

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>12:10 pm, Jun 20, 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
NOTICE OF PLAINTIFF'S STATUS ON IRREPARABLE HARM	

Plaintiff Joshua Abrams respectfully submits this notice to provide the Court with a brief update and reaffirm the urgency and constitutional significance of the issues raised in the pending matter. This filing is not a motion but is intended to assist the Court in fully understanding the timeline, nature, and extent of harm that continues to impact the Plaintiff due to Defendants' actions and inactions. As of the date of this filing, June 20, 2025, Plaintiff no longer receives any unemployment benefits and has zero income, safety net, or means of survival apart from judicial intervention. Plaintiff's only current assistance consists of Supplemental Nutrition Assistance Program (SNAP) benefits and Medicaid. In January 2025, the Court granted Plaintiff's fee waiver based on a finding of indigency; since that time, Plaintiff's financial condition has deteriorated into a dire, life-threatening state.

Plaintiff has been deprived of property and denied meaningful access to appeal or petition for redress of his benefit determinations. That deprivation, which began in 2023, triggered a cascading economic collapse that remains unremedied and has grown more severe by the day. The ongoing inability to pay rent, maintain car insurance, or afford necessary care, medication,

and food for Plaintiff's service animal, all present imminent and compounding harms that demand immediate recognition and judicial action to prevent further constitutional, financial, and humanitarian injury.

Plaintiff filed this action alleging, among other things, that in 2023 the Colorado Department of Labor and Employment (CDLE) violated his constitutional rights by depriving him of meaningful notice and access to appeal mechanisms regarding underpaid unemployment benefits. In addition, Plaintiff was subjected to at least three separate "integrity holds" on his account in 2023, which appear retaliatory in nature and unsupported by proper notice, determination, or due process as the Defendant has failed to provide any such notice despite clear indication that it 'should have' under its theoretical frameworks they supplied.

To date, CDLE has failed to produce any appealable determination or explanation relating to those integrity holds, despite being required under both federal and state law to provide notice within seven days. Their failure to do so in 2023 has had a direct and ongoing obstructive impact on Plaintiff's claim in 2025, compounding economic harm and impeding access to benefits. Notably, nearly \$6,000 in backpay tied to out-of-state wages from 2023 remains unprocessed or improperly calculated, severely affecting Plaintiff's eligibility and benefit amount across benefit years.

Plaintiff has filed two emergency injunctions in this matter, both citing irreparable harm not only to himself but to similarly situated individuals systemically denied due process. Both sides have briefed the latest injunction, which remains pending before the Court. Plaintiff respectfully reaffirms that the harm described therein is not abstract or historical; it is active, intensifying, and life-threatening. The denial of this backpay continues to result in acute housing instability,

inability to afford basic necessities, and daily degradation of Plaintiff's health and safety. In addition to these financial and emotional harms, Plaintiff has suffered physical illness including conjunctivitis and contracting COVID-19 directly due to the unsanitary and negligent conditions endured while attempting to resolve these matters in person at CDLE facilities. These efforts were made necessary by the agency's failure to provide accessible communication channels or comply with Plaintiff's ADA accommodation requests. These health setbacks further impaired Plaintiff's ability to seek or maintain employment, exacerbating the already severe and unconstitutional conditions imposed by Defendants' inaction and systemic failures.

Defendants have largely failed to rebut these substantive claims, instead offering general immunity arguments or suggesting that Plaintiff should have exhausted additional administrative appeals despite never issuing any appealable determination regarding the key issues raised. There is no legal or logical basis to demand exhaustion of a nonexistent or concealed process, particularly where doing so would only magnify harm and perpetuate unlawful denial. The defense's position hinges on the untenable assertion that Plaintiff should have pursued further administrative escalation related specifically to the withdrawal of his application a process which, even if successful, would have resulted in additional harm by forcing Plaintiff to forfeit his claim and "start over," thereby resetting his rights and benefits eligibility. Such a route would likely have been futile in any case, as the timeline, procedural posture, and limited scope of meaningful engagement afforded by the magistrate and the appeals system would have rendered any such effort ineffectual or summarily dismissed.

This Court is respectfully urged to recognize that further delay whether due to administrative backlog or internal discretion directly contributes to the constitutional injury and compounds the systemic failures already presented. Plaintiff affirms that the factual record before the Court fully

supports immediate emergency intervention. Continued delay at this stage will almost certainly result in homelessness and irreversible financial collapse.

This matter has already been expressly administered and briefed as an emergency, and any further motion to expedite would be both redundant and procedurally moot. Accordingly, this notice is submitted to update the Court on Plaintiff's current total lack of income, resources, or stability, and to reiterate the critical and life-threatening urgency of judicial intervention consistent with the intent and purpose of the laws governing unemployment compensation and due process protections.

Accordingly, Plaintiff submits this notice to ensure the Court has a full understanding of the harm at stake, the lack of any meaningful remedy offered by Defendants, and the critical and time-sensitive need for judicial action to protect Plaintiff's constitutional and economic rights.

Joshua Abrams

Date: 06-20-2025 | ☐ Petitioner/Plaintiff

Joshua Abrams, Pro Se

CERTIFICATE OF SERVICE

I certify that on 06-20-2025 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