

IN THE IOWA DISTRICT COURT IN AND FOR POLK COUNTY

ALEXANDRA "SONDRA" WILSON,)	
)	CASE NO. 05771 LACL157953
<i>Plaintiff,</i>)	
)	PLAINTIFF ALEXANDRA WILSON'S
v.)	(I) MOTION TO RECONSIDER
)	ORDER NOT TO RECUSE (II) NOTICE
STATE OF IOWA and KIM REYNOLDS)	OF NECESSITY TO SERVE
FOR IOWA)	DEFENDANT BY PUBLICATION (III)
)	REQUEST TO SERVE DEFENDANT
<i>Respondents</i>)	ELECTRONICALLY
)	
)	
)	

Pursuant to Iowa R. Civ. P. 1. 904(3), I file this motion for Judge Gronewald to reconsider her June 19 Order wherein she denied my motion for her to recuse herself from this action. It is a violation of Iowa Code of Judicial Conduct Rule 51:2.11(A) for Judge Gronewald to adjudicate this case, and violates my right to a fair trial.

Pursuant to Iowa R. Civ. P. Rule 1.310, I file this Notice of Necessity to Serve Defendant by Publication because, following numerous, varying attempts, I have been unable to serve Kim Reynolds for Iowa. Enclosed is a pertinent affidavit, and I have arranged to pay the Des Moines Register on Monday, August 1 to publish Original Notice via their newspaper for three consecutive weeks, as required by Rule 1.310. I believe publication will begin this week or next week. Awaiting confirmation on that.

In accordance with Iowa R. Civ. P. 1. 442(2), in order to reduce waste and expenses for each of us, I respectfully request the State of Iowa and I serve each other throughout the duration

of this lawsuit electronically via email instead of via USPS.

Introduction

1. The following is a timeline regarding the numerous requests I have made for Her Honorable Judge Gronewald to recuse herself from this action and from the adjacent, related lawsuit I filed on December 5, 2023:

- On March 15 I filed a motion for Judge Gronewald to recuse herself from case #LACL157381 due to the fact that she was appointed by Kim Reynolds, and because case #LACL157381 is a related case. I suspected bias on Judge Gronewald's part due to the harmful and malicious acts Kim Reynolds has taken against transgender people in general (which personally harmed me), and I am due a judge which does not appear to have prima facie bias. I also expressed within the motion the fact that I did not believe I would receive a fair trial under Judge Gronewald.
- That same day, March 15, Judge Gronewald denied my motion to recuse while simultaneously granting the Defendant's motion. According to Iowa R. Civ. P. Rule 1.310, Judge Gronewald was “disqualified” from granting the Defendant's motion. Judge Gronewald's quick, same-day denial of my motion and simultaneous granting of Defendant's motion indicated:
 - That she did not consider her obligation to recuse deeply enough; and
 - That she was in fact bias against me.
- On March 31 I filed a complaint against Judge Gronewald with the Iowa Judicial Qualifications Commission (“IJQC”) with regard to this.
- On May 1 I filed a motion for Judge Gronewald to reconsider her decision not to recuse.
- The following day Judge Gronewald denied my motion while providing no reasoning for doing so, thus indicating to me impliedly that she was in fact bias.
- On May 28 I filed a motion for Judge Gronewald to recuse herself from this case.
- At the June 14 hearing I told her that due to her connections with Kim Reynolds, who performed tortious and criminal acts I have been harmed by and victim of with regard to *this* case, I do not believe she was in fact impartial, and that she ought recuse herself.
- On June 19, Judge Gronewald denied my motion, writing, “Petitioner requests the Court recuse itself 1) because Petitioner filed a complaint against the Court for not recusing

herself from Polk County Case No. LACL157381 and 2) because the Court was appointed by Governor Reynolds.” Judge Gronewald omitted key arguments I gave with regard to why she ought recuse, including the fact that Governor Reynolds is a tortfeasor directly involved with this action, and a tortfeasor should not be allowed to appoint a judge for a case they are directly involved in – Governor or not!

- On June 20 I filed another complaint with the IJQC, and this time plan to perform more follow-up with regard to my complaint because this is unacceptable.

2. Here is a timeline regarding the numerous, varying ways I have attempted to serve

Kim Reynolds for Iowa:

- I suffered numerous successive and continuing injuries, and was victim to numerous crimes which were never prosecuted, committed by the the State of Iowa and Kim Reynolds for Iowa (“Defendants”) between 2006 and present. Many of the aforementioned crimes, torts, and the injuries I suffer(ed) are described within the Petition to Commence a Civil Action I filed on February 8, 2024 in the Polk County District Court.
- After being selected to participate in Des Moines Area Community College's (“DMACC's”) “London Abroad” program, I left Iowa February 9, and returned April 19. I filed the lawsuit before I left for Europe so that the limitations period would not lapse. This is why I was unable to serve the Defendants throughout this duration.
- After recovering from jetlag, finishing finals, then graduating from DMACC on May 3, on May 6 I paid the Polk County Sheriff's Department to serve Original Notice to the Defendants.
 - Deputy Adamovics and I were unsure about how to serve Kim Reynolds for Iowa. We had at least two conversations about this over the phone. He and I were both perplexed. I mentioned to him that there is usually someone who answers her office door in the capitol building, but I was not sure if anyone was there now that the legislative session was over. We concurred that the Attorney General's Office would surely be able to locate Governor Reynolds and provide service. Deputy Adamovics sounded very helpful and determined to do his best with the knowledge we had.
 - On May 8 2024 Deputy Adamovics submitted two Return of Service Notices to the court, writing the following in his submissions:
 - “I spoke with legal staff for the Governor over the phone and they advise that they do not accept service on behalf of Kim Reynolds for Iowa

(Campaign). Any services for the Governor need to be served on the Attorney General on the Governor's behalf.”

- “Service was rejected by the Attorney General's Office as service must be to the individual and not the campaign which appears to be the case with this service.”
- On May 13 Judge Gronewald issued an Order which contained the following:
 - “Plaintiff shall within thirty (30) days of this Order, either:
 - File with the Clerk of Court the Return of Service or similar document which evidences service on the Defendants within ninety (90) days of filing of the Petition as required by Iowa Rule of Civil Procedure 1.302(5) and deliver a copy to the assigned Judge; or
 - In the event the Plaintiff has not served the Defendants within the ninety (90) days of filing of the Petition, or otherwise cannot file a Return of Service or similar document evidencing timely service, the Plaintiff or Plaintiff's attorney shall file a motion with supporting affidavit stating the good cause for Plaintiff's failure to timely serve the Defendants or inability to file a Return of Service or similar document, and requesting the Court to direct an alternate manner of service, or to extend the time for an appropriate period of service, or filing of the return. A copy of the motion shall be delivered to the assigned Judge.
- On May 28 I filed a Motion to Continue, stating that I am involved in a case which is related to this one (LACV053674), and that I was feeling overwhelmed due to overlapping filing deadlines being issued two judges. This was impacting my ability to work on providing service on several days.
- On May 24 I called Iowa's Secretary of State to request the address for Kim Reynolds for Iowa. I was provided the following:

Kim Reynolds for Iowa
PO Box 1775
Des Moines 50305

- Unsure what to do with the above address, on June 5 I called the Iowa Secretary of State's Office to request an address for serving legal documents. I was directed to contact the Iowa Ethics and Campaign Disclosure Board, who provided me with Kim Reynolds for Iowa's DR1 form, “Statement of Organization”. The only physical address on the form was for the campaign committee's Treasurer:

Angie Hughes
983 S 50th Pl.
West Des Moines

- Also on June 5, I arranged with fellow DMACC Honors Alumni, Katie Jepson, who agreed to attempt service via the above address. I prepared the service documents.
- On June 10 I emailed Angie Hughes at hughes.angiem@gmail.com, requesting a good time and place for her to accept service. I never received a response.
- On June 13 Katoya Jepson filed a Return of Service with the court, stating that a minor answered the door and informed her that Angie doesn't live there anymore.
- On June 14 I emailed info@ReynoldsGregg.com because it is the email address for both the Committee Chairperson, Linda Juckette, and the Candidate, Kim Reynolds. I requested a good time and place to provide service. I never received a response.
- On June 19 I called Linda Juckette, the registered Committee Chairperson for Kim Reynolds for Iowa, however she sounded:
 - (a) Unaware that she was the registered Committee Chairperson for Kim Reynolds for Iowa, or
 - (b) Guarded about providing details due to the fact that I filed a lawsuit against the campaign committee.
- Per Her Honorable Judge Gronewald's inquiry at the June 14 hearing as to whether or not I had looked into serving Kim Reynolds for Iowa via the Secretary of State's Office, following multiple emails and phone conversations with various SOS employees, on June 29 Eric Gookin from the Secretary of State's Office wrote, "I and another attorney in the office were unable to find any legal grounds for using the Office of Secretary of State as a substitute for service on a campaign."
- On June 21 the Des Moines Register sent me a quote for Service by Publication. I have arranged to pay for this service today.

3. I request the State of Iowa and I serve each other throughout the duration of this lawsuit electronically via email instead of via USPS.

Motion to Reconsider Order Not to Recuse

4. According to Black's Law Dictionary 10th Ed., a tortfeasor is, "Someone who commits a tort; a wrongdoer." No matter their profession, a tortfeasor involved in any action should not be allowed to select the judge for that same case because it creates a prima facie appearance of impropriety. A tortfeasor should not be allowed to select the Judge for the trial in which they are being tried! Any reasonable, non-deceptive person would come to this conclusion.

5. Kim Reynolds is a tortfeasor involved with this action. Numerous tortious acts she performed which personally harmed me caused her to be a named with regard to liability of both Defendants involved in this action, Kim Reynolds for Iowa and the State of Iowa. As a tortfeasor, Kim Reynolds should not be allowed to select the judge for this case, as it provides the appearance of impropriety due to increased probability of partiality on the part of the judge.

6. The duty to remain impartial is perhaps the most important responsibility of the trial judge. This not only requires that the judge be impartial in fact, but that he or she appears unbiased. "[J]ustice ... must satisfy the appearance of justice, and this stringent rule may sometimes bar trial [even] by judges who have no actual bias and who would do their very best to weigh the scales of justice equally between contending parties." *Offutt v. United States*, 348 U. S. 11, 348 U. S. 14.

7. The right to an impartial judge was one of three rights designated as so basic to a fair trial that its infringement could never be treated as harmless error. *Chapman v. California*, 386 U.S. 18, 24 (1967). Therefore, not recusing indicates malice on Judge Gronewald's part.

8. A fair trial is a basic requirement of due process, guaranteed by both the Sixth and the Fourteenth Amendments to the United States Constitution. A fair trial requires that a neutral and

detached judge preside over the proceedings. Just as the defendant's right to a jury trial encompasses the right to an impartial jury, a defendant has a constitutional right to an impartial judge. As Justice Black explained: Fairness ... requires an absence of actual bias in the trial of cases. [O]ur system of law has always endeavored to prevent even the probability of unfairness. To this end ... no man is permitted to try cases where he has an interest in the outcome. ¹

9. I am aware that, although Judge Gronewald is required to recuse herself from adjudicating this action, she possesses the authority to choose not to. If she chooses not to recuse, I believe her motive will be to attempt to shield Kim Reynolds' campaign committee and the State of Iowa from being held liable, even though they are in fact liable for the injuries I have suffered. I believe Judge Gronewald might do this due to unspoken loyalty issues and for political purposes. There may be a loyalty issue at play due to the fact that Judge Gronewald was appointed by Kim Reynolds. Political purposes I suspect are at play include:

- Judge Gronewald and her husband contributed to Republican candidates for years prior to her appointment as Judge by Governor Reynolds in December 2017.² This action largely has to do with the rights violations by Republican Legislators (via passing HF766 – see §3 of my Petition for this lawsuit) and by our Republican Governor. There have been many political attacks against transgender people by numerous Republicans and conservative voices in recent years. It would likely be frowned upon by conservatives if Judge Gronewald were to rule in favor of a transgender woman (me) in an action involving the State of Iowa and the current Governor as Defendants. I believe Judge Gronewald may express loyalty to fellow Republicans and/or conservative base, as well as to the Governor who appointed her, via defiantly not recusing from this action in order to ensure a ruling that is not in my favor.

10. Due to the fact that judges enjoy “absolute immunity” granted to them by the State, from civil suits; they cannot not even be held liable for malicious acts until old, in my opinion

1 In Re Murchison, 349 U.S. 133, 136 (1955).

2 Gruber-Miller, Stephen. “Iowa Republicans Set Hearing on Bill Removing Civil Rights Protections for Gender Identity.” *The Des Moines Register*, Des Moines Register, 25 Jan. 2024, www.desmoinesregister.com/story/news/politics/2024/01/25/gop-bill-would-remove-civil-rights-act-protections-for-transgender-iowans-gender-identity/72351459007/.

outdated and inappropriate, case rulings are overturned, including:

- Few doctrines were more solidly established at common law than the immunity of judges from liability for damages for acts committed within their judicial jurisdiction. *Bradley v. Fisher*, 13 Wall. 335, 20 L.Ed. 646 (1872).
- This immunity applies even when the judge is accused of acting maliciously and corruptly, and it ‘is not for the protection or benefit of a malicious or corrupt judge, but for the benefit of the public, whose interest it is that the judges should be at liberty to exercise their functions with independence and without fear of consequences.’ *Pierson v. Ray*, 386 U.S. 547, 553-54 (1967).

Whereas rulings such as these allow judges to act unlawfully without liability, therefore Judge Gronewald might not recuse herself still, thus violating my right to a fair trial.

11. Whereas the state grants absolute immunity to judges, therefore the state subsumes liability for rights violations by judges. Therefore, if Judge Gronewald does not recuse herself from this action, as required by Iowa Code of Judicial Conduct Rule 51:2.11(A), I will be adding damages for Judge Gronewald's tortious act (violation of my right to a fair trial) into my Amended Petition due July 12 per Judge Gronewald's June 19 Order.

12. It is an abuse of power to make Iowa's taxpayer's pay for a rights violation by a public official which could easily be prevented via simply stepping down from this action. According to Black's Law Dictionary 10th Ed., abuse of power is defined as “a misuse or improper exercise one’s authority; especially, the exercise of a statutorily or otherwise duly conferred authority in a way that is tortious, unlawful, or outside its proper scope .”

13. Iowa Code of Judicial Conduct Rule 51:2.11(A) sets forth, “A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned....” The Code does not mince words: it is straightforward and concise.

14. The American Revolution was largely fought over the right to access a just court

system. During the 1760s and 1770s, the Founding Fathers quoted John Locke more than any other political author.³ Indeed, signer of the Declaration of Independence Richard Henry Lee once quipped that the Declaration had been largely “*copied from Locke’s Treatise on Government*.”⁴ Locke’s Second Treatise on Government, § 20. states, “... where an appeal to the law, and constituted judges, lies open, but the remedy is denied by a manifest perverting of justice, and a barefaced wresting of the laws to protect or indemnify the violence or injuries of some men, or party of men, there it is hard to imagine any thing but a state of war: for wherever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however coloured with the name, pretences, or forms of law... war is made upon the sufferers, who having no appeal on earth to right them, they are left to the only remedy in such cases, an *appeal to heaven*.”

Your Honor, Veterans fought and died to protect our rights, including our right to a fair trial. I implore you to recuse yourself from this action, so that there is no question about the fairness of Iowa's courts.

Notice of Necessity to Serve Defendant by Publication

15. Iowa R. Civ. P. 1.310 sets forth, “After filing an affidavit that personal service cannot be had on an adverse party in Iowa, the original notice may be served by publication, in any action brought for the following:

1. 310(8) Against any resident of the state who has departed therefrom, or from the county of defendant's, respondent's or other party's residence, with intent to delay or defraud creditors, or to avoid service, or a defendant, respondent or other party who keeps concealed with like intent.

³ Donald Lutz, *The Origins of American Constitutionalism* (Baton Rouge: Louisiana State University, 1988), 143.

⁴ Thomas Jefferson to James Madison, August 30, 1823, *National Archives*.

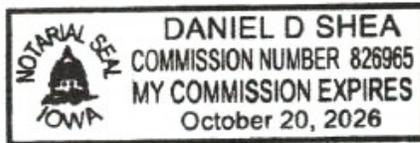
1. 310(11) Against a partnership, corporation or association suable under a common name, when no person can be found on whom personal service can be made.

Affidavit re: Cannot Find Defendant

18. I, Sondra Wilson, being first duly sworn on oath does hereby depose and state:
I have done my best to locate Kim Reynolds for Iowa in order to provide service.

Personal service cannot be had on an adverse party in Iowa.

Subscribed and sworn to before me a Notary Public for Iowa on this 1st day of July, ~~2022~~ 2024



Sondra Wilson
(Affiant signature)
Daniel D Shea
(Notary signature)

Request to Serve Defendant Electronically

19. Iowa R. Civ. P. 1. 442(2) sets forth, “Service may also be made upon a party or attorney by electronic mail (e-mail) if the person consents in writing in that case to be served in that manner. The written consent shall specify the e-mail address for such service. The written consent may be withdrawn by written notice served on all other parties or attorneys. Service by electronic means is complete upon transmission, unless the party making service learns that the attempted service did not reach the person to be served.”

20. I respectfully request the State of Iowa to serve each other throughout the duration of this lawsuit electronically via email instead of via USPS.

Dated: 7/1/2024

/s/ Sondra Wilson
Ms. Alexandra “Sondra” Wilson
4733 Toronto St. #112
Ames, IA 50014
Phone: (515) 357-9725
Email:

Sondra.Wilson777@gmail.com

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Ph: (515) 281-7240
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this document will be served upon the persons listed on this document at the addresses indicated on EDMS by transmitting a copy via USPS asap. I declare under penalty of perjury that the foregoing is true and correct.

 /s/ Sondra Wilson