

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 17 2017

JEFFREY P. COLWELL
CLERK

Civil Action No. 16-cv-02905-MJW

John C. Price
Plaintiff

Loretta Lynch, Attorney General of the United States
Defendant, Represented by Juan G. Villaseñor

MOTION TO AMEND ORIGINAL COMPLAINT

This may be Plaintiff's last opportunity to enter the court record. I ask the court's leave in accepting this amendment under Rule 15 (a)(2). Since Plaintiff, Price, and the writer are the same person I will use the first person in discussing the case before entering my formal request to amend. This is not a discussion of the merits but a clarification of the intent of the complaint, i.e. "plausible claims".

First, the substance of the case. I believe the statement in Article I, Section 2, *"The the House of Representatives shall be composed of members chosen every second Year by the People of the several states....."* is violated by the longstanding practice of gerrymandering to provide advantage to the political party carrying it out. This is widely known and commonly stated in discussions of redistricting. For example, for some time the Brennan Center website contained a chapter heading, Redistricting, followed by the epigraph

"Today, few congressional districts are competitive. Through the once-a-decade redistricting process, voters don't choose lawmakers — lawmakers routinely choose

voters. Drawn by partisan legislatures, most districts now are truly one-party fiefdoms.”

Brennan Center for Justice.

Exactly my point. Does this not conflict with the quotation above it? Apparently no one has ever challenged the existing practice. Why not? So many redistricting lawsuits have occurred without any concern for individual voters. This question is the reason for my complaint, with the Colorado redistricting secondary. I can accept losing my case if the present interpretation of the law permits ignoring choice, assuming that I can understand the logic. I do wish to understand why the apparent conflict within Article I has not arisen in litigation.

Second, if my complaint is valid, then who is/was responsible for the policy of ignoring individual voters? The state legislature, a state redistricting committee, the court rulings on redistricting plans, the Federal Supreme Court? A court ruling allowing the People a true choice will represent a major change to election policy. Is a villain to be created by making the court's ruling retroactive? And to what purpose? A case requires a defendant. To me, a physicist, the question of a responsible defendant is unimportant.

The moving finger writes, and, having writ, moves on.

Nor all your piety nor wit shall lure it back to cancel half a line,

Nor all your tears wash out a word of it.

Khayyam/Fitzgerald

What is done is done and cannot be repaired by altering previous elections.

Third, Defendant misjudges my purpose in selecting the Attorney General as defendant. I clarify this below in the Amendment. I am an aging retired federal civil servant. I am the sole plaintiff because none of my friends or acquaintances have any particular interest in this suit, let alone the ability to contribute to it. I have been unable to retain counsel. I do not know why. I do not ask for sympathy. The time of great

anxiety is past and the intellectual challenge is highly stimulating. I feel competent to defend my complaint. However should I win I have no possibility of pursuing civil action if there is resistance to the court order by the Governor, the state legislature, or the major political parties. My encounter with an attorney to obtain legal advice on the background for my suit led to obfuscation and delay, delay, delay. I feel delay is possible if my suit is affirmed because it will have a significant affect on the federal House Representatives in Colorado. I wish to transfer to the Attorney General responsibility for any further action, if required, beyond my assisting in conversion of present districts to my proposed districts.

Finally, from reading court decisions for a number of cases I have no fear that this discussion will prejudice my case. I trust the court. The Clerk of the Court and the phone answering staff have been excellent as well in answering my questions.

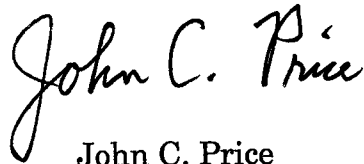
Requested amendment involving plausible claims.

Plaintiff claims that the Constitution Article I Section 2 "chosen..by the people" has been violated as he does not have a choice in determining his House Representative and could if districts were drawn with this as a condition.

Plaintiff claims that the U. S. Constitutional requirement overrides any state laws or state constitutional requirements that prevent him from having a choice when voting for federal House Representative.

Plaintiff claims that any failure to obey a federal court order promptly must cause the Attorney General to be responsible for assuring compliance because Plaintiff, being pro se by necessity, lacks the capability to pursue compliance himself. The Attorney General

position is politically sensitive, as is plaintiff's districting solution which involves "balanced" = competitive districts. If prompt compliance is obtained the Attorney General is unaffected by this case.

A handwritten signature in black ink that reads "John C. Price". The signature is written in a cursive style with a large, stylized 'J' and 'P'.

John C. Price

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