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the way it was held, and found the following problems:

- Process was slow and tedious, running for nearly two hours
- There were small children, as young as three, present with parents, grandparents and guardians, and those kids were antsy, having to do without snacks or games available to keep them occupied

- The names of Latino/a kids were being butchered when called, despite David Singer's opening promise to learn proper pronunciation of Hispanic names

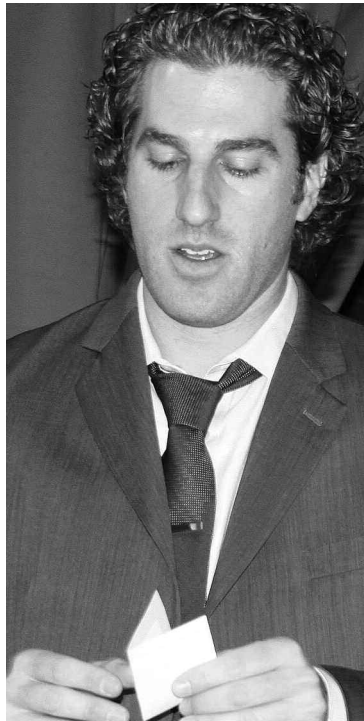
- Some Black parents are angry that more Latinos were being called so folks are being pitted against one another

- The process was confusing but no questions were allowed and participants were warned against demonstrating or verbally responding to the public lottery's outcome

Calderon said that in the coming weeks, Singer and his board of directors will be challenged to address the problems in a way that is best for families, parents and children in Near Northeast Denver.



*After sitting on pins and needles, unaware her child's name had been called, Yolanda Honeycutt-Brown blurted out "Thank you, Jesus."*



*University Prep Head of School David Singer, at left, prepares to call out the name of a student.*

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His explanation is an example of the types of arguments made in his 38 page suit filed in the U.S. District Court for the 7th Circuit in Illinois, a place he hopes will rule according to justice and the law, something he is convinced will not prevail when it comes to presenting his case in any Colorado state or federal courts. His suit lists Attorney General John Suthers, First Assistant AG Andrew McCallin and Asst. AG Erik Neush as co-defendants and alleges they violated his civil and constitutional rights.

In his claim, he refers to the "contrived allegations" and misrepresentations made by the AG's office and the use of "intimidation tactics" that caused associates and many of those he helped to cut ties with him. In more than one place, Lewis boldly declares that he "believes that Defendants' actions were motivated by the fact that Plaintiff [Lewis] is Black." He goes on to make the case that ordering the shut down of his website was a violation of his First Amendment right to free speech and that doing so, "knowing that all allegations against [him] are made up, is repugnant to the Constitution and tantamount to treason."

#### **Practicing law without a license?**

Regarding the charge of practicing law without a license, Lewis' argument is that according to Colorado Revised Statute 12-5-112, entitled "Practicing law without license deemed contempt," he in no way violated it and therefore, should never have been found guilty of such charge. The law, as stated, forbids any person without a legal license to advertise, represent or portray oneself as an attorney, attorney at law or counselor at law or to appear in court to conduct a suit, action or proceeding for another person.

Lewis told DWN he has never advertised himself as, or given the impression to anyone that he is a lawyer and has never represented anyone in court, other than himself and this experience only reaffirms to him the importance of individuals knowing how to read and understand the law for themselves. "I can talk about the 5th amendment with whoever I want. I can talk about my understanding and what the 14th amendment means to whoever I want. They don't tell me I can't interpret the law for somebody," he said. "They don't tell you that you can't sit down with your kids or your mother or your neighbor and say, 'What they're doing is wrong because the 5th amendment prohibits them from doing this to you.' They can't tell you not to do that. That's the nerve these people have. They think that non-lawyers are imbeciles and you need a lawyer to interpret the law."

Although others have been cited by the AG's office for fraudulent foreclo-



sure practices, it appears that he is the only defendant ever ordered to shut down a website. In speaking with Mike Saccone, AG spokesperson, he refused to directly answer whether or not there were specific instances of other sites being ordered to cease operations. "I can assure you there are other cases where we have barred individuals. One we barred from doing infomercials on commercial radio. Another case, we barred individuals from doing newspaper advertisements." When asked a second time if there were other websites shutdown, he directed DWN to the AG's website to find other examples and when asked a third time if he could identify the other sites directed to cease operations, he said, "Yes. There were other cases and they're listed."

When asked to comment or give explanation about CRS 12-5-112, the statute against practicing law without a license and whether or not that applied to individuals who never claim or present themselves as lawyers, Saccone replied that he was not an attorney. When asked if he could present the question to the attorney general for response, the spokesman said "This is the response," and said the ARC is the agency that determines what constitutes violation of that law. The AG, he continued deals primarily with violations of the Colorado Foreclosure Protection Act and the Colorado Consumer Protection Act.

Concerning Lewis' lawsuit, he immediately voiced his assurance that if the claim had not been dismissed as of yet, it would be because Lewis "is known for filing numerous lawsuits against the state as well as the judges. We're confident this lawsuit will get tossed," he said, emphasizing review of the past lawsuits brought against the advocate by the AG and the judgment handed down in January. He then forwarded documentation showing that the AG had filed a motion to dismiss the Illinois suit. Later, Lewis explained that he has until the end of the month

to issue his response to the motion.

#### **No trust in the AG**

He has little regard for the AG office and views the state's top attorney as one who has violated his rights and slandered, maligned and defamed him. "They think that they can just go after some Black person that hasn't done anything and turn him into a criminal, turn him into dirt. That's the thing that despises me the most about the AG's office. I haven't broken any laws. That's how despicable that organization is, that entity of lawyers."

Part of the judgment against him includes matters related to a case in Illinois, even though he is quick to highlight that the Colorado AG does not have jurisdiction over any matters outside of the state. He went on to say that the Illinois AG is not investigating his activities, which would be the case were he guilty of any violations in that area. Saccone admitted that the Colorado AG's office "did go to an Illinois bankruptcy court" to stop what they saw as Lewis' attempt to "evade his responsibilities" related to the restitution he had been ordered to pay. He did not reveal what it cost the taxpayers or the AG's office for representatives to travel outside of Colorado jurisdiction after Lewis.

#### **Other advocates strive to keep AGs off their backs**

A battle with a state's AG office is what a number of foreclosure advocates may encounter if they cross what is a very "fine line," according to Robert Napolitano, Owner of New Jersey based Real Estate Solutions Today, a business that is part of the National Foreclosure Defense Group. In a phone interview, he explained that he started his company five years ago after working 11 years in the mortgage banking industry and, in 2005, seeing "a lot of the fraudulent and predatory practices" going on with home lenders, practices he chose not to be part of. Foreseeing that a foreclosure

crisis was to happen, he became a certified paralegal and started his own company working directly with lawyers and training them how to represent foreclosure clients.

"I have stayed away from my relationship with the consumers because that's what the AG's are going after. That's what the FBI is going after," he said. "There are a lot of loan modification scams going on out there and I am now teaching attorneys how to do this so I don't get a target on my back with the AG's." He explained that the increasing number of loan modification and foreclosure relief scams has AG offices all over America on high alert and that sometimes, good advocates get caught in the large net being thrown out to catch those individuals who are truly taking advantage of mortgagees. "They're looking to protect the homeowners," he said of the attorney generals.

In his situation, Lewis knows that many who hear of the allegations against him may be confused as to what to believe but he's adamant that none of what has been portrayed in AG released media reports is true. Ron Springer, owner of Akente Express, is a long time friend but also someone who received insight from Lewis years ago regarding a residential foreclosure. He was unaware of all the controversy prior to speaking with DWN but said he was very surprised to hear it all.

"Everything I've known about Sheron has been on the up and up. He gives good advice and they [the foreclosing company] backed off of the property," he said, adding that because so many stressful things were going on in his life at the time, he decided to let the property go before the court returned its response to his filing. The response, however, was that the judge agreed with the documents that had been submitted and that the foreclosure action was not justified.

Springer said he never was charged a fee for anything nor was he ever given legal advice by Lewis, only "very good information on the statutes and the process." He went on to say he finds his friend to be a very "brilliant" man and wishes him the best in the future.

Lewis does not want anyone to think he is in Illinois because he ran away from the dilemma. "They're not running me out of anywhere. No, I'm not the kind of guy that runs. You can look at the history of me and tell I don't run anywhere. I met that situation head on with the Attorney Regulation Counsel. That's why they ended up backing off," he said, adding that he expects the same result with the AG's office. He invites all who would like to reach out to him, to contact him at 303-995-3892.

(To be continued next week)