

2003

State of Utah v. Paul Sorenson : Brief of Appellant

Utah Court of Appeals

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Attorneys for Appellee; Utah Attorney General.

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IN THE COURT OF APPEALS FOR
THE STATE OF UTAH

--oooOooo--

STATE OF UTAH,)	
Appellee/Plaintiff,)	APPELLANT'S BRIEF
)	
)	
vs.)	Appellate Court No. 20030496
)	District Court Case No. 011403460
)	
PAUL SORENSON,)	
Appellant/Defendant.)	

---oo0oo---

THIS IS AN APPEAL FROM A CRIMINAL CONVICTION ENTERED IN
THE FOURTH JUDICIAL DISTRICT COURT FOR UTAH COUNTY,
STATE OF UTAH. THE HONORABLE FRED HOWARD, TRIAL JUDGE.

PRIORITY NO. 2

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FILED
Utah Court of Appeals

DEC 13 2003

Paulette Stagg
Clerk of the Court

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SALT LAKE CITY, UTAH

ORIGINAL

FILED

SEP 17 1993

CLERK SUPREME COURT
UTAH

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UTAH SUPREME COURT

DANIEL A. MILLER and DAVID M.
KIMBALL,

Plaintiffs,

vs.

JUDGE BUILDING ASSOCIATES, a Utah
limited partnership; HAROLD J. HILL; J.
MICHAEL MARTIN; WILMA W. GARDNER,
as personal representative of the ESTATE OF
KENNETH N. GARDNER, Deceased;
MARTINEAU & COMPANY, Certified Public
Accountants,

Defendants.

STIPULATION

Case No. 980240
920900094

Bruce J. Nelson, Esq., attorney for Defendant/Appellant Martineau & Company, and Mark R. Gaylord, Esq., attorney for Plaintiffs/Appellees in the above-captioned case, hereby stipulate and agree as follows:

1. Defendant/Appellant timely filed a Notice of Appeal with this Court on June 21, 1996 seeking review of the trial court's Findings of Fact, Conclusions of Law and Order dated August, 1995, the trial court's June 29, 1995 Minute Entry regarding attorney's fees and costs, and the trial court's May 24, 1996 Findings of Fact, Conclusions of Law and Order.

2. Oral arguments were scheduled by the Court but were postponed twice due to scheduling conflicts.

3. The Court dismissed the appeal by Memorandum Decision on November 28, 1997 on the basis that no final order on the merits was ever signed by the trial court.

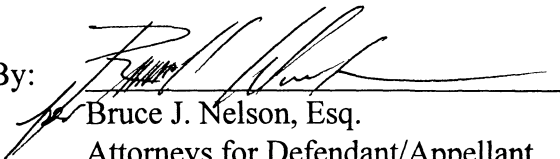
4. The parties corrected the apparent oversight and the trial court entered a signed Findings of Fact, Conclusions of Law and Order dated April 24, 1998.

5. On August 7, 1998, the Utah Supreme Court, Appellate Clerk's Office, notified the parties of the briefing schedule. The parties, however, filed briefs in the original appeal and hereby stipulate and consent to the use of the original briefs in the present appeal. The parties further stipulate and certify that the briefs conform to the requirements of Rules 24, 26 and 27 of the *Utah Rules of Appellate Procedure*, and are hereby resubmitted concurrently herewith under the new case number.

6. The record index was prepared by the trial court in the original appeal and was submitted to the Court of Appeals by the trial court.

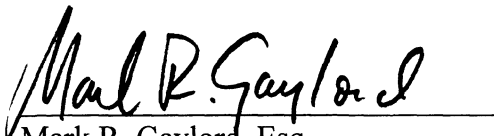
DATED this day of September, 1998.

NELSON RASMUSSEN & CHRISTENSEN

By: 
Bruce J. Nelson, Esq.
Attorneys for Defendant/Appellant
Martineau & Company

DATED this day of September, 1998.

SUITTER AXLAND

By: 
Mark R. Gaylord, Esq.
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