaccessible online portals, and the absence of functional appeal pathways—foreclose any meaningful opportunity for claimants to challenge unlawful deprivations of benefits. The mere existence of theoretical administrative frameworks does not satisfy constitutional requirements where, as here, those frameworks fail in practice. The widespread failure to provide timely notices, actionable determinations, or accessible means of communication renders the right to appeal illusory. Defendants' reliance on the existence of an appeals system that cannot be utilized due to their own systemic mismanagement and operational negligence constitutes a direct and ongoing violation of the First Amendment's guarantee of access to redress.

Plaintiff establishes violations of the Social Security Act, Title III, 42 U.S.C. § 503(a)(1), requiring state unemployment systems to ensure “full payment of unemployment compensation

when due.” Defendants' reliance on prolonged integrity holds and broken communication pathways directly contravenes this federal mandate.

Defendants' failure to rebut these constitutional and statutory claims—despite having access to the March 25 record for over three weeks before filing their response which remains and is not an effective defense against these violations.

B. Plaintiff Demonstrates Personal and Widespread Irreparable Harm

Constitutional violations, particularly those involving due process rights and access to subsistence benefits, are presumed to cause irreparable harm. Plaintiff has personally endured severe and ongoing injuries directly traceable to Defendants' unconstitutional practices.

After losing employment in January 2025, Plaintiff promptly filed for unemployment benefits. Relying on the Division's initial projections of approval and eligibility, Plaintiff made critical financial decisions, including the payment of February rent and the continuation of essential services. Plaintiff had a reasonable and legally protected expectation that benefits would be promptly issued, or that any delay or barrier would be communicated with transparent due process safeguards.

Instead, Plaintiff faced months of complete silence, without any notice, actionable determination, or access to appeal mechanisms. The Division's communication systems purportedly the main avenue for resolution were functionally inaccessible, plagued by collapsed phone queues, systemic call drops, and nonfunctional escalation procedures that exist only in theory of functioning framework not seen here. As a result, Plaintiff suffered the following irreparable harms:

- **Loss of housing stability**, facing imminent risk of eviction and inability to secure alternative housing due to prolonged inability to pay rent and secure future housing without active income.

- **Severe financial and credit harm**, including negative banking balances, cascading financial penalties, and deterioration of credit due to inability to pay bills due monthly and penalized reports for years not immediately fixed by retroactive benefits.
- **Inability to access essential necessities**, including food, critical medicine, and veterinary care for Plaintiff's service animal, thereby endangering both Plaintiff's health and that of a medically necessary support animal.
- **Emotional and psychological distress**, aggravated by Plaintiff's recognized disabilities, resulting from total exclusion from critical government services without notice, process, or remedy.
- **Violation of disability rights**, as Plaintiff—qualifying under the Americans with Disabilities Act—was provided no reasonable accommodation or alternative access, deepening the constitutional and statutory harm.
- **Loss of economic opportunity**, as Plaintiff, desperate for basic financial survival, was coerced into foregoing a request for an alternate wage period adjustment that would have substantially increased his lawful benefits. Fear of further retaliation, confusion, or permanent benefit loss prevented pursuit of corrections Plaintiff was entitled to seek risk too high when even basic benefits were delayed further confusion or changes even if entitled were deterred from pursuing due to the fear of further delays and complications which should entitle the Plaintiff to back pay in 2025 in the difference of benefits had the base year been reasonably pursuable.
- **Diversion of time and opportunity loss**, where instead of seeking and securing new employment, Plaintiff was forced to expend substantial time, energy, and attention navigating inaccessible, broken administrative processes, filing pleadings, conducting legal research, and engaging malfunctioning contact channels—further compounding economic and emotional damages.

Even when benefits were eventually issued belatedly in March 2025, the damages had already been inflicted. Loss of timely access to subsistence benefits cannot be retroactively undone through late payment. As courts have recognized, deprivation of necessities such as shelter, food, medical care, and stability—especially for individuals with disabilities—constitutes irreparable harm of the highest order.

These injuries are not speculative. They are ongoing, concrete, and emblematic of the harm inflicted upon thousands of similarly situated Coloradans who are being deprived of basic constitutional protections and life-sustaining benefits. The systemic failures challenged in this case, indefinite integrity holds, inaccessible appeal systems, and the breakdown of notice and communication processes that ensure that these constitutional violations continue to multiply daily across the state.

Plaintiff's experience is not unique or isolated; it reflects the systemic failures. Like Plaintiff, thousands of other claimants could not access live agents (see Ex. A, Google Maps reviews) or receive clear notice and appeals options (see Ex. B, 9News article).

The systemic dimension of this harm is documented by hundreds of public complaints (Exhibit A), news investigations (Exhibit B), and federal oversight reports (Exhibit C), demonstrating thousands of Coloradans trapped in identical unconstitutional deadlocks. These harms cannot be remedied retroactively by monetary compensation. Immediate injunctive relief is required to prevent further irreparable harm to Plaintiff and to the broader claimant population who remain trapped in an unconstitutional and collapsing benefits system.

C. The Balance of Equities Strongly Favors Plaintiff

The Division's assertion that administrative burdens prevent compliance with Plaintiff's requested relief must be rejected. Courts have long recognized that administrative convenience cannot justify constitutional violations. When the deprivation of core constitutional rights, including due process, the right to petition, and equal access under the ADA, is at stake, the balance of equities must favor protecting those rights.

Plaintiff's March 25, 2025 Brief (Dkt. 16) and accompanying exhibits demonstrate that the Colorado Division of Unemployment Insurance's reliance on mass-automated integrity holds, outsourced to third-party vendors without proper safeguards which has systematically denied thousands of claimants timely notice, a meaningful opportunity to be heard, or any reasonable means of appeal. Claimants are funneled into a broken communication structure, with a single call queue capable of handling only a tiny fraction of daily demand, while the Division's own filings reveal hundreds of employees and millions allocated to private contracts without adequate oversight.

These failures are not theoretical. They directly obstruct First Amendment rights to petition, violate the due process protections of the Fifth and Fourteenth Amendments, and infringe on disabled claimants' rights under Title II of the Americans with Disabilities Act. The systemic nature of these constitutional injuries, already documented through public testimony, news reports, and government oversight findings, demands urgent correction.

Plaintiff does not seek to impose sweeping or impractical reforms. Instead, Plaintiff proposes modest, targeted corrective actions;

- **Creation of a dedicated integrity hold resolution channel**, which allows secure submissions without requiring claimants to combine highly sensitive

information—including Social Security cards, driver's licenses, W-2s, and passports—into a single vulnerable document. This reform ensures compliance with federal and state privacy protections, including the Privacy Act of 1974 (5 U.S.C. § 552a), Colorado's Data Privacy Statutes (C.R.S. §§ 6-1-713 to 713.5), HIPAA (for disability-related medical information), and Controlled Unclassified Information (CUI) standards for handling personally identifiable information (PII).

- **Confirmation of actual notice delivery**, particularly where significant time has elapsed, such as when a 2023 issue is later relied upon in a 2025 application. Renewal of notice obligations upon the filing of a new claim would ensure that claimants receive timely, updated instructions and preserve their constitutional right to meaningful notice and opportunity to be heard.
- **Limited, targeted resource reallocation** within the Division's existing infrastructure. Publicly available data shows the Division employs over 500 staff, yet fewer than 100 are assigned to claims processing. Reasonable internal adjustments, without additional hiring, could promptly address backlogs and urgent constitutional deficiencies.
- **Implementation of ADA-compliant access pathways** for claimants with disabilities, eliminating the current impermissible requirement that disabled individuals must first reach a live representative—or travel in person—to even request an accommodation. Such practices violate Title II of the Americans with Disabilities Act and must be corrected to provide accessible, independent options for accommodation requests at all points of contact.

These requested remedies are constitutionally compelled, minimally disruptive, and proportionate to the scope of the ongoing systemic harm affecting thousands of Colorado

residents. Defendants offer no alternative remedial plan and defend systems that openly violate the constitutional and statutory protections owed to claimants. Equity thus overwhelmingly favors immediate injunctive relief.

Plaintiffs are not required to design alternative administrative systems or prove that a superior model could exist. Rather, Plaintiff's burden is to demonstrate that Defendants' existing structures violate constitutional and statutory rights, that these violations cause ongoing harm, and that judicial intervention is necessary. Administrative inconvenience cannot shield unlawful government conduct.

Plaintiff's March 25 Brief (Dkt. 16) proves systemic violations of procedural due process, First Amendment rights, and ADA Title II requirements through nonfunctional communication systems, indefinite integrity holds, and inaccessible grievance mechanisms, affecting thousands of Coloradans (Exhibits A–C). While reforms may require reallocation of resources, the Division's staffing levels (over 500 employees) and multi-million-dollar IT expenditures (see CDLE Budget) show capacity exists.¹ See Colorado Department of Labor and Employment, FY 2025–26 Joint Budget Committee Hearing Agenda (Dec. 12, 2024) (noting need for major UI system upgrades, staffing shortages, and operational backlogs undermining service delivery to claimants) (Pages 25–32 of 153).

This public document further corroborates the systemic failures outlined in Plaintiff's March 25, 2025 Brief. The FY 2025–26 Joint Budget Committee Hearing Agenda shows that the Division's leadership has long been aware of severe deficiencies, including staffing shortages, outdated systems, operational backlogs, and excessive reliance on costly third-party vendors. Legislative

¹ DEPARTMENT OF LABOR AND EMPLOYMENT
FY 2025-26 JOINT BUDGET COMMITTEE HEARING AGENDA
Thursday, December 12, 2024

inquiries by state senators further questioned CDLE's financial management, exposing discrepancies between budget allocations and service delivery, and highlighting millions of dollars spent without measurable improvements for claimants.

These admissions confirm that Colorado's unemployment system remains fundamentally broken despite massive expenditures. Rather than addressing constitutional deficiencies, Defendants have diverted public funds toward ineffective fraud prevention measures that harm legitimate claimants. The State's fraud statistics misleadingly conflate the denial of legitimate claims with true fraud prevention, masking the unconstitutional withholding of benefits from rightful recipients.

Viewed alongside the full evidentiary record already before the Court, the FY 2025–26 Budget Hearing makes clear that these are not isolated administrative errors. They are the result of systemic, ongoing failures that continue to inflict constitutional harm on thousands of Coloradans, necessitating immediate judicial intervention.

Under *Goldberg v. Kelly*, administrative failures and burdens never justify depriving individuals of constitutional rights. Accordingly, the Court must find Defendants presently noncompliant and require immediate injunctive relief to prevent further constitutional harm.

The equities weigh decisively in favor of immediate judicial intervention.

D. Granting Relief Serves the Overwhelming Public Interest

The public interest is best served by safeguarding constitutional rights, ensuring lawful access to critical subsistence benefits, and restoring transparency and accountability to government systems. Plaintiff's exhibits document an overwhelming pattern of legitimate claimants losing

homes, experiencing food insecurity, falling into debt, and suffering emotional collapse because of Defendants' unconstitutional practices. The situation is not hypothetical; it is daily reality for thousands of Coloradans.

The continued deprivation of unemployment benefits without due process or meaningful recourse exacerbates Colorado's housing crisis, increases reliance on public services, and compounds health disparities all of which are outcomes fundamentally against the public interest.

Conclusion

Plaintiff has demonstrated, through this record, that severe and ongoing constitutional violations are occurring under the current practices of the Colorado Division of Unemployment Insurance. These systemic failures deprive thousands of Coloradans of due process, access to justice, and fundamental subsistence rights, causing daily and irreparable harm that cannot be undone. Defendants' narrow and incomplete response offers no substantive rebuttal to the widespread harm proven in this record, nor any assurance that these unconstitutional practices will cease without immediate judicial intervention.

The reality facing Plaintiff and countless others is not theoretical, speculative, or remedial through ordinary administrative means. It is a daily, ongoing deprivation of constitutional protections critical to survival. No administrative inconvenience, no appeal to resource limitations, can outweigh the fundamental rights at stake.

The urgency of this situation, the magnitude of the harm, and the clear record of systemic failures compel this Court to act. The constitutional injuries inflicted upon the public will only deepen without prompt and decisive relief.

Emergency injunctive relief is necessary to prevent further irreparable harm, to restore constitutional compliance, and to protect the basic rights of Colorado's most vulnerable residents.

Respectfully submitted,

Joshua Abrams

Date: 05-01-2025 | ☐ Petitioner/Plaintiff

Joshua Abrams, Pro Se

CERTIFICATE OF SERVICE

I certify that on 05-01-2025 a true and accurate copy of the Defendant was served on the other party by:
X_E-filed, lauren.davison@coag.gov & Stephen.woolsey@coag.gov

Joshua Abrams

☐ Petitioner/Plaintiff