

2006

Robert Timothy v. Parley Timothy : Reply Brief

Utah Court of Appeals

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Gregory J. Sanders; Kipp and Christian; Appellee Attorney.

Robert Timothy; Appellant Pro Se.

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UTAH COURT OF APPEALS

ROBERT TIMOTHY

Plaintiff/Appellant

v.

Case No. 20060960-CA

PARLEY TIMOTHY

Defendant/Appellee

REPLY BRIEF OF APPELLANT

Third District Court, State of Utah

Salt Lake County, Salt Lake Department

Randall N. Skanchy District Judge

Appellee Attorney
Gregory J. Sanders
Kipp and Christian, P.C.
Attorneys at Law
10 Exchange Place
Fourth Floor
Salt Lake City, Utah 84111
(801) 521-3773

Appellant Pro Se
Robert Timothy
68-1839 Auhili Loop
Waikoloa, HI 96738
(801) 979-1157

JT FILED
FEB 15 2006

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TABLE OF AUTHORITIES

CASES:

BRIEF OF APPELLEE PARLEY TIMOTHY 1

MEMORANDUM DECISION AND ORDER
CASE NO. 050918496 12th day of October, 2006
JUDGE RANDALL SKANCHY 2,3

STATUTES:

U.C.A. SECTION 57-6-4 1,2,3

RULES:

Rule 24, Utah Rules of Appellate Procedure 1

STATEMENT OF ARGUMENT

Gregory Sanders is correct that the format of the brief is sub-standard to Rule 24(a)7. but not Rule 24(e). None of the facts where specific quotes or evidence, just general knowledge. The Table of Contents does lack the description format of the body of the brief and that Robert Timothy's statement of facts are not referenced to records of the "court below" referring to the Color of Title Action before Judge Skanchy or could mean other courts as well, I now know this. However these statements of facts have never been questioned or considered controversial. Brief of Appellee facts are referenced to other court actions, judges orders and statements made by Robert Timothy as the authority for reference. Mr. Sanders hasn't claimed any of them to be false or misleading. However both set of Statement of Facts would infer that Mark Timothy resided at 2720 S. Chadwck until March 2006, Mark Timothy actually moved out January 2006. The only controversy is the interpretation of Utah Code 57-6-4 wording "by himself" ignoring "or by those under whom he claims,"

which I believe was intended by the legislator to mean the inclusion of other people with like interest in the property, where it to be a spouse, family members, lien holders, partners or life partners, who have contributed to the property in the required time frame, also the failure to include a ruling concerning the Property Taxes paid, in the Summary Judgment Memorandum of Decision and Order by Judge Skanchy, which was referenced.

Mr. Sanders is correct in his statement that Robert Timothy expects the Court to read the filings of the Color of Title Action to make the decision if Judge Skanchy failed to address all matters and if his decision is correct in his interpretation of law in all matters.

If this court dismisses Robert Timothy's Brief due to format and not information, then the Brief of Appellee Parley Timothy can also be dismissed, because its Table of Content also fails format by not including the content of Addendum A or mentioning Addendum B and C. Thus also sub-standard. I also understand the terminology of "parallel citations, rules, statues" in Rule 24 for the table of contents

now. This is my first appeal and hopefully my last so I ask the court to be lenient in its required format for a Pro Se and proceed with the case.

The rest of the Appellee Brief is the same argument that Robert Timothy doesn't have Color of Title by not meeting the requirements of Utah Code 57-6-4 which Robert Timothy claims to have met in his brief. Robert Timothy and Gregory Sanders have referenced the same court decisions with different interpretations and now asks this court to render its interpretation.

CONCLUSION:

Accept the briefs as is and proceed with the Judicial Evaluation.

Make your interpretation of the law COLOR OF TITLE Utah Code Section 57-6-4. Certain persons considered to hold under color of title, and rule as to if Judge Skanck's interpretation is accurate and reference to property taxes is not required to deny trial in his

MEMORANDUM DECISION AND ORDER or the following order written up by Gregory Sanders, signed later by Judge Skanck

with only additional terminology of with prejudice added.


Robert Timothy Pro Se

CERTIFICATE OF DELIVERY

The undersigned hereby certifies that on 10 day of February, 2007, a true and correct copies of the foregoing **RESPONSE TO BRIEF OF APPELLEE PARLEY TIMOTHY** was mailed to the office of:

Gregory Sanders, USB No. 2858
KIPP AND CHRISTIAN, P.C.
Attorney for Plaintiff
10 Exchange Place, 4th Floor
Salt Lake City, Utah 84111


Robert Timothy