

2007

Bonneville Billing v. Jared Wall : Brief of Appellant

Utah Court of Appeals

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Jared Wall; pro se.

Kevin P. Sullivan; Jensen & Sullivan; Attorneys for Appellee.

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UTAH COURT OF APPEALS

BRIEF

BONNEVILLE BILLING,
PLAINTIFF AND APPELLEE,

JARED WALL,
DEFENDANT AND APPELLANT.

APPEALS COURT CASE NO. 20079153-SC

CIRCUIT COURT CVASE NO. 060603573

JUDGES MICHAEL G. ALLPHIN, JOHN MORRIS

FILED
UTAH APPELLATE COURTS
OCT 10 2007

UTAH COURT OF APPEALS

BRIEF

BONNEVILLE BILLING,

Plaintiff and Appellee,

JARED WALL,

Defendant and Appellant.

APPEALS COURT Case No. 20070153-SC

CIRCUIT COURT CASE NO. 060603573

Judge Michael G Allphin, John Morris

This Appeals Court has the jurisdiction in this matter.

Statement of Facts

The lower court granted a judgement in this case in a pre-trial hearing in which the defendant was not notified until after the court date because of a move which caused the defendant not to get his notice until the day after the pre-trial hearing.

Statement of the Case And Arguments

These are the issues in this case. Judge Morris not only threw out everything that had been filed in this case as far as what I had filed, he did it in a Court Pre trial hearing where the Defendant had not been notified until after the hearing, because of a move. On file with this court a letter from my father and now from me stating the move and not getting the paperwork until after the hearing, and after the Judge had rendered his judgement.

The Plaintiffs attorney is a practicing attorney in this state and yet he should the law but yet he was late in filing his Brief and was even later in filing for an extension and the court allowed his filing and this attorney has the gumption to want the law to baby him in his way, that is by not reversing this judgement and still allowing his Brief to be late. This attorney also lied in his excuse that he told the court, the binder machine has never been broken according to the manager at that store. Proper notification needs to be allowed in time for the defendant to attend. This was only a pre-trial hearing in which the plaintiff received the judgement and the throwing out of my responses so far in this case.

The Judge in this case upon my filing for an extension in this Appeal he granted me more time even though he had no authority to do so, thereby trying to usurping this courts authority and power.

I am only asking for justice in this matter and a fair hearing before a just Court in this State. Justice is only fair if both parties get the same treatment in the courts, and

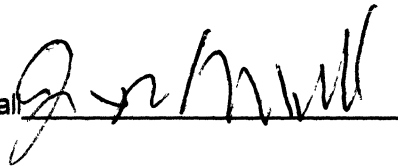
not based on law degrees on who is friends with the Judges. I have never heard of a case where the defendant was convicted in a pre-trial hearing whether or not he was there, Pre-trial is just that pre-trial and not judgement time. Judges cannot be given this unjust way of treating defendants in a court of justice, no matter where the court is located, Nazis in Germany had this attorney and this attorney for the plaintiff wants this style of treatment only if you are not an attorney or a judge. Justice demands an appeal be granted in this case and the Judge and the attorney for the plaintiff be held accountable and that the defendant be granted compensation for his time and costs involved to file the appeal.

Conclusion

In conclusion the lower court granted judgement when it was only a pre-trial hearing and therefore should be withdrawn and sent back for a trial in the lower court.

The plaintiffs should be penalized and the lower court be admonished to adhere to the law in trials. The plaintiffs should pay for the costs of this appeal and admonished to adhere to the law and not step on defendants rights to a fair trial and hearing.

Jared Wall

A handwritten signature in black ink, appearing to read 'Jared Wall', written over a horizontal line.

Date October 8, 2007

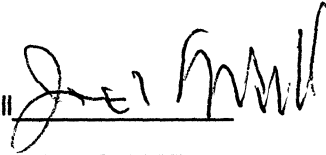
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the following BRIEF was mailed first class and postage pre paid to the following:

R Scott Jensen
205 26 th Street ste 34
Ogden, Utah 84401

Layton Court
Judge God Morris
Layton Court
Layton, Utah 84041

Jared Wall

A handwritten signature in black ink, appearing to read "Jared Wall", written over a horizontal line.

Date October 8, 2007