

Why Should Dr. Obermeyer Care what is Happening to Alaskans Now?

**Description**



The Obermeyer children and spouses are all successful health care professionals. Theresa and Tom have seven grandchildren including Owen, Mia, Teddy, Rhett (not pictured born 4-1024), Mabel, Laurel, and Dawson.

### One Gauge of a Person is How their Kids Turn Out.

**Tom and Theresa Obermeyer** have been active Alaskans and taken a lot of abuse from *The Beautiful People* and **Entertainment News\*** media, but their story of how **AK Courts** operate is relevant today. Local Spenard entertainer, **Mister Whitekeys** performed a mean-spirited skit about the Obermeyers over at least two years in the mid-1990s as the Obermeyer children were growing up in East Anchorage. The Obermeyer family was defamed relentlessly by **Anchorage Daily News** when previously owned by **McClatchy Newspapers** between 1993-2003.



[1] \*What is Entertainment News Good for?, DONN LISTON August 10, 2023  
<https://donnliston.net/2023/08/demise-of-the-fourth-estate/>

Today this Family is the Picture of Survival

And Obermeyer urges a "NO" vote on retention of all 19 AK Justice/judges in the November 5, 2024 election.



## Notice to AK Voters

Supreme Court - Borghesan  
NO

Supreme Court - Henderson  
NO

Court of Appeals - Allard  
NO

Court of Appeals - Terrell  
NO

Superior Court JD3 - Ahrens  
NO

Superior Court JD3 - Selfert  
NO

Superior Court JD3 - Walker Jr.  
NO

Superior Court JD3 - Zeman  
NO

District Court JD3 - Dickson  
NO

District Court JD3 - Fanciosi  
NO

District Court JD3 - Hagley  
NO

District Court JD3 - Logue  
NO

District Court JD3 - McCrea  
NO

District Court JD3 - Wallace  
NO

District Court JD3 - Washington  
NO



**DO NOT RETAIN  
ANY JUDGES  
IN ALASKA'S  
CORRUPT STATE  
COURT SYSTEM.**

## The Story of how AK Courts have Always Operated

is Relevant Today.

Over 60 Alaska winters this writer has seen a lot of people just here for what they could steal and leave, while some interesting characters have stuck around even at great personal cost. One of those

interesting people, **Dr. Theresa Obermeyer**, could have been paid off by **University of Alaska** and left after a short stay 1978-79. Her story—of being locked out of her office in retaliatory non-retention by typically entrenched **AK State** workers—was an ominous start for her now distinctive 46-year Alaska career of public service.



## Tyrant Bosses Create Problems

From the start, instead of backing down Obermeyer stood her ground. She and four other likely over-qualified new professional employees from the Lower 48 were hired in Fall 1978. The other four took the money and ran.

[2] 1975 DOCTOR OF PHILOSOPHY, Major: Education, Area of Concentration: Urban Affairs; Ph.D.

## Alaska Was About to get RICH!



*On June 30, 1979 They called each of us in separately and they literally had printed forms on which they checked off how much they were going to pay each one of us, explained Obermeyer by videoconference October 24, 2024. The other four got about \$5,000-\$7,000 each ‘presumably for moving expenses” to leave Alaska.*

After trying to resolve her outrageous treatment informally for two years, Obermeyer sued in **U.S. District Court** in October 1981 as **Statute of Limits** were running out. This resulted in “Not for

Publication” ***Theresa (Nangle) Obermeyer v. University of Alaska*** No. 85-3826 DC Civil #A81-448 for which Obermeyer received an order December 32, 1986 REQUIRING HER TO PAY **\$17,161.75**.

[3] District Court Decision

**Having come to the Alaska Frontier from a civilized nation, Obermeyer believed that doing the right thing would result in her future fair treatment, but that’s not how it worked out. Weak Management Jackals are everywhere in Alaska public institutions, sometimes laughing like hyenas eating protected species Whale Fat, because they get away with almost anything.**



## **The Threat of Competence**

Prior to her civil lawsuit Obermeyer had been a successful college administrator in three previous positions; 1) **Lindenwood University**, St. Charles, MO, 2) **Loyola University**, Baltimore, MD, and 3) **St. Louis Community College**, Florissant, MO. Obermeyer has 35 professional references on file at **Interfolio, Inc.**, Washington, D.C., today from her employers, yet she ran into a UA buzzsaw at **Anchorage Community College**.

In fact, we know today **University of Alaska** has a long history of extensive litigation that has made select attorneys rich with public funds. In the end Obermeyer had to pay for her insistence on professional consideration at a hick community college evolved less than a decade from being a night school at West High.

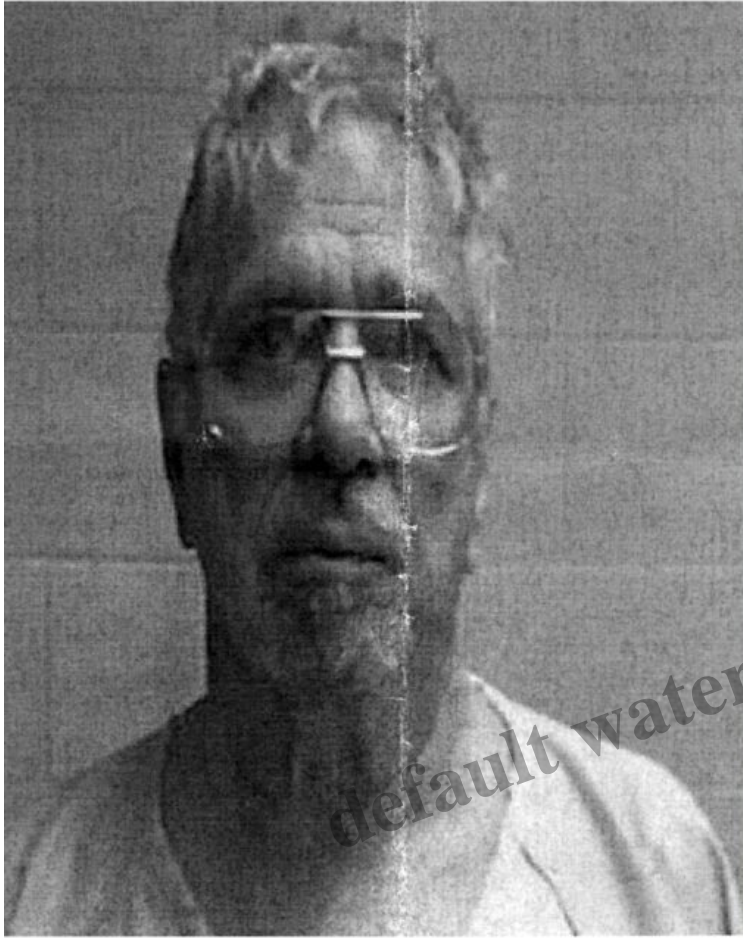


Dr. Theresa Obermeyer screenshots during interview.

## A Survivor Spirit!

*"I, sir, am a college administrator with a PhD," declared Obermeyer indignantly. "If you'll forgive me, I don't want to be egotistical, but I come from a very prominent family, and I still cannot believe any of this could have been possible. I will never forget when I got the first document, **United States of America v. Theresa Nangle Obermeyer** in 1994, which was the **criminal** charge after \*I\* was assaulted in a courthouse!"*

## DONN LISTON AND PRESIDENT TRUMP



**Anchorage Correctional  
Center - Alaska**  
**March 9, 2022**



**Fulton County Jail  
Georgia**  
**August 25, 2023**

This writer was also framed on false charges that have been dismissed after he had to spend two nights and one day in custody, while **Bill and Waneta Borden**, dba *High Caliber Realty, Inc* (sic) burglarized Liston's exclusively-owned Eagle River AK home March 9-10, 2022. Judge **Pamela Washington** ordered the stolen items returned within 10 days but never enforced that order. Ultimately Judge **Josie Garton** awarded Borden scammers everything they asked for—including proceeds from sale of Liston's home. The only thing Borden were denied by this bias judge was a gag order against him as a long-time truth-telling member of the press protected under the First Amendment of the US Constitution. They took everything. But since what I have documented in pleadings to the court and public statements is true, there isn't a damn thing the scammer/courts team can do about it.

**Liston had to leave Alaska from threat to his life before the lawless AK Court.**

Watch for many more stories to come to an expanded readership at my new International



Website:



# Alaskan

in



# Philippines!

<https://listondonn.ph>

## This Had to be a Set-Up of Obermeyer

*As an elected member of the Anchorage School Board Obermeyer had been invited to a meeting of the Joint Federal-State Court Gender Equity Task Force on June 29, 1994.*

**The meeting went bad.**

**Obermeyer:** *At one point I was surrounded by three giant (Male Gender) Security Guards called by Chief Justice (Female Gender) Dana Fabe. That was only the FIRST time I was physically attacked in a public venue.*

**Assaulted on three separate occasions, Obermeyer was knocked unconscious and required stitches to her scalp, at one of them.**



**Gender Equality before AK Courts.  
*Everybody Loses***

*I was acquitted in **State of Alaska v. Theresa Nangle Obermeyer 3AN-S98-2111 CR, 11-10-98.***

*This was a seven day jury trial prosecuted by **Hollis French**, former State Senator and Gubernatorial Candidate. **Jon Dawson**, partner, **Davis Wright & Tremaine**, Anchorage, who sat in that courtroom all seven days. The judge was **Stephanie Joannides**. My Alaska Defense Attorney was **Rex Butler**. I have had three claims with the **Alaska Violent Compensation Board** over my three assaults for which I have three transcripts (listed in References).*

**What Must THAT have cost the State?**

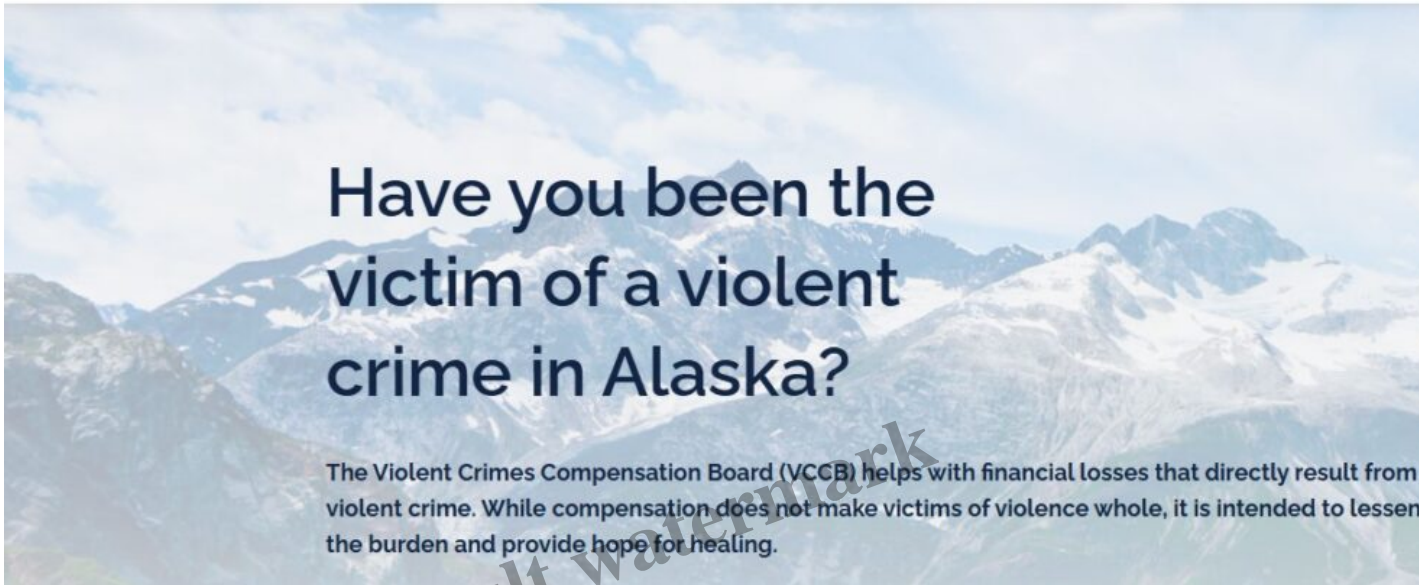


*Ade' ndadz dengit'a?*  
(Deg Xinag) "Hello, how are you?"



**ALASKA**  
DEPARTMENT OF PUBLIC SAFETY  
Violent Crimes Compensation Board

Victim Resources    Victim Compensation    For Providers    For Advocates



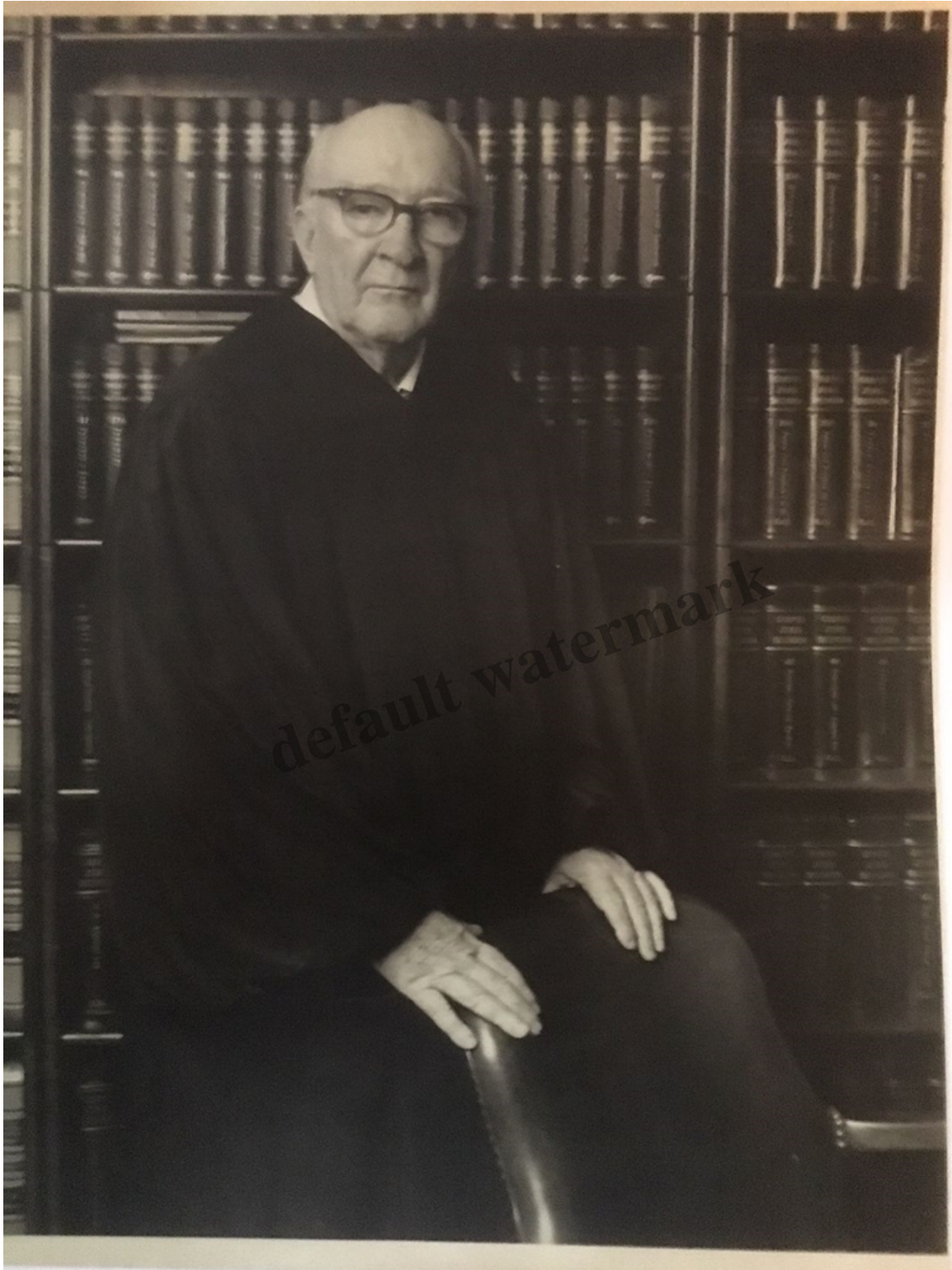
<https://vccb.alaska.gov/>

[4] Obermeyer claims before Alaska Violent Compensation Board.

## Instructional Overview

*I understand why people do not want to go into our courts; nobody wants to go where they are not welcome or invited, said Obermeyer. But if you'll forgive me, I OWN MY COURTS! Yes, sir, I will go to my courts, even though I was assaulted there at the courthouse. It's all scary. But people must be careful—make friends. I understand why people are really afraid of judges and lawyers. That's worrisome—because most are first generation Alaskan attorneys. They don't know how to be attorneys. I'm not trying to be disparaging, but I've watched this my entire life and I understand courts of law and justice well.*

## Daughter of a Longstanding USA Judge



Dr. Obermeyer's father, 45-year Circuit Court Judge **James F. Nangle**, St Louis, Missouri, USA.

*My middle (maiden) name is Nangle. My father was Judge **James F Nangle** of the circuit court in St Louis, Missouri, continued Obermeyer. He was on the bench until 1977. I am one of 12 children. We used to say, "enough for a jury box." I have six brothers and five sisters, although now, half of them are deceased. Five of my brothers are attorneys, but my father didn't think his daughters should go to law school. Today, the offspring of my father includes 20 living attorneys all over our great nation.*

Obermeyer believes in the courts and the American legal system, but Alaska has been a great disappointment because caliber of so many people here for their **Alaska Adventures** and endemic corruption. She has tried to inform the public of this corruption and continues to try to bring attention to **Alaska Bench and Bar** today.

## What Politician Might Use Courts to Gain Notoriety?

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## Dunleavy Administration

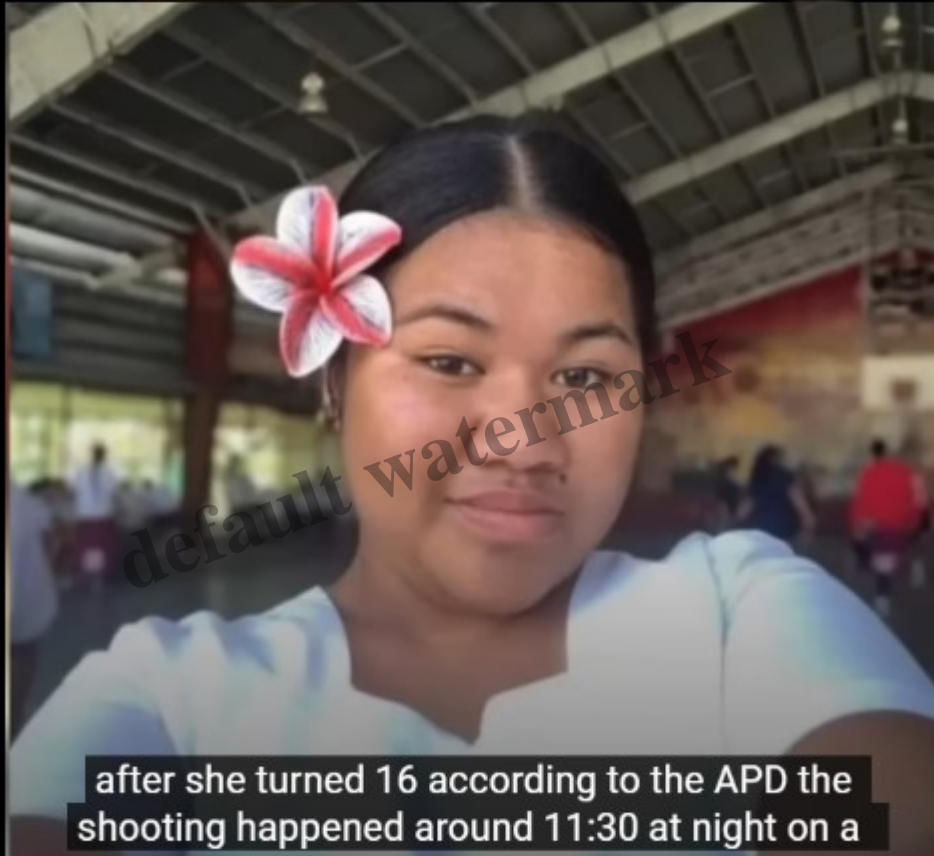
**Gov. Mike Dunleavy** has now taken three cases to the **US Supreme Court** at a cost of millions of dollars each. He has lost two but has hundreds of attorneys at his disposal to make political hay. Obermeyer speculates that these cases are nothing more than grandstanding to appeal to **Donald Trump** as likely next president of USA.

Obermeyer: *Dunleavy has allowed some **Alaska Boards and Commissions** to hire their own Counsel—**Alaska Industrial Development and Export Authority** and others—they're all from the lower 48 firms so I hope Alaska Bar members are getting sick and tired of this. Dunleavy also has filed up to 10 or more "Amicus Briefs" in courts all over our great nation and has about 600 Assistant Alaska Attorneys General to do his bidding.*

[5] Three US Supreme Court Cases

## Who Knew when Dunleavy Ran as a Law & Order Candidate?

# The Tough Cops of APD

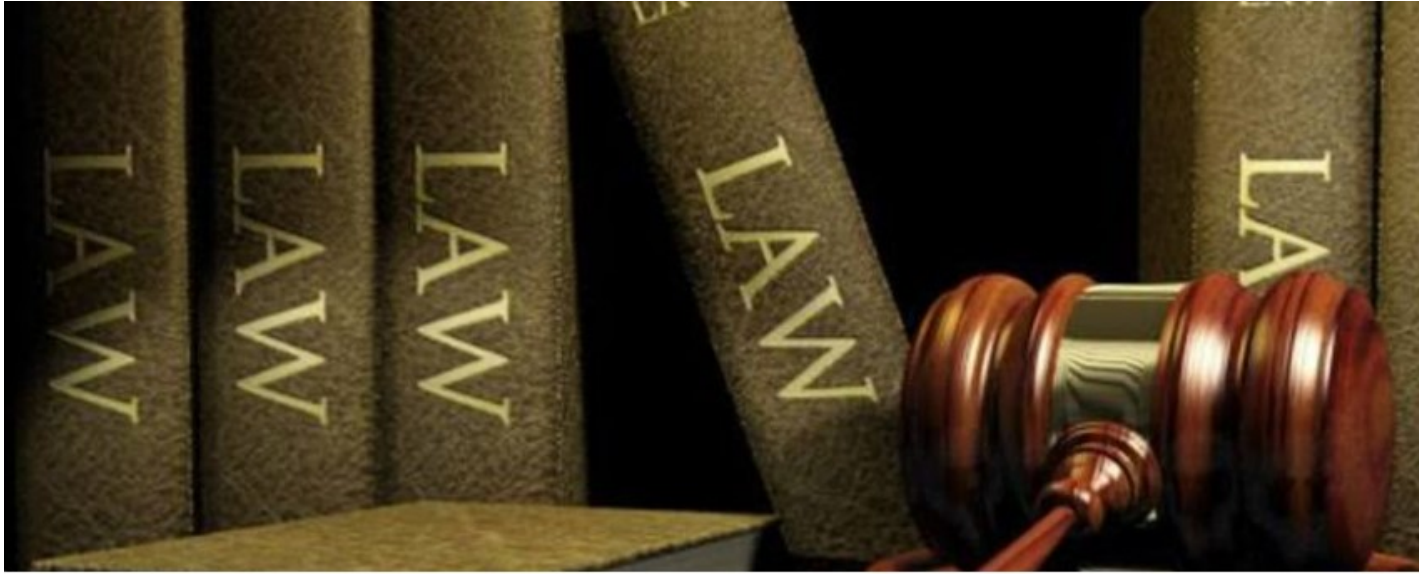


Easter Leafa will forever be 16 year old, because that's how old she was when the Anchorage police department killed her.

[6] Anchorage, Where EVERY Officer Involved Shooting IS Justified, DONN LISTON, August 29, 2024

## AK Crime is out of Control

*Obermeyer: An elected Attorney General would be a good ethical starting point, and might cause a domino effect to clean up the system over time.*



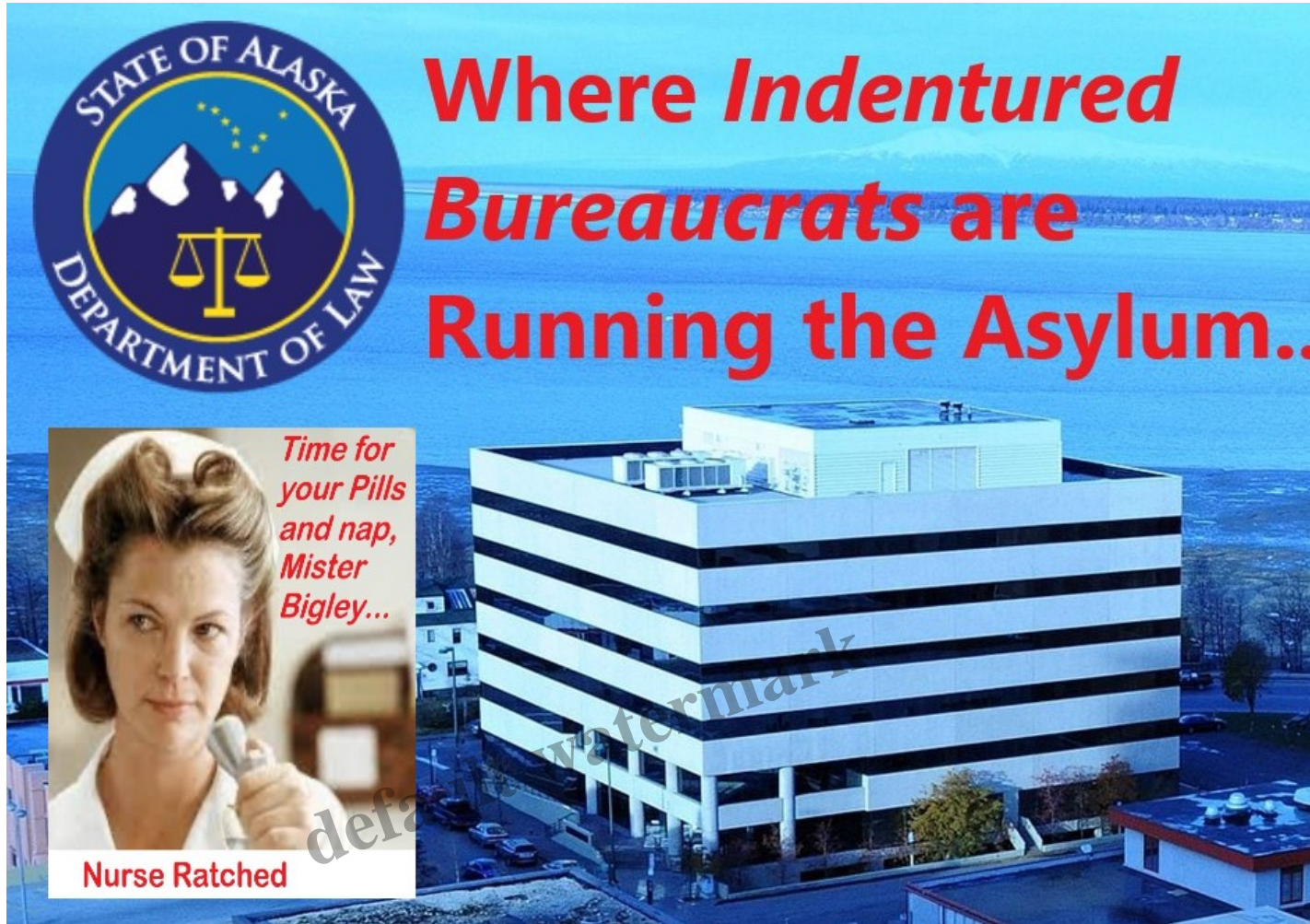
## **Elect Alaska Attorney General 2026**

[7] Live link to Facebook Group *Elect Alaska Attorney General 2026* is in References.

## **The Unholy Relationship Between Gov's AG and AK Courts**

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**From the Referenced story:**

*Commissioner, and Legal Counsel to the governor (and all other departments of the state), are EACH more than full-time jobs any place but ALASKA.*

*The Attorney General position has existed since the early days of the **Territory of Alaska**, though it was an elected rather than an appointed position prior to statehood.*

**[8] Alaskans Deserve to Elect Our State AG, DONN LISTON June 2, 2024**

**As an educator Dr. Obermeyer takes a measured view of what must happen to wake Alaskans over the coming years. She hopes before the next election to inform Alaskan voters through any means possible to change the AK Attorney General responsibilities from *Henchman for the (Imperial) Governor* to **ELECTED State Attorney for the people.****



Obermeyer has stood her ground as an intelligent Alaskan at great personal cost to herself and her family. This writer has observed the frequent occurrence of other accomplished professionals running into the Buzzsaw of public employee incompetence when coming to Alaska, after successful careers elsewhere. I am amazed that Obermeyer even today has an abiding faith in the law, but it is tempered with a profound criticism of how it is applied in the Alaska frontier.

## Service in Public Education

**Obermeyer served on ASD Board of Education 1990-1994 at a time of chaos.**

[9] Anchorage School Board 1990-1994; Member, Anchorage School District, Anchorage, Alaska Public Office, seven member body elected at large throughout Municipality of Anchorage, 135,000 registered voters, three and a half years term of office

*ASD has about 43,000 students or about 42% of the public school K-12 students in Alaska, Obermeyer said. There was a Recall of four Anchorage School Board members December 15, 1992 for which \$2 Million was spent.*

*School Boards are supposed to be the last vestige of grass roots politics, continued Obermeyer, dedicated to long range planning for children. They should not be subject to recalls after recall while our Alaska U.S. Senators and Representative seem to be in office for life. New School Board members are elected every three years! We should be spending money on our children's education not conducting election spectacles.*

**Obermeyer was an ASD teacher at *McLaughlin Youth Center* for 6 ½ years and has a current AK Teacher Certificate.**

[10] McLaughlin High School – Anchorage School District 1984-90, Secondary Teacher,

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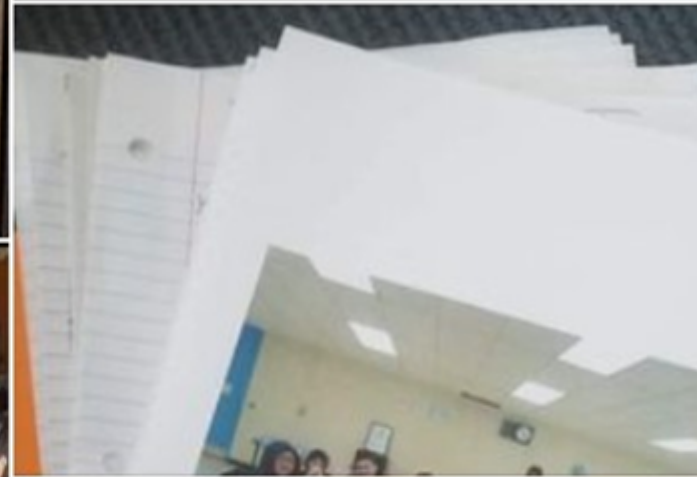
Lecon Chuit Jr. ▸ Theresa Nangle Obermeyer

April 24, 2022 · 🌐

I was your student in MYC.

1985. I don't have to pay rent "ever". I live in the same home and the utilities are all I have to worry about. I approached you in COSTCO one day but I just want to say.

You made a difference, you really cared and it showed the first day as your student. Every success I have, every life I changed, every life I save, I thought of the caring teacher who had hope in Juvenile Justice. Every, and I mean that from the bottom of my heart, every success is because of your compassion and faith in the human spirit.



This story does not report on Obermeyer's longstanding feud with the **Alaska Bar Association** regarding inability of her husband **Thomas S. Obermeyer** to pass the **AK Bar Exam** although he passed the **Missouri Bar Exam** and is refused reciprocity. The known antics of the ABA Cartel, and Judges who make their own laws at the expense of good Alaskans, are already known to anybody who has been here even a short time. Suffice it to say smart people are leaving Alaska if they can while the legislature and governor continue to pass unsustainable budgets likely aimed at cashing out the Permanent Fund to buy more unaccountable State and Local government.

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**SUBJECT OF ANNOTATION**

Beginning on page 1212  
Failed applicant's right of access to bar examination questions and answers

In the Matter of the Application of Thomas S. OBERMEYER

Supreme Court of Alaska

April 18, 1986

717 P2d 382, 57 ALR4th 1195

**SUMMARY OF DECISION**

An individual who took and failed the Alaska bar examination appealed the denial of certification to the Board of Governors of the Alaska Bar Association and requested a regrade of his examination and a hearing before the Board. The Board determined that the applicant had failed to allege facts which, if true, would establish an abuse of discretion or improper conduct by the Bar Association and denied him a hearing.

The Supreme Court of Alaska, Compton, J., affirmed in part and remanded in part. The court held, inter alia, that the applicant was entitled to be given a sampling of overall passing and failing exams, not merely benchmark answers to examination questions, since a state bar rule provided that one challenging the denial of certification for admission to the bar had the right to inspect, among other things, a representative sampling of passing and failing answers to the bar examination, and this rule had been interpreted to require that a failing applicant should have access to a representative sampling of the examination papers of other applicants who received overall passing and overall failing grades. To release only benchmark answers for each individual question, the court held, did not comply with this mandate. The court also held that a failing applicant should have access to the Multistate Bar Examination (MBE) questions and answers and to the applicant's own answers. Noting that one Alaska bar rule provided for a release of examination materials, answers, grader's guides, and a representative sampling of passing and failing answers to failing

1195

Alaska Bar Exam tests have been scrutinized before the world and found lacking, requiring the AK Supreme court to rule that certain opportunities to learn why an applicant failed are necessary. That seems like the most fundamental expectation which is even afforded to people who take the GED.

## Permanent Fund Monitor

Between 2001-2015 Obermeyer paid cost to post on a website ***Alaska Permanent Fund Board Confirmation Committee***

She has been long concerned that the ***Alaska Permanent Fund Board (APFB)*** is only a gubernatorial appointment and NOT confirmed by ***Alaska Legislature***. Obermeyer alleges past APFB members have enriched themselves-while on the board, especially ***Willam G. Moran, Jr.*** who increased the value of his two privately held banks, ***First Bank Ketchikan*** and ***Community Bank, Joseph, Oregon*** by 330% in the first three years he was on APFB 2006-2009. Obermeyer retains copies of the 3,375 pages of the archived website., APFBoardconfirmation.org. This website received almost 24,000 hits.

## Some Know What Happened

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A man in a dark suit and tie is holding a white goose in his left arm and a golden egg in his right hand. The text "Alaska's Permanent Fund is an Inspiration for Others" is overlaid in large red font on the image. A faint watermark "watermark" is visible across the lower part of the image.

# Alaska's Permanent Fund is an Inspiration for Others

[11] Our Permanent Fund Inspiration for Others, DONN LISTON December 2022

**From the story:**

Some 38-years after establishment of the deal between the **State of Alaska** and Oil Companies producing our oil, Gov. **Sarah Palin** and the **Alaska Legislature** arbitrarily changed the deal to what they initially called **Alaska's Clear and Equitable Share (ACES)**, increasing the tax to 75 percent, causing the goose to wonder if an ax was hidden in Palin's bloomers.

**We The People Did Not Ask for this.**

Grandstanding Palin abandoned her hotseat as **Governor of Alaska** to join **John McCain** on an ill-fated run for vice president of the **United States of America**. It was a laughable spectacle. Her Lt. Gov. **Sean Parnell** was left to pick up the pieces of her also laughable and ill-fated oil and gas policy.





More recently **Alice Rogoff** bought **Anchorage Daily News** from McClatchy in 2014 for \$34 Million. In 2017 she announced she was giving up control of the paper and it would reorganized under Chapter 11 bankruptcy. Previously Rogoff had been Chief Financial Office of **U.S. News and World Reports** 10 years but she was unknowledgeable of the newspaper business in Alaska. Ultimately ADN was sold to the Binkley family for \$1 million.



[12] Unsupervised Youth in Anchorage, DONN LISTON, September 14, 2017

Alice Rogoff's daughter **Gabrielle "Gabbie" Rubenstein** was appointed to the APFB by Gov. Dunleavy in June 2022. In August of 2024 Rubenstein was forced to resign because of conflicts with the staff and because her father's investments in the Fund were a conflict of interest for her.

## **Gov. Dunleavy Should have Known This**

"Gabbie's" father is **David Rubenstein**, founder of **Carlyle Group**, a private equity company, whose personal wealth is about the same value as **Permanent Fund** (about \$81,000,000,000). Mr. Rubenstein's wealth is private but allows him to buy newspapers or whatever else he wants for undeserving women in his life.

**Dunleavy has yet to replace this position vacated August 1, 2024. He must be waiting until after the election to bestow this plumb.**

*I closed this website out because I needed to pay tuition for my children and could not get enough other signatories to form a non-profit to investigate this **Permanent Fund** that Alaskans are all*

*supposed to own*, said Obermeyer.

Someday in the future offspring of the Alaskans who benefitted so greatly from the Prudhoe Bay discovery and oil development we have witnessed will be able to find answers to what happened to the endowment they are entitled to after it is pissed away.



**From this story:**

*“I think initial estimates of production from the North Slope were 8-9 Billion barrels of oil,” explained **Gary Lillo**, from the comfort of his home overlooking Eagle River Valley. “By the time I left after 30 years I believe they were already up to 14 Billion barrels from that reservoir.”*

**From the August 27, 2019 BP company press release:**

*BP today announced that it has agreed to sell its entire business in Alaska to Hilcorp Alaska, based in Anchorage, Alaska. Under the terms of the agreement, Hilcorp will purchase all of BP’s interests in the state for a total consideration of \$5.6 billion.*

[13] Why British Petroleum left Alaska DONN LISTON 01/17/2023

## Don't expect AK Judges or Public Officials

to be Held Accountable

*Obermeyer: "Alaska is one big personality conflict. Everyone is petty, jealous. I mean, can we stop? So many are here to rip us off. So many just want to make their greenbacks and go back home. I'm not that way. I could never have imagined that. I do have children that live here, and I want things to go better for Alaska."*

3AN-22-07417CI – Supreme Court No. 18900

**AT NO TIME HAS DONN LISTON EVER COMMITTED DOMESTIC VIOLENCE AGAINST ANY WOMAN.**

To suggest or charge Liston for such a thing is of great offense, of which biased Judge Garton obviously cannot understand the magnitude. This assault against Defendant's character is not only from Outside Georgia Scammers but from the Alaska Justice system itself, before which Defendant deserves an opportunity to defend myself on appeal even as the court is enabling his imminent financial destruction by proven liars.



*Rep Lora Reinbold and staff during 30<sup>th</sup> Session of the Alaska Legislature, 2018.*

## Addendum:

**"MANIPULATION OF MISSOURI COURT PLAN IN ALASKA RETENTION ELECTION 11-5-24"**

The **Missouri Court Plan** in the **Missouri Constitution**, Article V 25(c)(1), states: ... **Each judge appointed ... shall hold office for a term ending December 31 following the next general election after the expiration of 12 months in office ...**

**Alaska Supreme Court justices' retention elections are held at the first general election more than three years after appointment.**

**Alaska Court of Appeals judges' retention elections are held at the first general election more than three years after appointment;**

**Alaska Superior Court judges' retention elections are held at the first general election more than three years after appointment; and**

**Alaska District Court judges' retention elections are held at the first general election more than two years after appointment.**

**Because Alaska justices/ judges are not retained based on Missouri Court Plan as established by the founders, VOTE "NO" on all 19 justices/judges on the ballot Nov. 5.**

References:

[1] What is Entertainment News good for, DONN LISTON  
**Demise of the FOURTH ESTATE** 08/10/2023  
<https://donnliston.net/2023/08/demise-of-the-fourth-estate/>

[2] 1975 DOCTOR OF PHILOSOPHY, Major: Education, Area of Concentration: Urban Affairs; Ph.D. Dissertation: "St. Louis Comprehensive Drug Treatment Center: A Case Study, 1974" which is an analysis of the multi-modality drug treatment approach, St. Louis University, St. Louis, Missouri, dissertation on file Alaska Section Loussac Library  
<https://web.archive.org/web/20130921055550/http://home.gci.net/~obermeyer/theresa.html>

[3] Court Decision on appeal

**FILE**

MAY 13 1986

CATHY A. CATTER  
CLERK, U.S. COURT OF APPEALS

No. 85-3826

DC Civil #A81-448

MEMORANDUM\*

NOT FOR PUBLICATION  
UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

1  
2 THERESA OBERMEYER )  
3 Plaintiff-Appellant, )  
4 vs. )  
5 UNIVERSITY OF ALASKA, et al., )  
6 Defendant Appellees. )  
7 \_\_\_\_\_ )

8 Appeal from the United States District Court  
9 for the District of Alaska  
10 District Judge Gordon Thompson Jr., Presiding  
11 [Submitted May 8, 1986 \*\* - Seattle]

12 Before: WRIGHT and ANDERSON, Circuit Judges, and LYNCH,, District Judge. \*\*\*

13  
14 BACKGROUND

15 Obermeyer brought this civil rights action against the  
16 University of Alaska (UA) and the State Board of Regents, alleging  
17 denial of her due process rights and retaliatory nonretention.  
18 She was hired by UA affiliate Anchorage Community College (ACC) as  
19 Director of Student Services, a staff position. She had a nine-  
month contract from October 2, 1978 to June 30, 1979. It

20 PLAINTIFF OBERMEYER WAS REQUIRED  
21 TO PAY A JUDGMENT OF \$17,161.75 12/31  
22

23 \* This disposition is not appropriate for publication and may not  
24 be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 2

25 \*\* Oral argument waived by the court.

26 \*\*\*Hon. Eugene F. Lynch of the Northern District of California.

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expressly; incorporated by reference UA's general policies, rules and regulations.

1 In February 1979, Obermeyer was notified by ACC's  
2 president that her contract would not be renewed when it expired  
3 in June. No explanation was given.

4 She pursued the nonretention before the UA Grievance  
5 Ethics Committee, several administrative agencies,<sup>1/</sup> and the  
6 Board of Grievances. All denied her charges of discrimination  
7 violation of UA policy.

8 On October 28, 1981, she sued in district court.  
9 Defendants moved for dismissal and summary judgment, claiming  
10 the suit was barred by a two-year statute of limitation and  
11 Eleventh Amendment.

12 The court granted the motion holding that Obermeyer  
13 failed to allege facts sufficient to establish a due process  
14 violation. It held that she had abandoned her First Amendment  
15 claim. It did not reach the statute of limitation and Eleventh  
16 Amendment issues.

17 MOTION TO STRIKE

18 Appellees move to strike records appended to Obermeyer's  
19 briefs under Fed. R. App. P. 10(e) and 9th Cir. R. 4(b). They  
20 assert that the documents were not before the district court.

21 Obermeyer argues that appellees' motion should be denied  
22 and her motion to supplement granted because the materials are  
23 part of the record by reference. The contract refers only to  
24

25 <sup>1</sup> Alaska State Commission on Human Rights, Equal Employment  
26 Opportunity Commission, and Office of Civil Rights for the  
Department of Education.



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1 policies, rules and regulations, however. The challenged  
2 documents include memoranda, letters and other personnel  
3 information.

4 Fed. R. App. P. 10(e) states:

5 (e) Correction or Modification of the Record.  
6 If any difference arises as to whether the rec-  
7 truly discloses what occurred in the district  
8 court, the difference shall be submitted to an  
9 settled by that court and the record made to  
10 conform to the truth. If anything material to  
11 either party is omitted from the record by error  
12 accident or is misstated therein, the parties  
13 stipulation, or the district court either before  
14 or after the record is transmitted to the court of  
15 appeals, or the court of appeals, on proper  
16 suggestion or of its own initiative, may direct  
17 that the omission or misstatement be corrected  
18 if necessary that a supplemental record be  
19 certified and transmitted. All other questions  
20 to the form and content of the record shall be  
21 presented to the court of appeals.

22 The rule's purpose is to correct or modify the trial  
23 record. It "cannot be used to add to or enlarge the record on  
24 appeal to include material which was not before the district  
25 court." United States v. Walker, 601 F.2d 1051, 1054 (9th Cir.  
26 1979); see also 9th Cir. R. 4(b) (all appeals shall be heard  
27 original papers from district court clerk's file and original  
28 reporter's transcript).

29 Obermeyer had opportunities to present this evidence  
30 but failed to do so.<sup>2/</sup> We grant appellees' motion to strike

31  
32  
33  
34 <sup>2/</sup> She cannot complain to this court that appellees should be  
35 precluded from objecting to the extra-record evidence due to  
36 alleged discovery abuse. Such an allegation should have been  
37 presented to the district court.

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deny appellant's motion to supplement.

STANDARD OF REVIEW

1           The court dismissed the action for failure to state  
2 claim under Fed. R. Civ. P. 12(b)(6), but it considered mater.  
3 outside the pleadings. We construe the court's ruling as a  
4 summary judgment, see Smith v. Gross, 604 F.2d 639, 641 (9th  
5 1979) (per curiam) (judgment of dismissal considered as grant  
6 summary judgment because affidavits were considered), reviewed  
7 de novo, Lojek v. Thomas, 716 F.2d 675, 677 (9th Cir. 1983).

8           ANALYSIS

9           I. Section 1983 Due Process Claims

10           A. Property Interest

11           Obermeyer contends that she has a protected property  
12 interest in her continued employment with UA because of her  
13 status<sup>3/</sup> and her contract. UA hired her for a nine-month pe  
14 The contract did not refer to continued employment beyond the  
15 expiration date.

16           To prevail, Obermeyer must establish that she had  
17 property interest in continued employment. Cleveland Board  
18 Education v. Loudermill, 105 S. Ct. 1487, 1491 (1985).

19           Entitlements supporting such an interest are "defined by exi  
20 tute or understandings that stem from an independent source  
21 in state law -- rules or understandings that secure certain

22           -----  
23           3 Obermeyer claims her status as a "permanent" employee giv  
24 a property interest. The only documents that support this c  
25 are her employment forms, which are appended to her brief an  
26 subject to the motion to strike. Even if the materials were  
considered, they do not support her property interest claim  
because there is no mutual understanding that such status ex  
ned contract beyond its terms.

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benefits and that support claims of entitlement to those benefits." Board of Regents v. Roth, 408 U.S. 564, 577 (1972)

1           There must be more than an abstract need, desire, or  
2 unilateral expectation of continued employment. Id.; see also  
3 Perry v. Sindermann, 408 U.S. 593, 601 (1972) (requiring rules  
4 mutually explicit understandings). The record contains no rules  
5 or mutual understandings between Obermeyer and UA to create a  
6 expectation in continued employment.

7           She claims that refusal to evaluate her and give reasons  
8 for her nonretention are due process violations. Neither claim  
9 has merit. She relies on Alaska Administrative Code Title 4  
10 § 19.010 to support her right to an evaluation. That rule applies  
11 only to employees of public school districts governed by Alaska  
12 Stat. § 14.07.020.<sup>4/</sup> We find no rules or policies that require  
13 UA to state its reasons for her nonretention.

14           Obermeyer's argument that her letter of nonretention  
15 was a mid-year dismissal fails. The record shows that  
16 nonretention was effective when the contract term expired.  
17 Equally meritless is her claim to de facto tenure.

18           **B. Liberty Interest**

19           Obermeyer contends that her dismissal without explanation  
20 and supervisor Worsley's comments have affected her reputation.  
21 She claims that she has been stigmatized by her dismissal,  
22 entitling her to a name-clearing hearing.

23  
24  
25 <sup>4</sup> Alaska Stat. § 14.07.020(1) exempts UA from supervision by the  
26 Alaska Department of Education.

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1 A protected liberty interest encompasses one's freedom  
2 to work and earn a living. When one is dismissed for reasons  
3 that might seriously damage her community standing, she is entitled  
4 to notice and a hearing to clear her name. Bollow v. Federal Reserve  
5 Bank of San Francisco, 650 F.2d 1093, 1100 (9th Cir. 1981), certiorari  
6 denied, 455 U.S. 948 (1982). However, the reasons for dismissal  
7 must seriously "stigmatize" or otherwise burden the person so  
8 that she is unable to take advantage of other employment opportunities.  
9 Roth, 408 U.S. at 573-74.

10 There is nothing to show that Worsley made any remarks  
11 about firing Obermeyer. Assuming they had been made, they do not  
12 rise to the level of a constitutional violation. See Loehr v.  
13 Ventura County Community College District, 743 F.2d 1310, 1313  
14 (9th Cir. 1984) (comments that person would be fired do not rise  
15 to level enunciated in Bollow).

16 "When reasons are not given, inferences drawn from  
17 dismissal alone are simply insufficient to implicate liberty  
18 interests." Bollow, 650 F.2d at 1101; see also Loudermill,  
19 407 U.S. at 1496 n.13 (failure to allege that reasons for dismissal  
20 were published dooms liberty claim). Obermeyer had no protected  
21 liberty interest just because her nonretention was unexplained.  
22 Nor is a liberty interest implicated from lack of references or  
23 inability to find another comparable job.

## 24 II. Abandonment of First Amendment Claim

25 Obermeyer had claimed that she was fired for reporting  
26 an incident of academic dishonesty by one of her subordinates.  
The court found that she abandoned this claim because of



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statements made in response to UA's summary judgment motion.  
objects to the court's characterization of abandonment.

1 The court relied on the following assertions by  
2 Obermeyer's counsel in the memorandum opposing summary judgment

3 Plaintiff has not claimed any discriminatory  
4 abuse of her non-retention of employment with  
5 defendant and freely admits the absolute right  
6 the University of Alaska to have non-retained  
7 in her job beyond June 30, 1979. The focus of  
8 problem, as raised by Plaintiff in her petition  
9 lies in the named defendants [sic] refusal or  
10 unwillingness to comply with her written request  
11 that she be given the reasons for defendants' decision  
12 of her non-retention as required by Alaska  
13 law.

14 Clerk's Record, Document 46 at 12.

15 It appears from these and other statements that she  
16 abandoned her retaliatory nonretention claim. Because her  
17 claim depends on challenging the nonretention, which she  
18 concedes she is not challenging, the court correctly decided  
19 Obermeyer abandoned this claim.<sup>5/</sup>

### 20 III. Other Issues

21 Because Obermeyer fails to establish her entitlement  
22 to procedural safeguards, she was not entitled to any procedural  
23 safeguards. Of course, she could not be discharged for reasons  
24 which in themselves violated the Constitution. That was not  
25 the case here. The court properly disposed of her procedural  
26 challenges to the grievance proceeding, demonstrating that no  
constitutional violation occurred.

<sup>5</sup> By conceding that UA had the right not to renew her contract,  
she jeopardized the viability of her due process property interest  
claim, too.

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We need not reach the merits of appellees' Eleventh Amendment and statute of limitation defenses.

1 IV. Sanctions on Appeal

2 UA requests attorneys' fees under Fed. R. App. P. 3  
3 being forced to defend this appeal. An appeal is frivolous w  
4 the result is obvious or the appellant's arguments are wholly  
5 meritless. Kehr v. Smith Barney, Harris Upham & Co., Inc., 7  
6 F.2d 1283, 1288 (9th Cir. 1984).

7 This appeal is frivolous. Further, the submission  
8 extra-record evidence and reliance on such evidence in writte  
9 argument is abusive and violates our rules. We award appelle  
10 attorneys' fees and double costs under 28 U.S.C. § 1912 and F  
11 R. App. P. 38. Obermeyer and her counsel shall be jointly an  
12 generally liable for these sanctions.

13 CONCLUSION

14 The judgment of the district court is AFFIRMED.  
15 Appellees' motion to strike is GRANTED. Appellant's motion t  
16 supplement is DENIED. Appellees' motion for sanctions is GRA  
17 Appellees have fourteen days within which to file with this p  
18 the documentation of their fees and costs on appeal. Obermey  
19 has seven days thereafter to file any objections to the amount  
20 claimed.  
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26

[4] Obermeyer claims before Alaska Violent Compensation Board.

**1.) Claim #95-069** Alaska Court Gender Equality Task Force Meeting in Judge Singleton's Chambers on 6-29-94 regarding my invitation by Teri Carns, Alaska Judicial Council, to the meeting having written a proposal to be their consultant. At the end of the meeting, I asked if there was "Public Comment" at which time later Chief Justice Dana Fabe called the court security on me. When my non-jury criminal trial was held both at the time Anchorage Superior Court Judge Dana Fabe and at the time U.S. District Court Judge James K. Singleton testified against me. They flew another life appointed Federal Judge William B. Enright to Anchorage from San Diego to hold this trial. It was phony and orchestrated, a prostitution of both Fabe's and Singleton's Oaths of Office. I was jailed and my first fabricated non-jury federal criminal trial was planned, i.e., United States of America v. Theresa Nangle Obermeyer No. 94-30368 D.C. No. A 94-00074-WBE CR; Hearing Officer Patrick Conheady (deceased) and Nola Capp, Alaska Violent Crimes Compensation Board 3-6-95.

**2.) Claim #96-077** When I tried to attend an advertised, public meeting in the U.S. District Court Anchorage 8-16-95 with Senator Ted Stevens and Senator Kit Bond, Missouri, at which time I was assaulted and jailed in the Federal Building again. I had called the Anchorage Federal Security Staff the day before letting them know I was coming. I thought that letting them know would assure my good treatment. Instead, it was a set up. I retain pictures to prove I had bruises all over my body; Hearing Officer Larry A. McKinstry and Nola Capp, Violent Crimes Compensation Board 3-13-96.

**3.) Claim 98-365** When I had been invited to Hilton Anchorage 2-20-98 by Bob Southall, General Manager, to discuss Mitch Gravo's Alaska Law License. I was treated very rudely by Mr. Southall so I decided to leave when Mr. Bill Rodasky, Hilton Security, followed me and knocked me out cold. I woke up in a pool of blood requiring seven stitches in the back of my head. Then, I became the trespasser and assaulter at the Hilton. I was acquitted in a seven day jury trial 11-10-98. I asked Alaska Violent Crimes Compensation Board to at least side with me after I had been acquitted. Money would have been secondary. Hearing Officer Paul Stockler and Susan Browne, Alaska Violent Crimes Compensation Board 1-26-99. In this case, Mr. Stockler did not even agree to my acquittal in a jury trial as an officer of the court. He prostituted his oath of office as an Alaska attorney.

[5] Dunleavy's three US Supreme Court Cases

**[5A\*] U.S. Supreme Court decision kills controversial Alaska union dues plan for now**

[U.S. Supreme Court decision kills controversial Alaska union dues plan for now](#)

**[5B] An unusual request from Alaska to skip the lower courts and directly litigate EPA's Pebble mine veto in the Supreme Court was among many cases that landed in the justices' rejection pile Monday.**

[Supreme Court rejects Pebble mine, climate and water cases](#)

**[5C] Alaska lawsuit claims federal government owes state \$700 billion for quashing Pebble mine**

<https://washingtonstatestandard.com/2024/03/16/state-lawsuit-claims-federal-government-owes-alaska-700-billion-for-quashing-pebble-mine/>

[6] Anchorage, Where EVERY Officer Involved Shooting IS Justified, DONN LISTON, August 29, 2024  
<https://donnliston.net/2024/08/alaskas-institutional-corruption/>

[7] Elect Alaska Attorney General 2026



## Elect Alaska Attorney General 2026

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[8] **Alaskans Deserve to Elect Our State AG**, DONN LISTON June 2, 2024  
<https://donnliston.net/2024/06/why-alaskans-deserve-to-elect-our-state-ag/>

[9] Anchorage School Board 1990-1994; Member, Anchorage School District, Anchorage, Alaska Public Office, seven member body elected at large throughout Municipality of Anchorage, 135,000 registered voters, three and a half years term of office

[10] McLaughlin High School – Anchorage School District 1984-90, Secondary Teacher, McLaughlin Youth Center, a juvenile detention facility, teacher Language Arts, History, Geography, General Education Diploma, computerized program of instruction, typing, etc.; election by 20 building level teachers to Representative Council, Anchorage Education Association 1987-90; Delegate Assembly, NEA-Alaska, 1988, 1989

[11] **Our Permanent Fund Inspiration for Others**, DONN LISTON December 2022  
<https://donnliston.net/2022/12/our-permanent-fund-inspiration/>

[12] **Unsupervised Youth in Anchorage**, DONN LISTON, September 14, 2017  
<https://donnliston.net/2017/09/unsupervised-youth-in-anchorage-anchorage-daily-news-on-the-brink/>

**Why British Petroleum left Alaska** DONN LISTON 01/17/2023  
<https://donnliston.net/2023/01/why-is-bp-leaving-alaska-2019-donnliston/>



**Category**

- 1. Uncategorized

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