

Lawsuit filer wins appeal

Woman had been barred from suing anyone across U.S.

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The 10th U.S. Circuit Court of Appeals has overturned a Colorado federal judge's ruling that barred a woman from filing lawsuits across the country.

After losing judgments in state and federal courts in Colorado, Kay Sieverding, whose last known address is in Verona, Wis., had filed numerous self-written lawsuits in other places such as Kansas, Illinois, Minnesota and the District of Columbia. The lawsuits stem from a zoning dispute with neighbors and Steamboat Springs officials.

U.S. District Judge Edward Nottingham warned Sieverding that he would put her in jail if she kept filing lawsuits. She continued and was jailed last year for four months in Clear Creek County.

But a panel of three appellate judges ruled Tuesday that Nottingham cannot stop the 52-year-old woman from filing lawsuits across the country. He can ban lawsuits only in his jurisdiction, which covers Colorado, Kansas, New Mexico, Oklahoma, Utah and Wyoming.

Sieverding could not be reached for comment.

Defendants in her lawsuits are expected to ask that the entire circuit court convene and reconsider the ruling, attorneys said. They say there is established case law that grants the power for circuit courts to impose rulings outside their jurisdictional boundaries.

"The 10th Circuit needs to consider the abuse of process that's involved here," said Tony Lettunich, city attorney for Steamboat Springs and a defendant. "Hundreds and hundreds of documents, literally thousands of pages, have been filed by this woman. Most of the language in these filings is gobbledygook, stream of consciousness stuff and wild allegations."

The dispute stems from a 2002 lawsuit that Sieverding filed on her own, accusing her neighbors of transgressions that included blocking a city street for private use and using city connections to retaliate against her.

The defendants, who include numerous city officials and the city's newspaper, already have paid more than \$100,000 for the filings in Colorado alone. Meanwhile, they have been unable to recover thousands of dollars Sieverding has been ordered to pay for filing lawsuits deemed by a court as "frivolous," said Christopher Beall, a lawyer representing the Steamboat Springs Pilot. Beall also represents The Denver Post on unrelated matters.

"Because of this decision, this woman can file the same case over and over again on the same claim that she's already lost in Colorado and against the same defendants in excess of 100 different courts across the country without ever having to pay attorneys' fees," Beall said.