

1991

William Donald Peterson II v. Robert G.
Mouritsen, John P. Sampson, John J. McSweeney,
and MAC Industries, a Utah Corporation : Brief of
Appellee

Utah Supreme Court

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Appellant, Pro Se; William Donald Peterson, II.

C. DeMont Judd, Jr.; Attorney for Defendants/Appellees.

Recommended Citation

Brief of Appellee, *Peterson v. Mouritsen*, No. 910333.00 (Utah Supreme Court, 1991).

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IN THE SUPREME COURT IN AND FOR THE STATE OF UTAH
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WILLIAM DONALD PETERSON, II :

Plaintiff, :

BRIEF OF APPELLEES

vs. :

ROBERT G. MOURITSEN, JOHN P.
SAMPSON, JOHN J. McSWEENEY,
and MAC INDUSTRIES, A Utah
Corporation, :

Defendants. :

Case No.: ~~910333~~

910333-CA

Priority #16

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BRIEF OF APPELLEES
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Brief of Appellees on Appeal from the Third District Court
of Salt Lake County, State of Utah
The Honorable Pat B. Brian, Judge
Civil No.: 900905733PR
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1991

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THE COURT
OF APPEALS

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IN THE SUPREME COURT IN AND FOR THE STATE OF UTAH

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WILLIAM DONALD PETERSON, II	:	
Plaintiff,	:	BRIEF OF APPELLEES
vs.	:	
ROBERT G. MOURITSEN, JOHN P.	:	
SAMPSON, JOHN J. McSWEENEY,	:	
and MAC INDUSTRIES, A Utah	:	Case No.: 910079
Corporation,	:	
Defendants.	:	

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BRIEF OF APPELLEES

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of Salt Lake County, State of Utah
The Honorable Pat B. Brian, Judge
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PARTIES TO THE APPEAL

1. Plaintiff, Pro Se: William Donald Peterson, II
Defendants: Robert G. Mouritsen
John P. Sampson
John McSweeney
MAC Industries, A Utah Corporation

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TABLE OF AUTHORITIES

1. Utah Rules of Civil Procedures,
Rules 3, 7, 8, 10, 17

JURISDICTION

This matter having been transferred from the Supreme Court to the Appellate Court by rule, the matter now stands at issue before the Court of Appeals.

ISSUES PRESENTED FOR REVIEW

At a hearing, based upon a motion to dismiss filed by the Defendant, Judge Brian granted the Motion for failure to properly plead, granting to the plaintiff the right to make such appropriate amendments as he might desire and the plaintiff having failed to amend or to modify his pleadings, the Court determined that dismissal was appropriate.

STATEMENT OF THE CASE

Plaintiff, William Donald Peterson, II, previously was before the Supreme Court on the similar facts and similar circumstances and was dismissed by the Supreme Court on or about February 28, 1990, with subsequent dismissal of a Motion for Reinstatement. The Plaintiff, despite the admonition from the bench by Judge Brian, persists in his claim or claims against the parties defendant. The harassment and abuse of process continues and the Court should determine has violated Rule 11 and restrain plaintiff from continuing the harassment entered into in this matter.

ARGUMENT

Plaintiff's pleadings do not give rise to a cause of action, do not meet the notice requirements, do not state a claim with specificity against the defendants and are unacceptable

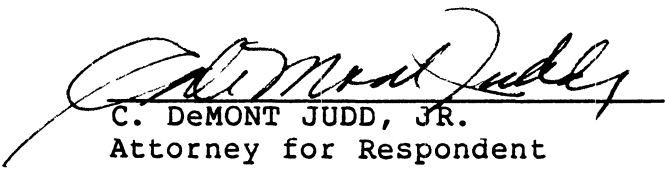
pleadings under the Utah Rules of Civil Procedures.

Plaintiff further violates the due process of law and abuses process by subjecting the defendants to harassment in the form of suits and appeals.

CONCLUSION

Plaintiff should be restrained and sanctioned under Rule 11 of the Utah Rules of Civil Procedure.

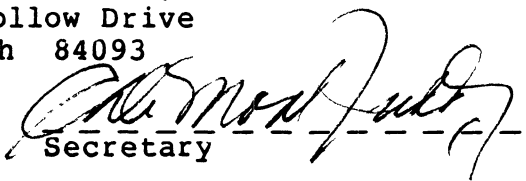
Respectfully submitted this 29th day of July, 1991.


C. DeMONT JUDD, JR.
Attorney for Respondent

CERTIFICATE OF MAILING

I certify that on this 29th day of July, 1991, I mailed a true and correct copy of the foregoing first class mail and postage prepaid to:

William Donald Peterson, II
9174 Quail Hollow Drive
Sandy, Utah 84093


Secretary