

1993

Price City v. Gary Ray Ortega :

Utah Court of Appeals

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Nick Sampinos; Price City Attorney.

Gary Ray Ortega; Defendant/Appellant Filing Pro Se.

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CITY COUNCIL

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"Coal"
"Energy, Capital of Utah"

UTAH COURT OF
BRIEF

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DOCKET NO.

930692-CA

October 18, 1994

VIA - FACSIMILE 801-578-3999

Sheri Knighton, Deputy Clerk
Utah Court of Appeals
230 South 500 East, Suite 400
Salt Lake City, Utah 84102

RE: Price City,
Plaintiff and Appellee
vs.
Gary Ray Ortega,
Defendant and Appellant.

Case No. 930692-CA

Ms. Knighton:

This will confirm my receipt of your letter to me dated October 5, 1994. I am faxing this response to advise you of my position as quickly as possible.

This will confirm that I did not prepare an appellee's brief in this case nor do I intend to file one by October 21, 1994. First, this case has drug on for many months wasting a lot of the District Court's time, the Utah Court of Appeals' time, and my time. As I previously indicated in by Objection to the Motion for Certiorari, dated May 12, 1994, it is my opinion that the Appellant does not understand the Utah Rules of Evidence, the Utah Rules of Civil Procedure and the Utah Rules of Appellant Procedure. As a result of his failure to understand such rules, the Appellant continues to waste everyone's precious time.

Second, in reviewing the Appellant's brief, a response would be most difficult to prepare. The Appellant has set forth five arguments, none of which make sense to me.

In view of the Appellant's Motion to Waive Oral Argument, dated July 15, 1994, it does not appear that he is interested in

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oral argument. Needless to say, even if I had submitted an appellee's brief, I would not be interested in arguing the case any further with Mr. Ortega. I feel that Mr. Ortega was dealt with properly and fairly, that he received a fair trial and the transcript of that trial and sentencing speak for themselves.

Thank you for your attention to this matter.

Sincerely,



Nick Sampinos
Price City Attorney

NS (nn)