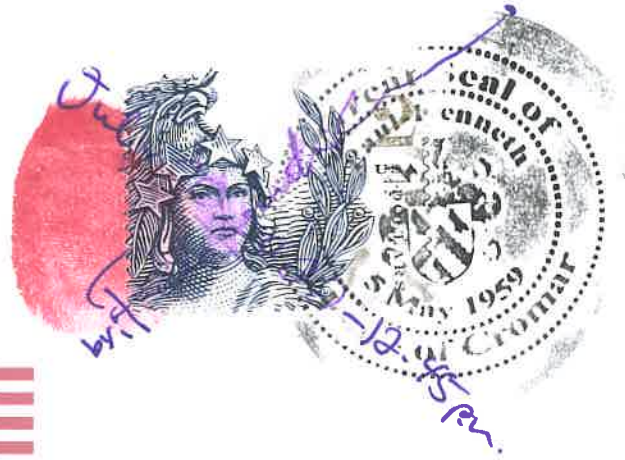


Dean Marshall Spencer  
Authorized Person / Relator  
General Delivery  
Pleasant Grove, Utah state [84062]



Paul-Kenneth: Cromar. <sup>TM</sup>

- Executor of the name ©“PAUL KENNETH CROMAR”, and,  
Barbara-Ann: Cromar. <sup>TM</sup>

- Executrix of the name © “BARBARA ANN CROMAR”

c/o 9870 N. Meadow Drive  
Cedar Hills, Utah state: uSA [84062]

---

## IN THE UTAH COURT OF APPEALS

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Dean Marshall Spencer,  
Authorized Person Relator

Paul-Kenneth: Cromar, the man, and,  
Barbara-Ann: Cromar, the woman

Thomas Fairbanks,  
Authorized Person

applicants / complainants

vs.

Judge Christine Johnson,  
Magistrate Anthony Howell,  
Judge Darold McDade, et al.,  
Utah County Sheriff Mike Smith,  
American Fork PD Darren Falslev,  
Utah County Attny David O. Leavitt,

**ADDENDUM TO RESPONSE**  
**AND AMENDMENT TO**  
**APPELLATE CASE NO(s)**

**20220593 - CAs**  
**20220594 - CA**

**Exhibits,**

**References,**

**And Relevant Court Records,**

**To the Answer and Amendment**

**To Appellate Cases**

Attorney Jared Perkins, et al.,  
Judge Kraig J. Powell,  
Judge Robert Lund,  
Judge James M. Brady, et al.,  
Attorney Nathan S. Dorius,  
Attorney Andrew V. Collins,

Judge Lynn W. Davis,  
U.S. Solicitor General,

US Chief Judge Robert J. Shelby,  
DOJ/IRS attny Ryan Watson, et al.,

US District Judge Timothy DeGuisti,  
US Attorney John Huber,  
US Asst. Attny John Mangum,

US District Judge David B. Barlow,  
Magistrate Daphne Oberg,  
Asst. Utah AG Heather Chesnut,  
Utah Attorney General Sean D. Reyes,

Defendants

(Applicable to Utah Fourth District Court  
cases 201402860 & 201402868)

---

**ADDENDUM TO RESPONSE AND AMENDMENT TO APPELLATE CASE**  
**Exhibits, References, and Relevant Court Records, To the Answer and Amendment**

Dean Marshall Spencer, Authorized Person, in behalf of Allegedly Disabled of the above said Cromars, a living man and woman, Applicants (See Response Stacey R. Haacke, Addendum "C" Vexatious Litigants Order) applies to the Appellant Court Clerk under Rule 19(a) addressed to Chief Justice Matthew B. Durrant with this answer to the response by and through Counsel Stacey R. Haacke as an Amended Application.

In her response Haacke claims the Cromars were devoid of reference or relevance of court records. In an effort to assist Haacke in her effort to fully understand the scope of the 15 interrelated court cases over a 4 year 8+ month history of the Cromars attempting to protect their God-given, Constitutionally protected, un-a-lien-able right to due process of law, we

herein provide for her (at her apparent request/requirement), for the list of Defendants and Utah State Supreme Court Chief Justice Matthew B. Durrant, **Exhibits, References, and Relevant Court Records, To the Answer and Amendment** filing of July 18, 2022.

No longer "devoid of references", Haacke and others may now more effectively address the Abuse of Process and Judicial Authority inflicted upon "'Barbie & Ken' Cromar [who] were evicted from their home after the federal government forced the sale of their home to collect a tax debt" which has never been proven, and in fact has been now disproven by the Cromars in US Tax Court (Washington DC) under the signature of Chief Judge Maurice B. Foley, in response to the suits each filed against the Commissioner of Internal Revenue [IRS Commissioner Charles Rettig].

The **Exhibits, References, and Relevant Court Records, To the Answer and Amendment** are respectfully herein attached.

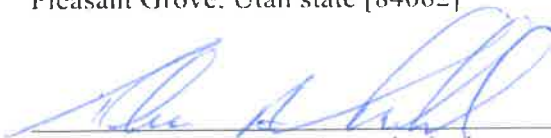
#### **Declaration Under Penalty Of Perjury**

We declare under penalty of perjury that we are the petitioners, we have read this petition or had it read to me, and the information in this petition is true and correct to the best of our knowledge. We also understand that a false statement of a material fact may serve as the basis for prosecution for perjury. However, we reserve the right to correct and amend as desired.

Respectfully presented to the court on this the 20<sup>th</sup> day of the 7<sup>th</sup> month, in the year of our Lord anno domini 2022,



Signature of Attorney or other authorized person  
Dennis Marshall Spencer - Relator  
General Delivery  
Pleasant Grove, Utah state [84062]



Signature of Attorney or other authorized person,  
Thomas H. Fairbanks - Relator  
345 N. 150 W.  
Logan, Utah state [84321]

#

FOR THE Heirs /Executors **ARE** FOR THE AFFIRMATION  
OF THE DECLARATION OF THE  
TRUE BY THE FIRSTHAND KNOWLEDGE OF THE FACTS:

Utah County )  
)  
Utah Republic )  
)  
united States of America )

Asseveration

L.S.

by: *Paul-Kenneth Cromar*  
© Paul-Kenneth: House of Cromar™

Signed only in correct public capacity as  
Sole Heir & Executor to the Paul-Kenneth: Cromar Estate.  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]

Asseveration

L.S.

by: *Barbara-Ann Cromar*  
© Barbara-Ann: House of Cromar™

Signed only in correct public capacity as Sole Heiress &  
Executrix to the Barbara-Ann: Cromar Estate.  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]

Which are commonly known addresses for **LAND PATENT #392 part and parcel** thereof;

We *Stand* on our Metes and Bounds, having never abandoned them, which are as follows:

Beginning at the Northeast corner of Lot 3, Plat "C", Amended North Meadow Estates Subdivision, said point being S89°28'48"W 1129.68 feet along the Quarter Section line, and S0°00'00"W 773.49 feet from the East 1/4 corner of Section 6, Township 5 South, Range 2 East of the Salt Lake Base and Meridian, and running thence along said Lot 3 boundary line the following five (5) course: (1) S0°18'49"W 96.09 feet; (2) S89°59'43"W 149.21 feet; (3) along a curve to the right 23.50 feet through a central angle of 89°46'16" having a radius of 15.00 feet and a chord that bears N45°07'09"W 21.17 feet; (4) N0°14'01"W 80.49 feet; (5) N89°45'59"E 165.06 feet to the point of beginning, containing 0.361 acres.

[for LOT "C", AMENDED NORTH MEADOW ESTATES  
SUBDIVISION within the SE ¼ of SEC. 6, T.5 S., R.2 E. SLBM – 0.361 acres]

**CERTIFICATE OF SERVICE**

For the verification is for the true and correct-copy of the Original of the **ADDENDUM TO RESPONSE AND AMENDMENT TO APPELLATE CASE - Exhibits, References, and Relevant Court Records, To the Answer and Amendment** and is of the delivery by the following manner:

Judge Christine Johnson	Certified Mail: #7022 0410 0002 9777 7726
Magistrate Anthony Howell	Certified Mail: #7022 0410 0002 9777 7733
Judge Darold McDade	Certified Mail: #7022 0410 0002 9777 7740
Judge Kraig J. Powell	Certified Mail: #7022 0410 0002 9777 7757
Judge Robert Lund	Certified Mail: #7022 0410 0002 9777 7764
Judge James M. Brady	Certified Mail: #7022 0410 0002 9777 7771
Judge Lynn W. Davis	Certified Mail: #7022 0410 0002 9777 7788
c/o UTAH FOURTH DISTRICT COURT	
137 North Freedom Blvd	
Provo UT 84601	

Utah County Sheriff Mike Smith	Certified Mail: #7022 0410 0002 9777 7795
c/o UTAH COUNTY SHERIFF DEPARTMENT	
3075 North Main	
Spanish Fork, UT 84660	

AFPD Darren Falslev	Certified Mail: #7022 0410 0002 9777 7801
c/o American Fork Police Department	
75 E 80 N, #101	
American Fork UT 84003	

Utah County Attny David O. Leavitt	Certified Mail: #7022 0410 0002 9777 7818
Attorney Jared Perkins	Certified Mail: #7022 0410 0002 9777 7825
c/o 100 East Center Street, Suite 2100	
Provo Utah 84606	

Attorney Nathan S. Dorius	Certified Mail: #7022 0410 0002 9777 7832
Attorney Andrew V. Collins	Certified Mail: #7022 0410 0002 9777 7849
c/o Mitchell Barlow & Mansfield	
Boston Building	
Nine Exchange Place, Suite 600	
Salt Lake City, Utah 84111	

U.S. Solicitor General	Certified Mail: #7022 0410 0002 9777 7856
------------------------	---

US Chief Judge Robert J. Shelby  
US District Judge David B. Barlow  
Magistrate Daphne Oberg  
c/o UNITED STATES DISTRICT COURT  
351 South West Temple  
Salt Lake City, Utah 84101

Certified Mail: #7022 0410 0002 9777 7863  
Certified Mail: #7022 0410 0002 9777 7870  
Certified Mail: #7022 0410 0002 9777 7887

Ryan S. Watson, Trial Attorney  
Tax Division  
U.S. Department of Justice  
Ben Franklin Station / P.O. Box 683  
Washington, DC.20044-0683

Certified Mail: #7022 0410 0002 9777 7894

US District Judge Timothy DeGiusti  
c/o United States District Court – W. OK  
200 NW 4th Street  
Oklahoma City, OK 73102

Certified Mail: #7022 0410 0002 9777 7900

US Attorney John Huber  
c/o Greenberg Traurig  
222 South Main Street, 5th Floor  
Salt Lake City, Utah 84101

Certified Mail: #7022 0410 0002 9777 7917

US Asst. Attny John Mangum  
c/o US Attorney Office  
111 South Main St., Suite 1800  
Salt Lake City, Utah 84111-2176


Certified Mail: #7022 0410 0002 9777 7924

Asst. Utah AG Heather Chesnut  
c/o UTAH ATTORNEY GENERAL OFFICE  
160 East 300 South, Sixth Floor  
Salt Lake City, Utah 84111

Certified Mail: #7022 0410 0002 9777 7931

Utah AG Sean Reyes  
c/o UTAH ATTORNEY GENERAL OFFICE  
Utah State Capitol Complex  
350 North State Street, Suite 230  
Salt Lake City, UT 84114-2320

Certified Mail: #7022 0410 0002 9777 7948

  
Paul-Kenneth Cromar  
c/o 9870 N. Meadows Dr.  
Cedar Hills, Utah state [84062]

July 20<sup>th</sup>, 2022



2022 06 24 - Habeas Corpus Filed at AF Court

FILED

JUN 24 2022

4TH DISTRICT  
STATE OF UTAH  
UTAH COUNTY



Paul-Kenneth: Cromar. <sup>TM</sup>

- Executor of the name ©“PAUL KENNETH CROMAR”, and,

Barbara-Ann: Cromar. <sup>TM</sup>

- Executrix of the name © “BARBARA ANN CROMAR”

c/o 9870 N. Meadow Drive

Cedar Hills, Utah state: uSA [84062]

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IN THE FOURTH JUDICIAL DISTRICT COURT  
UTAH COUNTY, AMERICAN FORK, STATE OF UTAH

---

Paul-Kenneth: Cromar,  
and Barbara-Ann: Cromar

applicants / complainants

vs.

Judge Christine Johnson,  
Magistrate Anthony Howell,  
Judge Darold McDade,  
Defendants

**APPLICATION:**

For a Writ of Habeus Corpus  
under URCP 65B

(d) Wrongful use of judicial authority  
or failure to do duty;

(applicable to Provo cases 201402860 & 68)

case # \_\_\_\_\_

Judge \_\_\_\_\_

**APPLICATION:**  
**For a Writ of Habeus Corpus**

Comes now, Paul-Kenneth: House of Cromar and Barbara-Ann: House of Cromar, two of *We the People*, a living man and woman, declared by a jury of our peers “**found to be living!**”, over 25 years and have attainment of majority, of sound mind, and deemed competent to manage the affairs of their estates by the same name, *sui juris*, state nationals of Utah known as Utahns, *in propria personam*, as the Sole Heirs and Executors to the Paul-Kenneth: House of Cromar and Barbara-Ann: House of Cromar estates, sometimes known as “Barbie & Ken”; herein ***apply*** to the above named court, this **APPLICATION: For a Writ of Habeus Corpus**, for good cause, as provided herein:

We’re currently living at this address, which is in the jurisdiction of this court: **4701 W. Ferguson Way / Cedar Hills, Utah state [84062]**, where we wait resolution to questions surrounding our return to our home /property at 9870 N. Meadow Drive, near Cedar Hills, in Utah state, a place from which we are blocked by court order from being within 500 feet from the moment handcuffs were applied on our bodies.

The Court closest to the address above is this, the **Utah Fourth District Court located at 75 East 80 North, Suite 201, in American Fork, in Utah state**, [84003-1659], as required under:

URCP Rule 65B(b)(2) - Commencement. The proceeding shall be commenced by filing a petition with the clerk of the court in the district in which the petitioner is restrained or the respondent resides or in which the alleged restraint is occurring.

URCP Rule 65B(b)(3) -- Contents of the petition and attachments, are as follows:

- 1.) **“20200925.Cromar, Paul Order Bail”** as provided by prosecution
2. **“Probable cause” “Search Warrant 2154551” - STATEMENT** approved by Darold J. McDade - Dated: 24th day of September, 2020 @ 11:24 PM – over 4 hours after the arrests.

(Note: This was provided to the Deseret News but we could get a copy for several months despite numerous request on the record, in hearings, and in writing to the prosecutor.)

3.) PUBLIC NOTICE, DECLARATIONS, MANDATES, AND LAWFUL PROTEST (October 1, 2020 filed on docket) – This was provided as a jurisdictional statement on the record the day before the first hearing with judge Johnson.

4.) Affidavit of Probable Cause - 9/24/2020 - 21:20

URCP Rule 65B(b)(4) Memorandum of Authorities - This case null and void from inception because there was no lawful warrant presented at time arrest, and no bail hearing prior to posting bail and release the jail. Bail was applied with no specific hearing without all parties present, -especially us in absentia, with no counsel present or waived. Cannot have a waiver hearing and bail hearing at same time, and skip *due process of law*, therefore it is declared to be *plain error in procedural due process of law*.

If there was an arrest without a warrant (under criminal proceeding) a probable cause hearing should have been held within 72-hours as we understand it. Additionally *failures to act in his/her duties* include:

- Failed to notify us of the charges.
- Failed to notify us before the bail hearing, which the bail was applied by an unknown person, *who failed to act in his duties*, by having all parties, including counsel or waived counsel, notified and present at the hearing.
- Bail was applied *without due process of law* at a critical hearing where counsel is to be afforded or waived, with all parties present, in judicial failure.

The RELIEF Requested:

We, Paul-Kenneth and Barbara-Ann Cromar want to abate this case and have it dismissed, and proceed with any future claims or litigation only with *due process of law*, with properly and timely notifications.

Produce the Writ of Habeus Corpua to the defendants, and set a court date as soon as possible, to answer our allegations.

Please see 65B- 6 – 601 -UTAH CODE – HABEUS CORPUS (et seq.) regarding for penalties for action and inactions not allowed. Please note that any person who does not answer or impedes this lawful process (et sequence).

Respectfully Applied For;

---

*Notice to Principal is notice to Agent. Notice to Agent is notice to Principal.*

I, Paul-Kenneth: Cromar, and Barbara-Ann: Cromar, as the **sole Heirs and Executors** of the estates by the same name, do hereby reserve the right to make any amendments and corrections.

---

**FOR THE:**

**APPLICATION:**

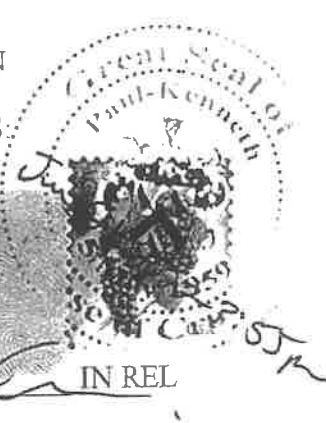

**For a Writ of Habeus Corpus**

FOR THE Heirs /Executors **ARE** FOR THE AFFIRMATION OF THE DECLARATION OF THE TRUE BY THE FIRSTHAND KNOWLEDGE OF THE FACTS.

Utah County )  
Utah Republic )  
united States of America )

Asseveration

L.S.

  
  
IN REL  
© Paul-Kenneth: House of Cromar™  
Signed only in correct public capacity as  
Sole Heir and Executor to the Paul-Kenneth: Cromar Estate.  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]

# more

Asseveration

L.S. *Barbara-Ann: Cromar* IN REL

© Barbara-Ann: House of Cromar™

Signed only in correct public capacity as Sole Heiress,  
Executrix to the Barbara-Ann: Cromar Estate.

c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]



Which are commonly known addresses for **LAND PATENT #392 part and parcel** thereof,

We *Stand* on our Metes and Bounds, having never abandoned them, which are as follows:

Beginning at the Northeast corner of Lot 3, Plat "C", Amended North Meadow Estates Subdivision, said point being S89°28'48"W 1129.68 feet along the Quarter Section line, and S0°00'00"W 773.49 feet from the East 1/4 corner of Section 6, Township 5 South, Range 2 East of the Salt Lake Base and Meridian, and running thence along said Lot 3 boundary line the following five (5) course: (1) S0°18'49"W 96.09 feet; (2) S89°59'43"W 149.21 feet; (3) along a curve to the right 23.50 feet through a central angle of 89°46'16" having a radius of 15.00 feet and a chord that bears N45°07'09"W 21.17 feet; (4) N0°14'01"W 80.49 feet; (5) N89°45'59"E 165.06 feet to the point of beginning, containing 0.361 acres.

[for LOT "C", AMENDED NORTH MEADOW ESTATES  
SUBDIVISION within the SE ¼ of SEC. 6, T.5 S., R.2 E. SLBM – 0.361 acres]

**IN THE PROVO DISTRICT COURT  
FOR UTAH COUNTY, STATE OF UTAH**

**STATE OF UTAH****v.****Paul Kenneth Cromar****Order to Hold With Bail****Probable Cause ID : 276900****Submission ID : 1155631****Judge : ANTHONY HOWELL**

Based on the affirmation of Robert Weidlein, the arresting officer, the undersigned magistrate finds that probable cause existed for the arrest without a warrant of Paul Kenneth Cromar. Paul Kenneth Cromar may post bail in the amount of \$15,020.00

76-6-202(2)

BURGLARY OF A DWELLING

76-6-404.5(3)(A)

WRONGFUL APPROPRIATION - F3

If Paul Kenneth Cromar posts bail as stated above, Paul Kenneth Cromar is hereby ordered to be released subject to the following conditions:

- Defendant is ordered not to possess firearms or other weapons while this case is pending.
- Defendant is ordered to stay at least 1000 ft away from the residence at 9870 N Meadow Dr, Cedar Hills, UT. Defendant is ordered to have no contact with the alleged victims, either directly or indirectly. Defendant is ordered not to arrange or coordinate with others in an effort to disrupt the current owners' lawful enjoyment of their property.
- These orders will remain in effect until further order of the trial court. Any violation of the foregoing orders will constitute a material violation of release conditions and may result in an immediate revocation of bail.

In those jurisdictions where pretrial release and supervision authority has been granted by written agreement, defendants may be released to pretrial services without posting bail, consistent with the terms of that agreement.

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IN THE FOURTH DISTRICT COURT - ALL DEPARTMENT  
IN AND FOR UTAH COUNTY, STATE OF UTAH

---

**SEARCH WARRANT**

No. 2154551

COUNTY OF UTAH, STATE OF UTAH

To any peace officer in the State of Utah:

Proof by Affidavit made upon oath or written affirmation subscribed under criminal penalty of the State of Utah having been made to me by Detective P. NATHAN CRAWFORD of Utah County Major Crimes, this day, I am satisfied that there is probable cause to believe

THAT

On the premises known as 9807 N Meadow Dr in Cedar Hills, Utah, further described as a single family dwelling which sits on the Northeast corner of Meadow Drive and 9860 North, it has an attached two car garage on the North side of the residence, darker shingles and appears to be 3-4 stories tall with large front windows. The main door to the residence faces West and is light in color;

In the City of Cedar Hills, County of Utah, State of Utah, there is now certain property or evidence described as:

burglary tools, other items used in conjunction with the crimes of burglary and wrongful appropriation, weapons, ammunition, homemade explosives ingredients and items to use/make homemade explosives

and that said property or evidence:

Was unlawfully acquired or is unlawfully possessed;

has been used or is possessed for the purpose of being used to commit or conceal the commission of an offense; or

is evidence of illegal conduct.

Affiant believes the property and evidence described above is evidence of the crime or crimes of UCA 76-10-306 Possession of Explosive Devices and Parts, UCA 76-6-202 Burglary of a Dwelling and UCA 76-6-404.2 Wrongful Appropriation, and weapons offences.

YOU ARE THEREFORE COMMANDED:

At any time of the day or night, good cause having been shown,

to make a search of the above-named or described person, vehicle, item, and/or premises for the herein-above described property or evidence and if you find the same or any part thereof, retain such property in your custody subject to the direction of a prosecutor or an order of this Court.

Dated: 24th day of September, 2020 @ 11:24 PM /s/

Darold J. McDade  
District Court Judge

**COPY**

**DEED OF SECONDARY CONVEYANCE OF INCORPOREAL HEREDITAMENTS  
AN AUTHENTICATED FOREIGN DOCUMENT - HAGUE CONVENTION, 5 OCTOBER 1961**

**PUBLIC NOTICE, DECLARATIONS,  
MANDATES, AND  
LAWFUL PROTEST**

FILED  
OCT 01 2020

CLERK OF COURT  
UTAH COUNTY

**THE LAW DOES NOT PERMIT IMPOSSIBILITIES**

Utah County )

)

Asseveration

Utah Republic )

)

United States of America )

)

L.S.

*by Paul-Kenneth C*

Signed only in correct public capacity

As beneficiary to the Original Jurisdiction.

NOTICE. The term "Original Jurisdiction" herein and in all other documents issued by **Paul-Kenneth: and Barbara-Ann: Cromar**, means the constitution for the United States of America, anno Domini 1787, and articles of amendment anno Domini 1791 and other original parent agreements as indexed in Paragraph Number 12 below.

Let Right Be Done, Though The Heavens Should Fall

I, **Paul-Kenneth: Cromar: a/k/a Paul-Kenneth: and Barbara-Ann: Cromar: , a/k/a Barbara-Ann:**, both of the family :Cromar, in public capacity as beneficiary to the Original Jurisdiction, being of majority in age, competent to testify, a self-realized entity, a free, living and breathing Man upon the free soil, an American citizen of the American Republic, My years being years, My nays being nays, do hereby state that the truths and facts herein are of first hand personal research, true, correct, complete, certain, and not misleading, so help me GOD.

**PUBLIC NOTICE**

**THIS DOCUMENT GIVES NOTICE TO all Public Officials by and through the Office of the Secretary of State, the United States of America a/k/a UNITED STATES a/k/a U. S. a/k/a UNITED STATES OF AMERICA, and the Office of the Secretary of State, the State of Utah a/k/a Utah a/k/a STATE OF UTAH a/k/a UT a/k/a "this State" and to all whom it may concern, of the DECLARATIONS, LAWFUL PROTESTS and other matters contained herein.**

**NOTICE OF FOREIGN JURISDICTION  
TO: ALL U.S. AND STATE AGENTS & OFFICERS**

When this notice is affixed to a premises, all property therein and attached thereto is under the custody and control of the above-noted foreign official and not subject to intrusion or seizure. The bearer of this Notice has been duly notified to the Department of State pursuant to international law and enjoys immunity from criminal and civil jurisdiction, arrest and detention. Under international convention, the bearer should be treated with respect and all steps should be taken to prevent attack on the bearer's freedom, mobility, interests and property.

Law enforcement inquiries may be made to the U.S. Department of State Authentications Office, (202) 647-4000.  
Legalization inquiries may be made to the U.S. Delegation for the Hague Convention. (202) 776-8342

# DECLARATIONS

## APPELLATION, STATUS, AND FACTS

1. **KNOW ALL MEN BY THESE PRESENTS, Paul-Kenneth: Cromar, a/k/a Paul-Kenneth of the family: and Barbara-Ann: Cromar do hereby state, assert and aver all of the following:**

2. **Paul-Kenneth: and Barbara-Ann: Cromar, are a living, breathing free Man and Woman upon the free soil, an American citizen of the American Republic, also known as a declared Utah state national, beneficiary to the Original Jurisdiction.**

3. **Paul-Kenneth: and Barbara-Ann: Cromar, are not a United States Citizen, subject, vessel or "person" as defined in Title 26 United States Code, Section 7701 or elsewhere, or any other *ens legis* artificial person, individual, entity, fiction of law, procedural phantom or juristic personality, notwithstanding the reproduction of any such fictions in any media, computer, record or instrument, written or electronic.**

4. **Paul-Kenneth: and Barbara-Ann: Cromar, are foreign to the United States and retains official authority within his chosen jurisdiction. As beneficiary to the Original Jurisdiction, he is not subject to nor does He volunteer to submit to or contract with any *ens legis* artificial or corporate jurisdiction to which a United States person may be subject.**

5. **Paul-Kenneth: and Barbara-Ann: Cromar, reserves all Rights, Remedies and Defenses granted to them by God and memorialized by Paul-Kenneth: and Barbara-Ann: Cromar's correct public capacity as beneficiary to the Original Jurisdiction.**

6. **Paul-Kenneth: and Barbara-Ann: Cromar, waive no Rights, Remedies or Defenses nor yields imprescriptible Rights including, without limitation, the Right to movement and travel without restriction, permission or license in any conveyance of His choosing on any public roadway in America, and the right to bear arms for the protection of His family, friends and neighbors without restriction, unless such waiver is specifically done so lawfully in writing.**

7. **Paul-Kenneth: and Barbara-Ann: Cromar, did not, does not, nor does they ever intend to volunteer, consent or contract to being identified as, of, or connected by any nexus to, any institutional, bifurcated, public *cestui que* trust or other fictional construction of law or *ens legis* entity of a political state or subdivision thereof, in any capacity including, without limitation, as trustee, co-trustee, surety, co-surety, officer co-officer, fiduciary or co-fiduciary.**

8. **Paul-Kenneth: and Barbara-Ann: Cromar, reserves the nature and character of their exact and proper designation as:**

**Paul-Kenneth: Cromar AND Barbara-Ann: Cromar**

or in the alternative,

**Paul-Kenneth: AND Barbara-Ann: of the family, :Cromar.**

...which shall be spelled written, formatted, printed, engraved and inscribed now and in perpetuity in all media exactly and precisely as just above-written with a first and second given name separated from, and joined to, a family name by a mark of punctuation or the words "of the family"; with the first letter of each given and family name being capitalized and all other letters being written in lower case fully in accord with the Rules of English Grammar.

9. **Trade Mark notice.** The name **Paul-Kenneth: and Barbara-Ann: Cromar** by common law is Trade Marked <sup>TM</sup> and all trade names and derivatives thereof, whether or not registered, are Trade Marked <sup>TM</sup> by and property of **Paul-Kenneth: and Barbara-Ann: Cromar**, to whom all rights are reserved. The use thereof without the express written permission of **Paul-Kenneth: and Barbara-Ann: Cromar**, creates a voluntary and informed consensual contract obligating the unauthorized user to the payment of a Trade Mark infringement fee as follows:

**A Trade Mark infringement fee in the sum certain of two-hundred fifty-thousand dollars (\$250,000.00)** lawful specie, gold, or silver, American mint, or certified bullion, Lawful coin money at current spot market price pursuant to the Constitution for the united States of America, 1787 anno Domini, amended anno Domini 1791, Article 1, Section 10, Clause 1, shall apply to each unauthorized use of the designation **Paul-Kenneth: and Barbara-Ann: Cromar**, and to each attempt or event of conversion, alteration, distortion and/or misnomer whether by improper spelling, abbreviation, capitalization, initializing, reversal of parts, or conversion to a fiction of law or other juristic personality or artificial being.

10. Clause 1, shall apply to each unauthorized use of the designation **Paul-Kenneth: and Barbara-Ann: Cromar**, and to each attempt or event of conversion, alteration, distortion and/or misnomer whether by improper spelling, abbreviation, capitalization, initializing, reversal of parts, or conversion to a fiction of law or other juristic personality or artificial being.

11. The legal doctrine of *idem sonans* is inapposite to **Paul-Kenneth: and Barbara-Ann: Cromar**, whether oral or written; all such improper usages and misnomers comprising infringement on the above-noticed copyright.

12. **Paul-Kenneth: and Barbara-Ann: Cromar, does hereby accept the Original Jurisdiction, to wit:**

- A. Constitution for the united States of America, anno Domini 1787, Articles of Amendment anno Domini 1791;
- B. National Bill of Rights, anno Domini 1776;
- C. The Northwest Ordinance, anno Domini 1787
- D. Constitution of Utah, anno Domini 1896;
- E. Bill of Rights for Utah, anno Domini 1896;

13. **Paul-Kenneth: and Barbara-Ann: Cromar**, does hereby further state, assert and aver the following facts:

- a. It is well established the Hague Regulations and Geneva Convention IV specifically protect the original jurisdiction from encroachment upon internationally protected people.

b. Furthermore, it is well established under public policy that citations, legislations, prescriptions and other comprise a cloak to disguise collateral undertaking in U.S. Funds. All such offers want for authority under original organic State Constitutions pursuant to which they are forbidden and can never be duly enacted.

c. The U.S. a/k/a the United States is defined as a federal corporation at Title 28 USC 3002(15).

d. The United States is bankrupt pursuant to Perry v. United States, 294 US 330-381 (1935); 79 L. Ed 912.

e. United States is an obligor/grantor to the Federal Reserve Bank pursuant to the Federal Reserve Bank Act of December 23, 1913, 38 Stat 265, Ch. 6.

f. The said Federal Reserve Bank Act comprises a contractual granting by Congress to the Federal Reserve Bank of a paramount and enduring (ex-warrant 1913-1933) lien on the assets of the United States and all parties who would use bank notes issued by the Federal Reserve Bank pursuant to 38 Stat 265, Ch. 6 p266-267.

g. The Congress of the United States, by authority of the Gold Bullion Coin Act of 1985, PL 99-185, December 17, 1985, 99 Stat 1177 has decreed its intention that all Americans can no longer be forced into an obligor/grantor status in relation to said Federal Reserve Bank Notes.

h. The Constitution for the United States of America, 1787, Article I, Section 4, Clause 2 (1856) states that Congress shall assemble at least once in every year, which shall be the first Monday of December. Notwithstanding, Amendment XX, Section 2 (1933) states: "The Congress shall assemble at least once in every year, and that such meeting shall begin at noon on the third day of January, unless they by law appoint a different day."

14. The Constitution cannot be in conflict with itself. The *de jure* legislature of the United States of America identified as "Congress" in the aforementioned Article I, Section 4, Clause 2 (1856) adjourned "sine die" in 1861. Evidence of its reconvening in the absence of a congressional quorum has not been exhibited by the United States. The national legislative body discernible in Amendment XX, Section 2 first appeared in 1863 by executive resolution as a department of the Executive Branch of government pursuant to "Emergency War Powers." This *de facto* "Congress" was conceived and continues to sit at the pleasure of the president of the corporate *ens legis* UNITED STATES.

15. The *de jure* private people who, by their inherent character in *rerum natura*, are foreign to and wholly without the corporate *ens legis* United States are not subject to the actions, acts and whims of the *ens legis* Congress of the corporate UNITED STATES. Accordingly, living Men in *rerum natura* are not subject to the Federal Reserve Bank Act of December 23, 1913 which wants for force and effect of law in the Original Jurisdiction.

16. Disclosure of the facts and frauds stated herein has been denied to Paul-Kenneth: and Barbara-Ann: Cromar, in his rightful capacity as beneficiary of the Original Jurisdiction by an extraordinary and persistent policy of covin, conspiracy, and collusion constructed and condoned

by the UNITED STATES Congress, Amendment XX, the Federal Reserve Bank/System, and contractors, agents, assigns, successors, heirs, representatives, obligors and grantors thereof.

17. It is well settled in law that "no right, by ratification or other means, can arise out of fraud." Fraud vitiates everything it touches. There exists no lawful statute of limitation on fraud.

18. By this PUBLIC NOTICE, DECLARATIONS AND LAWFUL PROTEST, the following addendum is attached by reference herein in its entirety to any and all Federal Reserve Notes, public policy instruments, and documents regardless of kind arising from or relating to the Federal Reserve Bank/System which are held, received or used by **Paul-Kenneth: and Barbara-Ann: Cromar**, now and in perpetuity:

**"The use of this instrument/conveyance by Paul-Kenneth: and Barbara-Ann: Cromar, is of necessity only and under Lawful Protest, *nunc pro tunc* to December 23, 1913, in the absence of a reasonable alternative."**

19. The labor of **Paul-Kenneth: and Barbara-Ann: Cromar**, is measured and valued *quantum meruit* exclusively in gold and silver coin. As the value of such labor is tangible, it cannot be measured by any instrument which serves as evidence of debt, notwithstanding that the operational currency of the corporate UNITED STATES consists exclusively of instruments noted thereon to be evidence of liability.

20. **Paul-Kenneth: and Barbara-Ann: Cromar**, hereby expressly states his intention to pay, extinguish and satisfy all of His obligations and make all parties whole. Accordingly, **Paul-Kenneth: and Barbara-Ann: Cromar**, specifically disavows the use of "discharge" as a fraudulent transaction which implies payment but serves to covertly transfer the debts of **Paul-Kenneth: and Barbara-Ann: Cromar**, to other parties contrary to **Paul-Kenneth: and Barbara-Ann: Cromar**, deeply held Scriptural beliefs under God regarding theft and deceit.

21. **Paul-Kenneth: and Barbara-Ann: Cromar**, is not now and has never been a United States Citizen under the Fourteenth and Sixteenth Amendments of the *ens legis* Constitution for the corporate UNITED STATES, notwithstanding any failures to properly pass the said amendments into law.

22. **Paul-Kenneth: and Barbara-Ann: Cromar**, has the absolute unalienable Divine right to keep and bear arms of any kind for protection of Self, family, and neighbors, by his own will and this DECLARATION.

23. **Paul-Kenneth: and Barbara-Ann: Cromar**, has the absolute unalienable Divine right to move and travel upon all public roadways in America, of whatever kind and nature, in whatever mode or carriage of transportation He may choose, without license or permission or any other infringement of that right, by His own will and this DECLARATION.

24. In addition to all of the above, **Paul-Kenneth: and Barbara-Ann: Cromar**, retains all of the Rights as enumerated and protected by the constitutions, bills of rights, and ordinance pursuant to the Original Jurisdiction.

## LAWFUL PROTEST

**As it is a crime to conceal a crime and conceal a fraud, Paul-Kenneth: and Barbara-Ann: Cromar, makes Lawful Protest against, abjures, denounces, refuses, takes exception and does not assent to:**

1. The formation of any institutional, bifurcated, public, *cestui que* trust in violation of the copyright of **Paul-Kenneth: and Barbara-Ann: Cromar**, previously declared herein.
2. Any allegation or presumption that **Paul-Kenneth: and Barbara-Ann: Cromar**, have consented expressly or tacitly to being a Citizen pursuant to the Fourteenth and/or Sixteenth Amendment of the *ens legis* Constitution of the UNITED STATES.
3. Any pledge, mortgage, lien or encumbrance by the Council of State Governors, March 6, 1933 which would identify **Paul-Kenneth: and Barbara-Ann: Cromar**, as security, surety, co-surety or collateral for any part or portion of the public debt which has been hypothecated by the use of counterfeit Federal Reserve securities.
4. The forced involuntary use of U.S. funds such as Federal Reserve Bank/System notes, commercial liability instruments and electronic liability transactions as part of a scheme to compel the principals to impart artificial commodity value to the liability evidenced thereon, on the authority of *MacLeod v. Hoover*, (June 22, 1925) No. 26395, S. Ct. Louisiana; 105 S. Rep. 305, that court citing *U.S. Bank v. Bank of Georgia*, 23 U.S. 333, 10 Wheat, 333, 6 L. Ed. 34.
5. Any presumption that **Paul-Kenneth: and Barbara-Ann: Cromar**, have volunteered to be a debtor in possession of Federal Reserve Notes with expectation of a quid pro quo; a guarantor/surety/co-surety on the lien created by the Federal Reserve Bank Act of December 23, 1913; a party to any confidence game, scheme, forced or *cestui que* use whereby paper wanting inherent value is placed into circulation by the Federal Reserve Banks in lieu of Constitutionally required gold or silver; a party to the failure of public officials and Federal Reserve principals to provide full disclosure of the liabilities and perils of using private scrip, instruments of debt, corporate U. S. obligations, and Federal Reserve Notes as inauthentic replacements for lawful money.
6. Any presumption that **Paul-Kenneth: and Barbara-Ann: Cromar**, have at any time expressed or implied a promise to guarantee the debt hypothecated by the said Federal Reserve Act, the private debt of the corporate UNITED STATES, or any obligations of the Federal Reserve Banks, agents, contractors, assigns, successors, heirs and grantors thereof, now and in perpetuity.
7. Any presumption that **Paul-Kenneth: and Barbara-Ann: Cromar**, have at any time volunteered expressly or tacitly to join as a co-conspirator in any fraud, conspiracy, covin, collusion, confederation or joint business venture operated by the *de facto* STATE OF UTAH and the corporate *ens legis* UNITED STATES as a surety, co surety, guarantor or other obligor.
8. Any attempt to induce **Paul-Kenneth: and Barbara-Ann: Cromar**, to act as a tortfeasor to the Constitution for the united States of America, anno Domini 1787, where at Article 1, Section 10, it states "No State shall . . . emit bills of credit; make anything but Gold and Silver Coin a tender in payment of debts," all such offers being refused for fraud.

9. Pursuant to the Original Grant of Depositum for Bailment via the 1896 Constitution of UTAH, **Paul-Kenneth: and Barbara-Ann: Cromar**, make Lawful Protest against, abjures, denounces, refuses, takes exception and does not assent to the calculated use of legal fictions to undermine and convert the political Will of the People on the free soil of the organic country known as Utah into a legislative democracy that transforms the free People into subjects of the municipal law of foreigners within the geographical exterior boundary of Utah and contrary to the Northwest Ordinance and the original Grant of the People, September 17, 1787, anno Domini, as amended 1791, anno Domini.

## MANDATES

IT IS HEREBY EXPRESSLY MANDATED TO IMMEDIATELY:

1. **RETURN THE DEPOSITUM FOR BAILMENT to Paul-Kenneth: and Barbara-Ann: Cromar**, in his capacity as descendent by blood of the original Bailor/Grantor/Settlor and his endowment to warrant same by Almighty God, pursuant to the terms, conditions, stipulations, exceptions and reservations contained within the Original Grant.
2. **ACKNOWLEDGEMENT, RECOGNITION AND RETURN BY THE BAILEE OF THE SAID DEPOSITUM OF BAILMENT to Paul-Kenneth: and Barbara-Ann: Cromar**, as repository trustee for the Original public Trust.
3. **EXHIBIT THE AUTHORITY** whereby **Paul-Kenneth: and Barbara-Ann: Cromar**, can be compelled, forced or enticed to falsely act as a tortfeasor to Article 1, Section 10, Clause 1 of the Original Grant against his will by using the aforementioned fictional bank notes within a scheme of discharge disguised as payment. Failure to so exhibit within ten (10) days of PUBLIC NOTICE comprises stipulation that no such authority exists.
4. **EXHIBIT THE AUTHORITY** whereby **Paul-Kenneth: and Barbara-Ann: Cromar**, can be compelled, forced or enticed to falsely present himself as a United States Citizen/person in violation of the Fourteenth and Sixteenth Amendments prohibition against slavery and involuntary servitude. Failure to so exhibit within ten (10) days of PUBLIC NOTICE comprises stipulation that no such authority exists.
5. **ADMIT OR DENY** that all actions of the UNITED STATES, the STATE OF Utah and all political subdivisions thereof whether judicial, administrative, municipal, county or otherwise are by their nature actions *indebitatus assumpsit*. Failure to respond within ten (10) days of PUBLIC NOTICE comprises admission of an ongoing Fraud against the beneficiaries of the Original Jurisdiction.

"Suits as well as transfers may be the protective coverings of fraud," *Steelman v. All Continent Corp.*, 301 US 278, 81 L. Ed 1085; *Shapiro v. Wilgus*, 287 U.S. 348, 355, 53 S. Ct. 142, 144, 85 A.L.R. 128. "The fact that the means employed to effect the fraudulent conveyance was the judgment of a court and not a voluntary transfer does not remove the taint of illegality," *First National Bank v. Flershem*, 290 US 504, 78 L. Ed. 465. "it is obvious that the fraud did not occur in open court nor in that sense enter into the decrees under attack, hence the fraud of which we complain was not susceptible to insulation. In the language of *Shapiro v Wilgus*, 287 US 348, 77 L. Ed 355. It was part and parcel to a scheme whereby the form of a judicial remedy was to supply a protective

cover for a fraudulent design.” Also, Steelman, supra Flersham, supra, Braun, supra, “That in the absence of an adversary trial or decision the distinction between extrinsic and intrinsic fraud becomes immaterial and made clear by the following from the Throckmorton opinion,” 98 US 61, 65, Braun, supra

6. **EXHIBIT VERIFIED EVIDENCE** proving the time, place and nature of full disclosure of the benefits, risks and perils by which Paul-Kenneth: and Barbara-Ann: Cromar, could knowingly volunteer to submit to the Federal Reserve Bank Act of 1913. Failure to so exhibit within ten (10) days of PUBLIC NOTICE comprises stipulation that no such disclosure was made.

7. **ADMIT OR DENY** that Paul-Kenneth: and Barbara-Ann: Cromar, did in fact knowingly and voluntarily ratify the *cestui que* trust created by the UNITED STATES through the Federal Reserve Bank Act of 1913 which resulted in the use of grammatical derivations of Paul-Kenneth: and Barbara-Ann: Cromar’s name in a scheme of intentional misnomer for profit and gain. Failure to respond within ten (10) days of PUBLIC NOTICE comprises denial that the *cestui que* trust created by the UNITED STATES through the Federal Reserve Bank Act of 1913 was ever duly and lawfully ratified by and any assumption of such ratification is false.

8. **EXHIBIT VERIFIED EVIDENCE** proving the knowledgeable and voluntary ratification and acceptance by Paul-Kenneth: and Barbara-Ann: Cromar, of the aforesaid *cestui que* trust. Failure to so exhibit within ten (10) days of PUBLIC NOTICE comprises stipulation that the said *cestui que* trust was never ratified by Paul-Kenneth: and Barbara-Ann: Cromar, and any assumption of such ratification is false.

9. **EXHIBIT VERIFIED EVIDENCE** proving the granting of a copyright license by Paul-Kenneth: and Barbara-Ann: Cromar, expressly conveying to the licensee the authority to use grammatical derivations of the proper name belonging to Paul-Kenneth: and Barbara-Ann: Cromar, in a scheme of intentional misnomer for profit and gain through an unauthorized *cestui que* trust. Failure to respond within ten (10) days of PUBLIC NOTICE comprises stipulation that all such misnomers and uses of the aforesaid *cestui que* trust comprise intentional copyright infringement.

10. WE, Paul-Kenneth: and Barbara-Ann: Cromar, do hereby deny having received disclosure of the existence, benefits, risks and perils of a *cestui que* trust named derivatively at any time, or having been asked to ratify the said trust. Consequently, I do hereby deny, denounce, adjure and disavow having ever ratified any such trust.

11. WE, Paul-Kenneth: and Barbara-Ann: Cromar, Beneficiary of the *cestui que* trust, rejects and never accepted Offer to contract, and did not and does not consent to any proceedings, and REBUKES all officials herein named for their dishonorable part in aiding and abetting the DENIAL to the Cromar family their unalienable DUE PROCESS, HEARING and TRIAL BY JURY, and the irreparable harm to our Life, Liberty and Pursuit of Happiness and property in any way related to the UTAH FOURTH JUDICIAL DISTRICT COURT Civil Case No. 201402860 and/or 201402868.

12. WE, Paul-Kenneth: and Barbara-Ann: Cromar, beneficiary of *cestui que* trust mandate ALL claims against Paul-Kenneth: and Barbara-Ann: Cromar, AND Barbara-Ann: Cromar, by Flesh-and-Blood MS. CHRISTINE JOHNSON and/or his

client(s) be released and/or restored, immediately voided, all liens and notices of lien voided, and all claims on land, property, improvements, or any pursuit of happiness at a place commonly known as 9870 North Meadow Drive in a neighborhood known as Cedar Hills in Utah state, be returned to **Paul-Kenneth: Cromar, AND Barbara-Ann: Cromar**, with a **DECLARATION OF APOLOGY** for aiding and abetting the denying Constitutional rights to due process, hearing, trial by jury and justice, be drafted and signed by you, notarized, then be recorded on the property through the Utah County Recorder, with the original being mailed to the address below via NEXT DAY USPS mail. If this mandate is not met, a penalty of ten thousand (\$10,000.00) dollars a day will be enforced until such time the debt is paid in full, County record corrected, apology filed thereon, and if necessary, the house is returned with a \$660,000 terrorism and threat of endangerment personal distress fee, plus \$1000 per day penalty until fee is paid in full.

13. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of *cestui que* trust do hereby instruct, Flesh-and-Blood MS. CHRISTINE JOHNSON being an officer of the CORPORATION cannot use the name of Paul KENNETH CROMAR, in any form, except as per written instructions, it is a **felony** in the **Utah State**.

14. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of the *cestui que* trust, do not have a contract with any court of the UNITED STATES. If threatened in any manner, I **Paul-Kenneth: and Barbara-Ann: Cromar**, in the Body of Flesh-and-Blood by MR. JOHN W. HUBER, MR. ROBERT J SHELBY, MR. ADAM POMEROY, MS. LYNN W. DAVIS, MS. CECILIA M. ROMERO, MS. ANTHONY HOWELL, MR. RYAN S. WATSON, MR. RICHARD E. ZUCKERMAN, MS. WANDA I. MANLEY, ANDREA VENTURA, MR. "GARY CHAPMAN" (alias - ID # 10000324786), MR. ROBERT E. MANSFIELD, MR. NATHAN S. DORIUS, MR. ANDREW V. COLLINS, MR. DAVID O. LEAVITT, MR. MIKE SMITH, MR. DALE EYRE, MR. JEFFERY SMITH, MR. KRAIG J. POWELL, MR. GARY HERBERT, MR. SEAN D. REYES, MS. HEATHER J. CHESNUT, any Corporate employee, or any other suspected criminals not named here, charge for such fraud Seventy-Five Thousand (\$75,000.00) DOLLARS per officer, official or living individual. If any perceived threats are manifest, all the people/persons above may be exposed to investigation and prosecution for possible RICO violations, and violations under Title 18 sec 241 & 242, and all the fines, penalties and possible life imprisonment or death penalty there under.

15. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of *cestui que* trust mandate that MS. CHRISTINE JOHNSON show that the corporate regulations have authority over the BODY of Flesh-and Blood of **Paul-Kenneth: and Barbara-Ann: Cromar**. And since corporations, including the corporation of the UNITED STATES, has no authority over the Body of Flesh-and Blood, now fraud and swindle in dishonor, and extortion charges, do now apply since trying to bring me into contract with the corporation of the UNITED STATES, a penalty of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) now applies to the Corporation of the OFFICE of ADMINISTRATIVE HEARINGS a subsidiary of the UNITED STATES Corporation for the distress that has been incurred to me in the Body of Flesh-and Blood.

16. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of *cestui que* trust mandate that MS. CHRISTINE JOHNSON provide a certified copies signed under the pains and penalty of perjury, of his **Oath of Office, his Subscribed Oath, his Anti-Bribery Statement, his Foreign Agents Registration Act disclosure (see FARA.gov), copies of any and all oaths including BAR guild, and his bond number and bonding company name, address, phone and agent contact**, sent via USPS in c/o the mailing address below.

17. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of *cestui que* trust mandate that MS. CHRISTINE JOHNSON provide certified true and complete copy of all records, communications, filings, etc. in any way related to UTAH FOURTH JUDICIAL DISTRICT COURT (Provo) civil cases #190400494, #200400972, #201402860 & #201402868, – and sent via NEXT DAY USPS mail, c/o our official court mailing address below.

18. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, beneficiary of *cestui que* trust mandate that MS. CHRISTINE JOHNSON to pay me \$5,000 in via cashiers check, for each and every day from the date of receipt of this service (*including day of receipt*), until you NOTIFY me in writing of your DISMISSAL of the UTAH FOURTH JUDICIAL DISTRICT COURT (Provo) civil cases #190400494, #200400972, #201402860 & #201402868, – and sent via NEXT DAY USPS mail, c/o our official court mailing address below. (Note Related cases in U.S. DISTRICT COURT (SLC) 2:09-cv-1102, 2:17-cv-01223-RJS-EJF, 2:19-cv-0255-TDD, 2:20-cv-224, 2:20-cv-625)

19. WE, **Paul-Kenneth: and Barbara-Ann: Cromar**, Beneficiary of the *cestui que trust*, do hereby instruct MR. GARY R. HERBERT acting as the GOVERNOR OF THE STATE OF UTAH **corporation**, and responsible for all corporate employees for the STATE OF UTAH and hence any collusion or conspiracy to defraud the Cromars, to hereby enforce all above mandates. If these mandates are not met within ten (10) days from the date of receipt of this **PUBLIC NOTICE, DECLARATIONS, MANDATES AND LAWFUL PROTEST**, all individual names mentioned in this document will be submitted to the US Marshals and/or the Utah County Sheriff for action.

## CAVEAT LAW – SUPREME COURT CASES

1. All public officials, Officers of government bodies politic, in all branches/departments, Executive, Legislative, or Judicial, being of Oath of Office, bonded to fidelity, are under ministerial duty, *Supervisors v. United States ex rel.* 71 U.S. 435, 4 Wall 435, *U.S. v. Thomas*, 15 Wall 337, *U.S. v Lee*, 106, US 196, 1 S. Ct 240, fiduciary/trustees, *U.S. v Carter*, 217 US 286, 30 S. Ct 515. “The implication of a trust is the implication of every duty proper to a trust... Whoever is a fiduciary or in conscience chargeable as a fiduciary is expected to live up to them.” *Buffum v Peter Barceloux Co.* 289 US 227, 237; 77 L. Ed 1140, 1146, cited *Braun v. Hansen*, 103 F.2d 685 (1939), wherein it further states “Being fiduciaries, the ordinary rules of evidence are reversed”, must obey the law, *Butz v. Economou*, (US) 98 S Ct. 2895, *Davis v Passman* (1979, US) 442 US 226, 99 S. Ct. 2264.

2. "The law will protect an individual who, in the prosecution of a right does everything which the law requires him to do but fails to obtain his right by the misconduct or neglect of a public officer." *Lyle v Arkansas*, 9 Howe 314, 13 L. Ed 153, *Duluth & Iron Range Co. v Roy*, 173 US 587, 19 S. Ct 549, 43 L. Ed 820. "It is a maxim of the law, admitting few if any exceptions, that every duty laid upon a public officer for the benefit of a private person, is enforceable by judicial process". *Butterworth v U.S. ex rel. Hoe*, 112 US 50, 5 S. Ct 25, 28 L. Ed 656.

3. "A ministerial officer is liable for an injury done, where his acts are clearly against the law." *Tracy v. Swartwout*, 10 Pet. 80, 9 L Ed 354. "The judicially fashioned doctrine of official immunity of judicial, legislative or executive officers does not reach so far as to immunize criminal conduct prescribed by an Act of Congress." *O'Shea v. Littleton*, 414 US 488, 94 S Ct 669, "in equity there are certain rules prohibiting parties bearing certain relations to each other from contracting between themselves; and if parties bearing such relations enter into contracts with each other, courts of equity presume them to be fraudulent, and convert the fraudulent party into a trustee." *Perry on Trusts* (7<sup>th</sup> Ed) Sec. 194, in *Braun v Hansen* (1939) 103 F 2d 685. Under the doctrines of *res gestae*, *res ipsa loquitur*, *respondeat superior*, as now having prior knowledge, authority, power, opportunity to prevent or aid in preventing injury, damage, having been or about to be committed. Title 42 USCS Section 1986, as applies to public officials, Officers, by the existence of an agreement between two or more persons, acting in a private conspiracy, *McNalley v Pulitzer Pub. Co.* (1976) 532 F 2d 69, 429 US 855, 50 L Ed 2d 131, to conspire, through said conspiracy, to impede or hinder, or obstruct or defeat the due course of justice in a State or Territory, with the purposeful intent to deny the equal protection of the law, under color of State law or authority, or other, *Griffin v. Breckinridge* (1971) 403 US 88, 91 S Ct. 1790, depriving of having or exercising a Right, Federal Conspiracy to Obstruct Justice Act (Title 42 USCS Section 1985(2), deprivation of due process, even by federal officials, *Williams v. Wright* (1976) 432 F Supp 732, *Founding Church of Scientology v Director, FBI* (1978) 459 F Supp 748, 98 L Ed 2d 150, 108 S Ct 199, even District Attorneys, *Rouselle v Perez* (1968) 293 F Supp 298, places upon you the badges of fraud, prior knowledge, superior knowledge of the law, will of intent, perjury of Oath of Office, constructive treason, bad faith, breach of fiduciary/trustee responsibility, whereupon "Being fiduciaries, the ordinary rules of evidence are reversed," (1939) 103 F 2d 685. Further, being advised, as in *Ex Parte v Young*, 209 US 123 (1908), "The attempt of a State Officer to enforce an unconstitutional statute is a proceeding without authority of and does not effect, the State in its sovereign or governmental capacity, and is an illegal act, and the officer is stripped of his official character and is subject in his person to the consequences of his individual conduct. The State has no power to impart to its officer immunity from responsibility to the supreme authority of the United States." (Emphasis added.)

Support NOTES from lower courts: From *Perry on Trusts*, (7<sup>th</sup> ed), Sec. 851 "... in order that the release, confirmation, waiver, or acquiescence may have any effect .... The cestui que trust must also know the Law, and what his rights are, and how they would be dealt with by the court." The Supreme Court of Arizona in *Garrett v Reid Cashion Land*, 34 Ariz 245, 270 P. 3044 at page 1052 quotes thus from *Adair v Brimmer*, 74 NY 539 "Confirmation and ratification imply to legal minds, knowledge of a defect in the act to be confirmed, and the right to reject or ratify it. The cestui que trust must therefore not only have been acquainted with the facts, but apprised by the law, of how these facts would be dealt with by a court of equity, All that is implied in the act of ratification, when set up in equity by a trustee against his cestui que trust, must be proved, and will not be assumed. The maxim 'ignorantis legis excusat neminem' cannot be invoked in such a

case. The cestui que trust must be shown to have been apprised of his legal rights.” (Emphasis added.) Also from *Ungrich v Ungrich*, 115 NYS 413, 417, “The rule (is) that to fasten ratification upon a cestui que trust he must not only have been acquainted with all the facts, but apprised also in the law, and how such facts would be dealt with by a court of equity.” Likewise, *Thaw v Thaw*, 27 Fed 2d 729, *US v Carter*, 217 US 286, 54 L Ed 769, *Wendt v Fisher* (Cardozo, J.) 234 NY 439, 154 N.E. 303, *Leach v Leach*, 65 Wis. 284, 26 NW 754.

4. The delay in discovery of the Frauds stated herein pursuant to Amendment XX provides no defense to the remedy, laches or otherwise. *Michoud v Girod*, 4 How 503, @ 561, 11 L Ed 1076, *Pomeroy’s Equity*, Sec. 847, *Wiget v Rockwood* 69 F @d 326, et seq., and from *Texas & Pacific Ry, v Pottorff*, 291 US 245, 78 L Ed 777, in *Braun*, supra, “the doctrine is thus affirmed. It is the settled doctrine of this court that no rights arise on an ultra vires contract even though the contract has been performed; and this conclusion cannot be circumvented by erecting and estoppel which would prevent challenging the legality of a power exercised.” And from *US v Grossmayer*, 9 Wall 72, 19 L Ed 6 27, “A transaction originally unlawful cannot be made any better by being ratified.” And, further, following *Braun*, supra, “It is held axiomatic that no right, by ratification or other means, can arise out of fraud.” 13 C.J. 492, Sec. 440, 6 R.C. L., p 698, the following is quoted in *Thompson on Corporations*, 3<sup>rd</sup> Ed Sec. 2828, from *Central Transportation Co. v Pullman Palace Car Co.*, 139 US 24, as established doctrine of the Supreme Court, “No performance of either side can give the unlawful contract any validity, or be the foundation of any right of action upon it.” As said long ago by the great Justice Story in *Prevost v Gratz*, 6 Wheat 481, 497; 5 L Ed 311, 315, “It is currently true that length of time is no bar to a trust clearly established; and in a case where fraud is imputed and proved, length of time ought not, upon principles of eternal justice, to be admitted to repel relief. On the contrary, it would seem that the length of time during which the fraud has been successfully concealed and practiced, is rather an aggravation of the offense, and calls more loudly upon a court of equity to grant ample and decisive relief.” (Emphasis added.)

5. It is a maxim of law that peonage and involuntary servitude are forbidden, and immunity is denied to any party, real or imagined, person or public official who would or conspire to traffic in slaves or participate in aiding or abetting. *Clyatt v US*, 197 US 207 (1905), *Plessy v Ferguson*, 163 US 537, 542, “Whoever [Title 18 U.S.C. Sec.1581] holds or returns any person to a condition of peonage, or arrests any person with the intent of placing him in or returning him to a condition of peonage, shall be fined not more than \$5,000.00 or imprisoned not more than five years.”

6. All public officials in receipt of this notice are required by their Oath of Office to answer. Notification of legal responsibility is “the first essential of due process of law” *Connally v. General Construction Co.*, 269 U.S. 385,391. “Silence can only be equated with fraud where there is a legal or moral duty to speak or when an inquiry left unanswered would be intentionally misleading.” *U.S. V. Tweel*, 550 F.2d.297. It is the ministerial fiduciary/trustee duty of each and every government official, officer, agent, contractor and assign of the UNITED STATES, the STATE OF UTAH, the Federal Reserve Banks/System, the International Monetary Fund, the International Finance Corporation, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the World Bank, the Commission of the European Communities, the Organization for Economic Co-operation and Development, the United Nations and any and all other obligors/grantors who view this notice (“Respondents”) to timely and fully answer, *Federal Crop Insurance v Merrill* (1947) 332 US 380., 92 L Ed 10, 68 S Ct 1, 175 ALR 1075.

7. **The period for Respondents to respond to this notice is ten (10) days.** Any party or public official wishing to answer, respond, refute, rebut, deny, object or protest any statement, term, declaration, denial or provision in this presentment must do so by Lawful Protest within ten (10) days of the date of issuance or forever lose all rights, titles, interests, and the opportunity to plead. All such responses must be verified and have exhibitions and factual evidence in support annexed thereto.

8. **Respondents may agree with all statements, terms, declarations, denials and provisions herein by remaining silent.** Failure to timely respond to all such terms and provisions with which Respondents disagree comprises Respondents' stipulation and confession jointly and severally to acceptance of all statements, terms, declarations, denials and provisions herein as facts, the whole truth, correct and fully binding on all parties.

9. **This document serves as Notice of Fault in the event Respondents fail to timely respond.**

10. **Notice of Default shall be issued no sooner than three (3) days after Notice of Fault.** Default is final three (3) days after Notice of Fault is issued. Default comprises Respondents consent jointly and severally to be named as defendant(s) in various actions, administrative and judicial.

11. **Upon Default, all matters are settled *res judicata* and *stare decisis*.**

12. **Default comprises an estoppel of all actions, administrative and judicial, by Respondents against Paul-Kenneth: and Barbara-Ann: Cromar, 3J. Pomeroy, Equity Jurisprudence Section 805, p. 192, Restatement 2d of Torts Section 894(1) (1979), and now reasonably relied on, Wilbur National Bank v US 294 US 120, 124-125 (1935), due to misconduct by Government agents Heckler v Community Health Services, 467 US 51, at 59, 60, Federal Crop Ins., *supra*. "It [the doctrine of Estoppel by Silence] arises where a person is under duty to another to speak or failure to speak is inconsistent with honest dealings." In Re McArdles Estate, 140 Misc. 257, et seq., and Silence, to work estoppel, must amount to bad faith. Wise v USDC Ky., 38 F Supp 130, 134, where duty and opportunity to speak, Codd v Westchester Fire Ins. Co. 14 Wash. 2d 600, 128 P 2d 968, 151 ALR 316, creating ignorance of facts, Cushing v US Mas s, 18 F Supp 83, inducing person claiming estoppel to alter his position, Braunch v Freking, 219 Iowa 556, 258 NW 892, knowledge of facts and of rights by person estopped, Harvey v Richard, 200 La. 97, 7 So. 2d 674, willful or culpable silence, Lenconi v Fidelity Trust & Savings Bank of Fresno, 96 Cal. App. 490, 273 P. 103 et seq., "Silence" implies knowledge, and an opportunity to act upon it, Pence v Langdon, 99 US 578 @ 581, et seq.**

13. **Under the Clearfield Doctrine, derived from the 1943 Supreme Court Decision in Clearfield Trust, et al. vs. United States, (328 U.S. 363, 318), the court ruled, in essence, that when a government reduces itself to a corporate status, it becomes merely another corporation, having no more nor less standing than all other corporations.**

14. **The UNITED STATES Supreme court in 2000 ruled, Bond vs. UNITED STATES 529 US 334-2000, held that the people are in fact Sovereign and not the STATES or government. The court went on to define that local, STATE and FEDERAL law enforcement officers are committing unlawful actions against the Sovereign people by the enforcement of laws and are personally liable for their actions.**

# DISCLAIMER

THE QUOTATION OF THE PRIVATELY COPYRIGHTED STATUTORY  
LEGISLATIVELY CREATED CASE LAW AND STATE AND FEDERAL STATUTES  
PURSUANT TO PL 88-244, DECEMBER 30, 1963, IS DONE WITHOUT INTENT TO  
CREATE A "USE", VIOLATE ANY PRIVATE COPYRIGHT, OR GIVE LEGAL  
ADVISE TO ANYONE, AND STANDS SO UNLESS LAWFULLY PROTESTED BY ANY  
CONCERNED PARTY(IES)

Notice to the principal is notice to all agents. Notice to an agent is notice  
to all principals. By this Public Notice, Declarations, Mandates and  
Lawful Protests the world is now informed.

BE IT SO EXECUTED, and by this execution, be made to appear, in-deed, enacted, decreed,  
This the 1<sup>st</sup> day of the 10th month, anno Domini, two thousand and 20, Amen.

L.S.

by: Paul-Kenneth Cromar

Signed only in correct public capacity as  
Beneficiary of the Original Jurisdiction

{SEAL}

**Paul-Kenneth: Cromar.**

c/o 9870 north meadow drive.  
Cedar Hills  
Utah [ 84062 ]

L.S.

by: Barbara-Ann Cromar

Signed only in correct public capacity as  
Beneficiary of the Original Jurisdiction

{SEAL}

**Barbara-Ann: Cromar.**

c/o 9870 north meadow drive.  
Cedar Hills  
Utah [ 84062 ]

CC: MR. WILLIAM P. BARR acting as Attorney General  
MIKE SMITH acting as Utah County Sheriff  
GARY R. HERBERT as Governor of the Utah state  
US MARSHAL OFFICE - SLC

IN THE  
COUNTY OF UTAH, STATE OF UTAH

State of Utah

vs.

CROMAR, PAUL KENNETH

Date Of Birth: 05/05/1959

9870 N MEADOW DR PLEASANT GROVE, UT 84062

Arrestee

## Affidavit of Probable Cause

**On 09/24/2020 18:30 the defendant was arrested for the offense(s) of:**

Offense Date	Offense Description	Enhancement Statute	Severity	Court
1 09/24/2020	BURGLARY OF A DWELLING	76-6-202(2)	F2	DST
2 09/24/2020	WRONGFUL APPROPRIATION - F3	76-6-404.5(3)(A)	F3	DST

**I believe there is probable cause to charge the defendant with these charges because:**

Sergeant R. Weidlein

20UC08707

Arrested Person:

Paul Kenneth Cromar 05/05/1959

Synopsis:

Paul Kenneth Cromar was legally evicted from the address of 9870 N Meadow Dr., in the city of Cedar Hills, on August 18, 2020. Paul Kenneth Cromar has refused to leave the residence and has posted the property with signage claiming the property as his via a land patent. Paul Kenneth Cromar had reentered the house after the property had previously been sold by the US government.

Source of Activity:

This situation was brought to my attention on August 24, 2020, when I was informed that there was an eviction notice for the address of 9870 N Meadow Dr., in the city of Cedar Hills. The persons to be evicted were identified as Paul Kenneth Cromar and his wife Barbara Ann Cromar.

Investigation:

I was informed the federal government had forced the sale of the home, in order to collect money from the Cromar's tax debt. The Cromar family was evicted from the home by the Federal Marshals. At some point after the eviction and sale of the house, the Cromar's illegally moved back into the home.

The new owners took financial custody of the home and then found that the Cromar's had moved back into the home. Several calls were created regarding civil problems and to keep the peace, that were handled by the American Fork Police Department.

Nathan Dorius and Andrew V Collins of Copper Birch Properties, LLC filed the paperwork and went through the eviction process. On August 18, 2020 an eviction order was signed by District Court Judge Kraig Powell. Paul Kenneth Cromar was served with the order on August 19, 2020, at 8:30 PM by Bernard Walker of the Wasatch Constables.

The order gave Kenneth and Barbara Cromar three days to evacuate the home. I drove by the home on August 26, 2020, during daytime hours and the home appeared to be occupied.

Paul Kenneth and Barbara Cromar have posted signage around the home that display, "Caution United States Land Patent Part and Parcel of #392," "No Trespassing," and a document that provides circumstances that the property can be entered. The home sits on a corner lot and these signs are posted on the three corners that are visible from the street. There is a large green sign on the garage door that states "Land Patent Victory NO lawful challenge by anyone

within 60 days to our patent contact in any Article III court. DONE! Thank you  
Pres Grover Cleveland's 1887 Signature."

Photos of the house and signage were placed on Ken Cromar's public Facebook page on August 7, 2020, as well as earlier dates. The photos include all of the signage as well as photos of Kenneth and Barbara Cromar standing in front of some of the signs. On June 26, 2020, Ken Cromar posted on Facebook the same signs and stated, "CONGRATULATIONS to our Cromar family, law and order, contracts, Superior Land Patents, and especially We The People!" It continues to say, "Special THANKS to President Grover Cleveland and his 1887 signature in behalf of the united States, securing our contract unchallenged in any Constitutional Article III court, in behalf of our "heirs and assigns forever". ;)" In the same post a person asks, "Does that mean you are back in your home?" Ken Cromar replies "Been back since April 23. It is and has, and will always remain our house-until we say otherwise-despite attempted FRAUD and SWINDLE in dishonor by the courts who voided their own authority".

Paul Kenneth Cromar also posted a video on his YouTube channel where he was confronted by police officers at the residence. The officers told him that the property was owned by the US government and he replied that the property belonged to him. The officers asked him how he got into the property after the locks were changed and he told him that it was not their concern. He challenged them to check the county records to see who the property was titled to.

I looked up the property on the Utah County Public Information System, land records, and discovered that the residence was no longer deeded to the Cromar's and that it is currently deeded to COPPER BIRCH PROPERTIES LLC.

#### Charges:

On 08/26/2020, a meeting was held with the Utah County Attorney, David Leavitt, his staff, as well as the Utah County Sheriff, Mike Smith, and his staff. This case was reviewed and it was decided that the appropriate course of action would be to request charges for the following:

76-6-404.5	Wrongful appropriation	3rd degree Felony
76-6-202	Burglary	2nd degree Felony

#### Judicial follow up:

On September, 2nd 2020, Paul Kenneth Cormar was able to see Judge Powell via Web-X. Judge Powell ordered him to be out of the house on September 5th, 2020 at 1700 hours.

#### Safety Concerns:

Rather than moving out of the home when ordered by Judge Powell, Paul Kenneth Cromar invited several members from an armed militia come to his house to protect him. Paul Kenneth Cromar has made no attempt to move out of the property.

Case #20UC06091 was investigated when a letter was sent to District Court Judge Davis. The letter was investigated as a threat, but charges were denied.

Paul Kenneth Cromar has made comments online about protecting his property and scaring away law enforcement. He has also aligned himself with radical groups and people and invited them to join him in defending his property.

#### Enhanced bail:

The Utah County Prosecutor's office and the Utah County Sheririff's office is requesting a bail for \$100,000.00. Deputies found two males at the home that were armed and were there to protect the property. It is beleived that Paul Kenneth Cromar allerted militia members to come to his home to protect his property after the order to vacate had occured. It is also beleived that Paul Kenneth Cromar will respond back to the property if he is released and there is a likelihood of violence or damage to property by either Mr. Cromar or his associates.

End report.

By submitting this affidavit, I declare under criminal penalty of the State of Utah that the foregoing is true and correct.  
/S/ Weidlein, Robert

**A sworn officer with:** UT0250000 - UCSO  
**Agency Case** 20UC08708

**Probable Cause ID:** 15/514  
**Suggested Bail Amount:**

**SUBMISSION IDENTIFICATION INFORMATION**

**Booking Agency:** Utah County Sheriff Office  
**Agency Inmate ID:** 398468  
**Arrest Date/Time:** 09/24/2020 18:30

**SID:** NONE  
**FBI ID:** NONE

**Booking Agency ORI:** UT0250000  
**OTN:** 60760691

4TH DISTRICT CT - AF

RECEIPT 06/24/2022 16:18

06/24/2022 16:17 Clerk: roenag

Receipt Number: 20221250116

Payor: PAUL CROMAR

Received

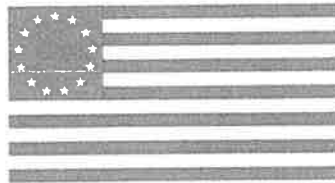
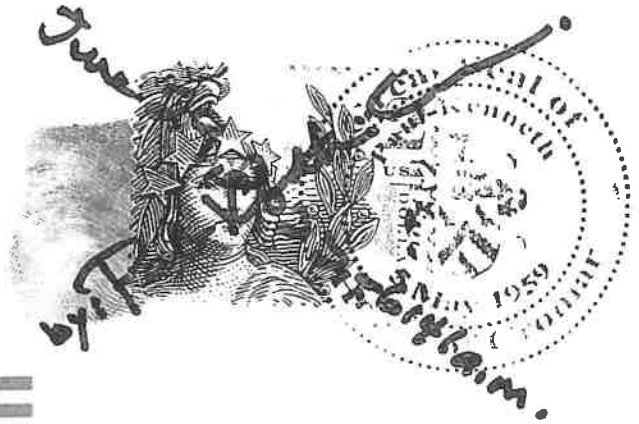
Cash \$4.25

COPY FEE \$4.25

Note: 5.00 cash tendered. 0.75 change  
given.

\*\*\*\*\* SAVE THIS RECEIPT \*\*\*\*\*

2022 06 29 - Utah Court of Appeals - Habeas Corpus



Paul-Kenneth: Cromar. <sup>TM</sup>  
- Executor of the name ©“PAUL KENNETH CROMAR”, and,  
Barbara-Ann: Cromar. <sup>TM</sup>  
- Executrix of the name © “BARBARA ANN CROMAR”  
c/o 9870 N. Meadow Drive  
Cedar Hills, Utah state: uSA [84062]

---

IN THE UTAH COURT OF APPEALS

---

Paul-Kenneth: Cromar,  
and Barbara-Ann: Cromar

applicants / complainants

vs.

Judge Christine Johnson,  
Magistrate Anthony Howell,  
Judge Darold McDade,  
Defendants

**APPLICATION:**

**For a Writ of Habeus Corpus  
under URCP 65B**

**(d) Wrongful use of judicial authority  
or failure to do duty;**  
(applicable to Provo cases 201402860 & 68)

case # \_\_\_\_\_

Judge \_\_\_\_\_

## APPEAL FOR INJUNCTIVE RELIEF

### **78B-6-601. Penalty for wrongful refusal to allow writ of habeas corpus.**

Any judge, whether acting individually or as a member of a court, who wrongfully and willfully refuses to allow a writ of habeas corpus whenever proper application has been made shall forfeit and pay a sum not exceeding \$5,000 to the aggrieved party.

The applicant / complaints filed an Application for a Writ of Habeas Corpus Despite the fact that the Clerk of the Court in the American Fork Utah Fourth Judicial Court sent the Application for a Writ of Habeas Corpus to the Fourth District Court in Provo Utah at approximately 4:30 pm on Friday June 24, 2022.

On June 27, 2022, in cases 201402860 & 68, Judge Christine Johnson said, "I have not received the Habeas Corpus, but I have been in Contact with Presiding Judge (Kraig J. Powell Associate Presiding Judge) who has been in contact with General Counsel of the AMC and I have been told to go forward." It is under these circumstances that the applicant / complainants have filed this Appeal for Injunctive Relief and the Application for a Writ of Habeas Corpus upon this court.

### **APPLICATION:** **For a Writ of Habeas Corpus**

Comes now, Paul-Kenneth: House of Cromar and Barbara-Ann: House of Cromar, two of *We the People*, a living man and woman, declared by a jury of our peers "**found to be living!**", over 25 years and have attainment of majority, of sound mind, and deemed competent to manage the affairs of their estates by the same name, *sui juris*, state nationals of Utah known as Utahns, *in propia personam*, as the Sole Heirs and Executors to the Paul-Kenneth: House of Cromar and Barbara-Ann: House of Cromar estates, sometimes known as "Barbie & Ken"; herein *apply* to the above named court, this **APPLICATION: For a Writ of Habeas Corpus**, for good cause, as provided herein:

We're currently living at this address, which is in the jurisdiction of this court: **4701 W. Ferguson Way / Cedar Hills, Utah state [84062]**, where we wait resolution to questions surrounding our return to our home /property at 9870 N. Meadow Drive, near Cedar Hills, in

Utah state, a place from which we are blocked by court order from being within 500 feet from the moment handcuffs were applied on our bodies.

The Court closest to the address above is this, the **Utah Fourth District Court located at 75 East 80 North, Suite 201, in American Fork, in Utah state, [84003-1659]**, as required under:

URCP Rule 65B(b)(2) - Commencement. The proceeding shall be commenced by filing a petition with the clerk of the court in the district in which the petitioner is restrained or the respondent resides or in which the alleged restraint is occurring.

URCP Rule 65B(b)(3) -- Contents of the petition and attachments, are as follows:

1. **"20200925.Cromar, Paul Order Bail"** as provided by prosecution
2. **"Probable cause" "Search Warrant 2154551" - STATEMENT** approved by Darold J. McDade - Dated: 24th day of September, 2020 @ 11:24 PM – over 4 hours after the arrests.

(Note: This was provided to the Deseret News but we could get a copy for several months despite numerous request on the record, in hearings, and in writing to the prosecutor.]

3. **PUBLIC NOTICE, DECLARATIONS, MANDATES, AND LAWFUL PROTEST** (October 1, 2020 filed on docket) – This was provided as a jurisdictional statement on the record the day before the first hearing with judge Johnson.

4. **"Affidavit of Probable Cause" - 9/24/2020 – 21:20**

URCP Rule 65B(b)(4) Memorandum of Authorities - This case null and void from inception because there was no lawful warrant presented at time arrest, and no bail hearing prior to posting bail and release the jail. Bail was applied with no specific hearing without all parties present, -especially us in absentia, with no counsel present or waived. Cannot have a waiver hearing and bail hearing at same time, and skip *due process of law*, therefore it is declared to be *plain error in procedural due process of law*.

If there was an arrest without a warrant (under criminal proceeding) a probable cause hearing

should have been held within 72-hours as we understand it. Additionally, *failures to act in his/her duties* include:

- Failed to notify us of the charges.
- Failed to notify us before the bail hearing, which the bail was applied by an unknown person, *who failed to act in his duties*, by having all parties, including counsel or waived counsel, notified and present at the hearing.
- Bail was applied *without due process of law* at a critical hearing where counsel is to be afforded or waived, with all parties present, in judicial failure.'

The RELIEF Requested:

We, Paul-Kenneth: and Barbara-Ann: Cromar want to abate this case and have it dismissed, and proceed with any future claims or litigation only with *due process of law*, with properly and timely notifications.

Produce the Writ of Habeus Corpua to the defendants, and set a court date as soon as possible, to answer our allegations.

Please see 65B- 6 – 601 -UTAH CODE – HABEUS CORPUS (et seq.) regarding for penalties for action and inactions not allowed. Please note that any person who does not answer or impedes this lawful process (et sequence).

Respectfully Applied For;

---

***Notice to Principal is notice to Agent. Notice to Agent is notice to Principal.***

I, Paul-Kenneth: Cromar, and Barbara-Ann: Cromar, as the **sole Heirs and Executors** of the estates by the same name, do hereby reserve the right to make any amendments and corrections.

---

#

FOR THE:


**APPLICATION:  
For a Writ of Habeus Corpus**

FOR THE Heirs /Executors **ARE** FOR THE AFFIRMATION  
OF THE DECLARATION OF THE  
TRUE BY THE FIRSTHAND KNOWLEDGE OF THE FACTS:

Utah State )  
)  
Utah Republic )  
)  
united States of America )

Asseveration


L.S.

  
© Paul-Kenneth: House of Cromar™  
Signed only in correct public capacity as  
Sole Heir and Executor to the Paul-Kenneth: Cromar Estate  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]

IN REL

Asseveration

L.S.

  
© Barbara-Ann: House of Cromar™  
Signed only in correct public capacity as Sole Heiress,  
Executrix to the Barbara-Ann: Cromar Estate.  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]

IN REL

Which are commonly known addresses for LAND PATENT #392 part and parcel thereof;

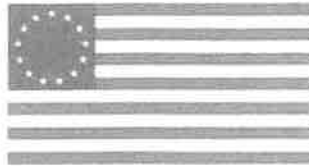
We *Stand* on our Metes and Bounds, having never abandoned them, which are as follows:

Beginning at the Northeast corner of Lot 3, Plat "C", Amended North Meadow Estates Subdivision, said point being S89°28'48"W 1129.68 feet along the Quarter Section line, and S0°00'00"W 773.49 feet from the East 1/4 corner of Section 6, Township 5 South, Range 2 East of the Salt Lake Base and Meridian, and running thence along said Lot 3 boundary line the following five (5) course: (1) S0°18'49"W 96.09 feet; (2) S89°59'43"W 149.21 feet; (3) along a curve to the right 23.50 feet through a central angle of 89°46'16" having a radius of 15.00 feet and a chord that bears N45°07'09"W 21.17 feet; (4) N0°14'01"W 80.49 feet; (5) N89°45'59"E 165.06 feet to the point of beginning, containing 0.361 acres.

[for LOT "C", AMENDED NORTH MEADOW ESTATES  
SUBDIVISION within the SE ¼ of SEC. 6, T.5 S., R.2 E. SLBM – 0.361 acres]

2022 07 18 - Utah Court of Appeals  
Answer to Response and Amendment to Appellate Cases

*Authorized Person/Relator*  
Dean Marshall Spencer  
General Delivery  
Pleasant Grove, Utah state [84062]



Paul-Kenneth: Cromar. <sup>TM</sup>  
- Executor of the name ©“PAUL KENNETH CROMAR”, and,  
Barbara-Ann: Cromar. <sup>TM</sup>  
- Executrix of the name © “BARBARA ANN CROMAR”  
c/o 9870 N. Meadow Drive  
Cedar Hills, Utah state: uSA [84062]

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## IN THE UTAH COURT OF APPEALS

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Dean Marshall Spencer,  
Authorized Person Relator

Paul-Kenneth: Cromar, the man, and,  
Barbara-Ann: Cromar, the woman

Thomas Fairbanks,  
Authorized Person |

applicants / complainants

vs.

Judge Christine Johnson,  
Magistrate Anthony Howell,  
Judge Darold McDade, et al.  
Utah County Sheriff Mike Smith  
American Fork PD Darren Falslev  
Utah County Attny David O. Leavitt  
Attorney Jared Perkins, et al.

**ANSWER TO RESPONSE**  
**AND AMENDMENT TO**  
**APPELLATE CASE NO(s)**

**20220593 - CAs**  
**20220594 - CA**

AMENDMENT TO USA (COPPER BIRCH)  
v. CROMAR CASE # 2:17-CV-0123-RJS

AMENDMENT TO COPPER BIRCH v.  
CROMAR CASE # 200400972

65B(a) Remedy (No Remedy is Available  
(See Vexatious Litigation Order)

65B(b) (Wrongful Use Of Judicial Authority  
Or Failure to Comply With Duty)

Judge Kraig J. Powell  
Judge Robert Lund  
Judge James M. Brady, et al.  
Attorney Nathan S. Dorius  
Attorney Andrew V. Collins

Judge Lynn W. Davis  
U.S. Solicitor General

US Chief Judge Robert J. Shelby  
DOJ/IRS attny Ryan Watson, et al.,

US District Judge Timothy DeGuisti  
US Attorney John Huber  
US Asst. Attny John Mangum

US District Judge David B. Barlow  
Magistrate Daphne Oberg  
Asst. Utah AG Heather Chesnut  
Utah Attorney General Sean D. Reyes

Defendants

(b)(2) (Commencement ... Court In District  
In Which Petitioner is Restrained – (See Initial  
65(B) Complaint Unanswered And Un-ruled  
On - Denied - No Remedy - No Relief)

(d)(2)(A) (Abuse Of Process) For An inferior  
Court, Administrative Agency Or Officer  
Exercising Judicial Function Has Exceeded  
Or Abused Its Discretion

(d)(3) (Proceeding On Petition) The Court may  
also Grant ... Rule 65(A) Injunctions – See Initial  
Pleading With Appeals Court

URAP Rule 19(A) (Petition For Extraordinary  
Writ To A Judge...) “An Application For  
Extraordinary Writ Referred To In 65(B),  
URCP Directed To A Judge... To The  
Appellate Court Clerk” **Correct Amended  
Copy To Chief Justice Matthew B. Durrant  
Utah State Supreme Court**

Merged Civil Action Ties With  
Cromars Criminal Case  
(In Violation Of Utah Code 68-3-4 Civil  
And Criminal Remedies Not Merged);

(Applicable to Provo Cases 201402860 & 68)

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### **URAP RULE 19(a) PETITION FOR EXTRAORDINARY WRIT TO A JUDGE**

Dean Marshall Spencer, Authorized Person, in behalf of Allegedly Disabled of the above said Cromars, a living man and woman - Applicants (See Response Stacey R. Haacke, Addendum "C" Vexatious Litigants Order) applies to the Appellant Court Clerk under Rule 19(a) addressed to Chief Justice Matthew B. Durrant with this answer to the response by and through Counsel Stacey R. Haacke as an Amended Application.

In her response Haacke claims the Cromars were devoid of reference or relevance of court records. Haacke noted the criminal case pending in the trial court and attached the affidavit of Probable Cause (See Addendum A) Yet Haacke fails to note in Addendum B that three (3) other affidavits were filed. (See Officer Quinn Adams Affidavit, the affidavit/declaration filed on 9/27/2022 and the corrected affidavit filed on 9/27/2022).

Devoid of reference, Haacke states, "the Cromars were evicted from their home after the federal government forced the sale of their home to collect a tax debt." Haacke is wholly devoid of reference to, nor provides the inclusion of relevant portions of the court record that would support any of ... Haackes' claims of a lawful "tax debt" in the response, and the conclusion of this answer to Haackes response, is Abuse of Process and Judicial Authority. Haackes makes a determination, and thus an admission, that the case against the Cromars is a civil matter and not a criminal matter.

Haacke further states, "At the pretrial conference held on June 2, 2022 the minutes of the hearing on the case docket indicates the public defender, Ms. Lisa Estrada, had concerns with going forward with the trial and stated that she may file a petition for competency. **No such petition was filed.**"

Haacke also states, "Although self-represented litigants are allowed leniency... they are held to standards that allow opposing parties to adequately respond." However, starting with Judge Robert J. Shelby's declaration that the Cromars are Abusive Litigants on 8/28/2018 and the restrictions placed on the Cromars from filing additional motions or other documents without first obtaining written permission from the court (See Civil Docket For Case # 2:17-cv-0123-RJS Item #74), which was parroted by Judge Christine Johnson, who declared the Cromars to be Vexatious Litigants, with similar restrictions, and then again parroted by Judge James M. Brady in the unresolved related case Copper Birch Properties v. Cromars Case # 200400972, (and also now with similar denial of remedy by US District Court Judge David A. Barlow – see 2:20-cv-00224-DBB and 2:20-cv-00625-DBB) **the Cromars have been Denied Leniency and Remedy through the Wrongful Use of Judicial Authority or a Failure to Comply with Duty. The restrictions placed upon the Cromars have been intentionally used by the courts to ignore, evade, refuse and to reject the Cromar's Constitutional Common Law Appeals and Remedies, all of which is an Abuse of Process.**

## **Merged Civil Action Ties With Cromar Criminal Case**

The Violation of Utah Code 68-3-4 Civil And Criminal Remedies Not Merged began with Judge Robert J. Shelby's Case # 2:17-cv-0123-RJS where in Judge Shelby recognized Copper Birch Properties, LLC as a Movant, without standing, in that case.

While under an Appeal with the Tenth District Court (Civil Docket For Case # 2:17-cv-0123-RJS Item #112 5/17/2019), the Defendants discovered an ex parte Application for Writ of Assistance had been made by a "Copper Birch Properties, LLC", hereinafter "Copper Birch", who had made the application for a Writ of Assistance in the court without any factual involvement in the civil action and without personal involvement in the IRS auction sale of the property, which was made to a "Nathan Eddington", not "Copper Birch".

On September 10th, 2019 the Internal Revenue Service conducted an auction of the Cromar property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430 (hereinafter, "the property"). By the sworn Declaration of Gary Chapman, IRS Property Appraisal and Liquidation Specialist, made on March 4, 2020 (Civil Docket Item 117 Attachment #1 Declaration of Gary Chapman), the winning bidder, a "Nathan Eddington", then failed to make the required 10% deposit of the winning bid of \$330,000, depositing only \$31,000 on September 10th, 2019 in violation of the applicable and controlling "Terms of Sale" as published by the U.S. Treasury.

Mr. Eddington then failed to pay the balance of the purchase price as required within 30 days of making the winning bid, in violation of the applicable and controlling "Terms of Sale" as published by the U.S. Treasury. Which according to "Terms of Sale" should have voided the acution sale, caused forfeit of inadequate \$31,000 paid at day of auction, and acceptance of 2<sup>nd</sup> place bidder. However, by the sworn Declaration of Gary Chapman, IRS Property Appraisal and Liquidation Specialist, made on March 4, 2020 (Civil Docket Item 117 Attachment #1 Declaration of Gary Chapman), the balance of the payment owed by Mr. Eddington was received by Mr. Chapman on January 21, 2020, over 130 days after the September 10th, 2019 auction, failing the 30 day purchase-contract fulfillment requirement.

Cooper Birch asked the district court to enforce a "private sale" of property to Copper Birch under Title 28 USC Section 2001(b) without conducting any hearing in the courtroom as

required by law thereunder, as ruled by the Tenth Circuit Court of Appeals in the dispute on appeal.

Copper Birch fraudulently claimed in its application for the Writ of Assistance, to have been the winning bidder at the IRS auction on September 10th, 2019 not "Nathan Eddington", directly contradicting the factual record of this civil action (Civil Docket For Case # 2:17-cv-0123-RJS Item 117) and also contradicting the testimonial Declaration, sworn under penalty of perjury, of IRS Specialist Gary Chapman who conducted the IRS auction and whose sworn Declaration was used by this court as the basis for finalizing the sale and distributing the sale proceeds. (Ibid, see Item 117.1)

In stating a false pretense and making the fraudulent claim of being the winning bidder at auction, as an alleged foundational fact to the application for the Writ, in order to try and manufacture an otherwise non-existent legal standing in the court and civil action, the applicant absolutely strips the federal district court of its ability to legally establish and take a jurisdiction of the district court over the Application, necessary to act on the Application for the Writ in any manner other than to deny the Application for false pretenses.

"A void judgment is one that has been procured by extrinsic or collateral fraud or entered by a court that did not have jurisdiction over the subject matter or the parties." *Rook v. Rook*, 233 Va. 92, 95, 353 S.E.2d 756, 758 (1987)

By failing to truthfully explain how they allegedly have come to have a legal claim to the disputed property, Copper Birch fails to establish, and therefore lacks, legal standing in the civil action to seek the assistance of the federal district court through the Application for a Writ of Assistance that has been made, because they have not properly established that they have any legal interest in the Title, neither as a result of any "private sale", nor as a result of the public auction that was conducted and won by "Nathan Eddington", not Copper Birch, - and where Eddington failed to meet the terms and requirements for completion of the auction sale, i.e.: by first making a full 10% deposit of the purchase price on the day of the auction, and then subsequently failing to make full payment of the purchase price within 30 days of making the winning bid at auction), thus coloring, and making fatally defective, his (Eddington's) claim to any deed or title based on the IRS auction.

By the language used by Copper Birch in its pleading for an Application for a Writ, stating that promises were made to Copper Birch by counsel for the United States Ryan Watson, it appears that the plaintiff United States improperly has secretly and improperly abandoned the results of the IRS public sale at auction, won by "Nathan Eddington", not "Copper Birch", and have replaced that public auction result with a "private sale" of the property to Copper Birch in violation of the Circuit Court ODER citing Title 28 U.S.C. Section 2001(b) which requires a hearing be conducted in the court before any private sale is made.

**§ 2001. Sale of realty generally...**

**(b) After a hearing**, of which notice to all interested parties shall be given by publication or otherwise as the court directs, **the court may order the sale** of such realty or interest or any part thereof at private sale for cash or other consideration and upon such terms and conditions as the court approves, if it finds that the best interests of the estate will be conserved thereby. Before confirmation of any private sale, the court shall appoint three disinterested persons to appraise such property or different groups of three appraisers each to appraise properties of different classes or situated in different localities. No private sale shall be confirmed at a price less than two-thirds of the appraised value. Before confirmation of any private sale, the terms thereof shall be published in such newspaper or newspapers of general circulation as the court directs at least ten days before confirmation. The private sale shall not be confirmed if a bona fide offer is made, under conditions prescribed by the court, which guarantees at least a 10 per centum increase over the price offered in the private sale.

The US District Court docket for 2:17-cv-01223-RJS shows no such hearing was ever held in this civil action (let alone any Hearing before Chief Judge Shelby despite Motion to do so), and no such court Order for any "private sale" was ever issued by the court, which is a violation of the required *due process of law* of a hearing, and of the required legal process, demanded by the statute that was invoked by this court itself as applicable and controlling. Without the *due process of law* of the statutorily required hearing, the "private sale" to Copper Birch is void.

"Judgment is a "void judgment" if court that rendered judgment lacked jurisdiction of the subject matter, or of the parties, or acted in a manner inconsistent with due process." Klugh v. U.S., D.C.S.C., 610 F.Supp. 892, 901.

"Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgment upon the question of life, liberty, or property, in its most comprehensive sense; to be heard, by testimony or otherwise, and to have the right of controverting, by proof, every material fact which bears on the question of right in the matter involved. If any question of fact or liability be conclusively presumed against him, this is not due process of law." Black's Law Dictionary 500 (6th ed. 1990); accord, U.S. Department of Agriculture v. Murry, 413 U.S. 508 (93 S.Ct. 2832, 37 L.Ed.2d 767) (1973); Stanley v. Illinois, 405 U.S. 645 (92 S.Ct. 1208, 31 L.Ed.2d 551) (1972)

An orderly proceeding wherein a person is served with notice, actual or constructive, and has an opportunity to be heard and to enforce and protect his rights before a court having power to hear and determine the case. Kazubowski v. Kazubowski, 45 Ill.2d 405, 259 N.E.2d 282, 190. Phrase means that no person shall be deprived of life, liberty, property or of any right granted him by statute, unless matter involved first shall have been adjudicated against him upon trial conducted according to established rules regulating judicial proceedings, and it forbids condemnation without a hearing. Pettit v. Penn, La.App., 180 So.2d 66, 69. The concept of "due process of law" as it is embodied in Fifth Amendment demands that a law shall not be unreasonable, arbitrary, or capricious and that the means selected shall have a reasonable and substantial relation to the object being sought. U.S. v. Smith, D.C.Iowa, 249 F.Supp. 515, 516. Fundamental requisite of "due process" is the opportunity to be heard, to be aware that a matter is pending, to make an informed choice whether to acquiesce or contest, and to assert before the appropriate decision-making body the reasons for such choice. Trinity Episcopal Corp. v. Romney, D.C.N.Y., 387 F.Supp. 1044, 1084. Aside from all else "due process" means fundamental fairness and substantial justice. Vaughn v. State, 3 Tenn.Crim.App. 54, 456 S.W.2d 879, 883." Black's Law Dictionary pg. 500 (6th ed. 1990); accord, U.S. Department of Agriculture v.

Murry, 413 U.S. 508 (93 S.Ct. 2832, 37 L.Ed.2d 767) (1973); Stanley v. Illinois, 405 U.S. 645 (92 S.Ct. 1208, 31 L.Ed.2d 551) (1972)

The statute further requires that “notice to all interested parties (of the hearing) shall be given” before the Order of the Court may issue. Again, no such statutorily required hearing, prerequisite to any “private sale” of the property, was ever scheduled, held, or conducted by the federal district court; - and no such required Notice was ever issued or given to any defendant in the litigation, or any other person or party with real interests in the property and its ultimate disposition and disposal by the court.

The conclusion that an unlawful “private sale” of the property has been conducted in violation of this law is certainly demonstrated and is factually supported by Copper Birch’s demands that the United States be the party that refunds their purchase costs, and not “Nathan Eddington”. As provided by counsel Nathan S. Dorius within his ex parte filing he provides a April 27, 202 at 10:52:28 am EMAIL from, “Bre? Belliston” [Brett Belliston of Copper Birch Properties LLC] to “Gary Chapman” [IRS auctioneer / PALs], which was CC’d to “Nathan Dorius, Ryan Watson, John R. Barlow, Ty B, Doug Gilmore, and Bucky Gay”, his complaint and apparent ultimatum:

**“Gary and Ryan,**

**“...At this point we would like to know**

**“1. Will you do anything to not only provide clear title but ensure that we have clear access to the property through restraining orders and other legal remedies as needed?**

**“2. Return our funds if the government cannot take care of this as we have been told you would?”**

(see 2:17-cv-1223-RJS Document 122 – Page 17 of 54)

By this demand of Copper Birch, it is clear that Copper Birch did not buy the property or acquire title or deed to it from “Nathan Eddington”, or they would be seeking a refund of their funds in Utah State court from Mr. Eddington, and not in federal district court, from the original plaintiff “United States of America”.

The demand made by Copper Birch, that the United States and Ryan Watson refund the failed purchase price to Copper Birch, is clear evidence that an unlawful ex parte "private sale" has been secretly conducted by attorney Ryan Watson and the plaintiff United States (without a "due process" hearing as required under Title 28 U.S.C. Section 2001(b)), in place of the public auction that was won by Nathan Eddington on September 10th, 2019, and not Copper Birch.

Therefore if a "private sale" has indeed been unlawfully perpetrated by the United States and Ryan Watson, in place of the IRS' public auction conducted by IRS Specialist Gary Chapman, then the federal court lacks jurisdiction to enforce the secret unlawful private sale for lack of the *due process of law* of a hearing as required under IRC Section 2001(b), as just held by the Tenth Circuit Court of Appeals.

"A judgment is void if the court acted in a manner inconsistent with due process. A void judgment is a nullity and may be vacated at any time." In re Marriage of Hampshire, 261 Kan. 854, 862, 934 P.2d 58 (1997).

"If the right to notice and a hearing is to serve its full purpose, then, it is clear that it must be granted at a time when the deprivation can still be prevented. At a later hearing, an individual's possessions can be returned to him if they were unfairly or mistakenly taken in the first place. Damages may even be awarded to him for the wrongful deprivation. But no later hearing and no damage award can undo the fact that the arbitrary taking that was subject to the right of procedural due process has already occurred. "This Court has not ... embraced the general proposition that a wrong may be done if it can be undone." Stanley v. Illinois, 405 U.S. 645, 647.

"A full hearing is one in which ample opportunity is afforded to all parties to make, by evidence and argument, a showing fairly adequate to establish the propriety or impropriety, from the standpoint of justice and law, of the step to be taken." Boston and M.R.R. v. U.S., D.C. Mass. 1962, 208 Fsupp 661

On the other hand, if IRS Specialist Gary Chapman's sworn Declaration that "Nathan Eddington" won the IRS auction on September 10th, 2019, is false, then the entire auction sale and result are impeached and rendered void for fraud by virtue of his false Declaration

made on the record in the federal district court at Civil Docket Item 117 Attachment #1 Declaration of Gary Chapman, filed with the court on March 4th, 2020, and sworn to under penalty of perjury.

"We think, however, that it can be reasoned that a decision produced by fraud on the court is not in essence a decision at all, and never becomes final." *Kenner v. C.I.R.*, 387 F.2d 689, (7th CA, 1968)

"Federal courts are courts of limited jurisdiction. They possess only power authorized by Constitution and statute, which is not to be expanded by judicial decree. It is to be presumed that a cause lies outside this limited jurisdiction, and the burden of establishing the contrary rests upon the party asserting jurisdiction." *Kokkenen v. Guardian Life Ins. Co. of America*, 511 US 375 (1994)

"However late this objection has been made, or may be made in any cause, in an inferior or appellate court of the United States, it must be considered and decided, before any court can move one further step in the cause; as any movement is necessarily the exercise of jurisdiction. Jurisdiction is the power to hear and determine the subject matter in controversy between parties to a suit, to adjudicate or exercise any judicial power over them; the question is, whether on the case before a court, their action is judicial or extra-judicial; with or without the authority of law, to render a judgment or decree upon the rights of the litigant parties." *State of Rhode Island v. Com. of Massachusetts*, 37 U.S. 657, 718 (1838)

"Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities; they are not voidable, but simply void, and this even prior to reversal." *Williamson v. Berry*, 8 HOW. 945, 540 12 L.Ed. 1170, 1189 (1850)

"A court cannot confer jurisdiction where none existed and cannot make a void proceeding valid. It is clear and well established law that a void order can be

challenged in any court", *Old Wayne Mut. L. Assoc. v. McDonough*, 204 U. S. 8, 27 S. Ct. 236 (1907).

A court may not render a judgment which transcends the limits of its authority, and a judgment is void if it is beyond the powers granted to the court by the law of its organization, even where the court has jurisdiction over the parties and the subject matter. Thus, if a court is authorized by statute to entertain jurisdiction in a particular case only, and undertakes to exercise the jurisdiction conferred in a case to which the statute has no application, the judgment rendered is void. The lack of statutory authority to make particular order or a judgment is akin to lack of subject matter jurisdiction and is subject to collateral attack. 46 Am. Jur. 2d, Judgments § 25, pp. 388-89.

Whatever the form in which the Government functions, anyone entering into an arrangement with the Government takes the risk of having accurately ascertained that he who purports to act for the Government stays within the bounds of his authority... and this is so even though as here, the agent himself may have been unaware of the limitations upon his authority. *Federal Crop Ins. Corp. v. Merrill*, 332 U.S. 380 at 384 (1947).

A recent discussion of the Rule 60(b)(4) grounds for attack on a void judgment may be found in *Fisher v. Amaraneni*, 565 So. 2d 84 (Ala. 1990). The judgment was set aside for lack of personal jurisdiction based on improper service by publication. The court defined a judgment as void "only if the court rendering it lacked jurisdiction of the subject matter or of the parties, or if it acted in a manner inconsistent with due process." *Id.* at 86 (citing *Wonder v. Southbound Records, Inc.*, 364 So. 2d 1173 (Ala. 1978)). It should be noted here that a Rule 60(b)(4) motion involves a different standard of review than the other Rule 60(b) subsections since the court held "(when the grant or denial turns on the validity of the judgment, discretion has no place for operation. If the judgment is void it must be set aside ...." *Fisher*, 565 So. 2d at 87.

A void judgment is to be distinguished from an erroneous one, in that the latter is subject only to direct attack. A void judgment is one which, from its inception,

was a complete nullity and without legal effect. Lubben v. Selective Service System, 453 F.2d 645, 649 (1st Cir. 1972)

"The law is well-settled that a void order or judgment is void even before reversal", Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S.Ct. 116 (1920)

**URCP Rule 11. Signing of pleadings, motions, affidavits,  
and other papers; representations to court; sanctions**

On May 29, 2020 a Notice of Appearance by Nathan S. Dorius on Behalf of Copper Birch Properties was Entered (Civil Docket for Case # 2:17-cv-01223-RJS Item # 121) followed by the ex parte Motion for Writ of Assistance in support of Cooper Birch Properties (Item #122). A Notice of Appearance by Andrew V. Collins on behalf of Copper Birch Properties as also entered (Item #123).

As part of Motion for Writ of Assistance, Nathan S. Dorius provided a "deed to real property" signed and sealed by Andrea Ventura Advisory Manager, Southwestern, on behalf of the Director, Southwestern Area Collection of the Internal Revenue Service as duly authorized delegate of the Department of the Treasury, on April 24, 2020 as grantor and Copper Birch Properties, LLC as grantee. (Civil Docket for Case # 2:17-cv-01223-RJS Item # 122 Exhibit A Page 10 of 54) The document was notarized on April 23, 2020 the day prior to the said signing of the "deed to real property."

Andrea Ventura witnessed stating, "WHEREAS, the United States District Court for the District of Utah, in a judicial order of sale entered on March 20, 2019 in the case of United States of America v. Paul Kenneth Cromar, et al. Defendants, ordered that the subject property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430, the hereinafter described real property sold in order to pay delinquent Internal Revenue income tax liabilities assessed against Paul Kenneth Cromar. AND WHEREAS, the said property sold on September 10, 2019, to Copper Birch Properties, LLC, for the sum of \$331,000.00, the receipt of which is hereby acknowledged, does grant, bargain, and sell to Copper Birch Properties, LLC all rights, title and interest in the real property, in Cedar Hills, Utah County,

State of Utah." **(The Deed is in Complete Contradiction to the Sworn Statement of Gary Chapman - Civil Docket Item 117 Attachment #1 Declaration of Gary Chapman)**

Nathan Dorius also provided a Declaration in Support of the ex parte Application for Writ of Assistance dated May 29, 2020 (Civil Docket for Case # 2:17-cv-01223-RJS Item #122 Exhibit B Pages 13-15 of 54). In his declaration, under criminal penalty, Dorius stated, "On or about April 30, 2020, Copper Birch began working with (Ryan S. Watson (US Department of Justice), the American Fork Police Chief, and the Utah County Sheriff to enforce Utah's criminal trespass law and remove the Cromars and other occupants from the property to deliver possession to Copper Birch. Despite many broken commitments to help remove the Cromars from the Property, the local law enforcement ultimately refused to take any action to remove the Cromars from the property, asking that Copper Birch instead work with the federal government to resolve the situation. The federal government refused to take action to remove the Cromars, requesting Copper Birch instead to work with local authorities to resolve the situation... To date, the Cromars continue to defy the Court's Order of Foreclosure and Order Confirming Sale and remain in unlawful possession of the Property, the local law enforcement and the U.S. government representatives are refusing to forcibly remove the Cromars and deliver possession to the Property to Copper Birch despite the Court's Order of Foreclosure and Order Confirming Sale and despite the multitude of pleas from Copper Birch to assist them in gaining possession of their Property." **(A CIVIL MATTER)**

On July 13, 2020, Copper Birch Properties LLC filed a complaint in the Fourth District Court - Provo, Utah County, State of Utah case # 200400972, wherein Copper Birch Properties LLC failed to apply for a Writ of Execution in the state courts as per URCP Rule 64(E) Writ of Execution, chapter (e) Governed by Title 78B, chapter 6, part 9, and without lawful judgment or lawful order, filed civilly as an unlawful detainer as governed by above said rules under 78B – 6 – 802, thus placing Nathan S. Dorius and Andrew V. Collins of MITCHELL BARLOW & MANSFIELD under violation of URCP Rule 11 sanctions; by court for representation to the court that to the best of the person's knowledge for improper purpose, such as to harass or cause unnecessary delay or needless cost of litigation and/or frivolous claims, or other legal contentions, not warranted by existing law. Therefore, the allegations and other factual contentions have (not) evidentiary support or, if specifically so

identified, are likely to have (no) evidentiary support after a reasonable opportunity for further investigation or discovery.

On August 21, 2020, US District Court Judge Robert J. Shelby orders the unsealing of the Copper Birch Properties ex parte Application for Wirt of Assistance (**Civil Docket for Case # 2:17-cv-01223-RJS Item # 135 - It is hereby Ordered that the following documents be Unsealed, document numbers 122, 124, 125, 126, 129, and 131).**

On October 28, 2021, Utah Fourth District Court Judge James Brady made a Ruling Entry - SUA SPONTE VEXATIOUS LITIGANT ORDER (4th District Court - Provo, Utah County, State of Utah, Case #200400972) "The Court has been made aware that a vexatious litigant order was filed in case 201402860 on September 22, 2021 as docket item 264 by Judge Christine Johnson. That vexatious litigant order found that the defendant Paul Kenneth Cromar is a vexatious litigant and requires that any pleading submitted on his behalf must be submitted by qualified legal counsel in that case. Pursuant to rules 83(b) and 83(j), based on the findings in case 201402860, this court also finds Paul Kenneth Cromar to be a vexatious litigant and orders that in this case, the defendant Paul Kenneth Cromar may not file any pleadings with the court except through qualified legal counsel. Any pleadings filed that are not in compliance with this order may be stricken by the court." (**Judge Christine Johnson's Influence is a Violation of Utah Code 68-3-4 Civil And Criminal Remedies Not Merged - No Remedy is Available - Wrongful Use of Judicial Authority or Failure to Comply With Duty**)

Nathan Dorius has grossly, intentionally and fraudulently violated URCP 11

(b) Representations to court. By presenting a pleading, written motion, or other paper to the court (whether by signing, filing, submitting, or advocating), an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances,

(b)(1) it is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;

(b)(2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;

(b)(3) the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery; and

(b)(4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

(c) Sanctions. If, after notice and a reasonable opportunity to respond, the court determines that paragraph (b) has been violated, the court may, subject to the conditions stated below, impose an appropriate sanction upon the attorneys, law firms, or parties that have violated paragraph (b) or are responsible for the violation.

### **Wrongful Use of Judicial Authority or Failure to Comply**

#### **With Duty Conflict of Interest**

It has been repeatedly alleged that the real property belonging to the Cromars was sold in order to pay delinquent Internal Revenue income tax liabilities assessed against Paul Kenneth Cromar. Many of the rejected filings by the Cromars included evidence from the Commissioner of the IRS showing that the case against the Cromars was dismissed because "no notices of deficiency or notices of determination had been issued" to the Cromars for the years 1990 through 2020. Thus in a rare admission, the Commissioner of Internal Revenue agreed that the Cromars never owed any federal income taxes from 1990 through 2020 due to lack of the required lawfully signed Notices of Deficiency and Notices of Determination! (see attached US Tax Court decisions wins for the Cromars in cases 15701-21 & 3063-21)

On April 15, 2020 Judge Robert J. Shelby signed an Order Confirming Sale and Distributing Proceeds (Civil Docket for Case # 2:17-cv-01223-RJS Item # 119) which stated, in part, "IT IS FURTHER ORDERED THAT the proceeds of the sale on September 10, 2019, of the property shall be distributed by the Clerk of the Court as follows:

1. First, by check made payable to the 'Internal Revenue Service' in the amount of \$683.80 for costs of sale, mailed to Internal Revenue Service.
2. Second, by way of check made payable to 'Utah County, Utah' in the amount of \$2,114.49, as of March 3, 2020 plus an additional \$0.44 for each day past March 3, 2020 mailed to Utah Count Treasurer.
3. Third, by way of check made payable to the 'United States Department of Justice' with 'United States v. Cromar, et al., Case No 2:17-cv-01223' written in the memo field, in the amount of the remaining proceeds from the sale, mailed to Department of Justice.

It is unclear as to how much of the \$31,000.00 deposit from Nathan Eddington's winning bid of \$330,000.00 or the alleged sale price to Copper Birch of \$331,000.00 was actually paid to the Department of Justice. Nor do we know how much of the proceeds from the sale of the Cromar home was actually paid against the Cromar's non-existent tax lien.

What is most troubling is that the Department of Justice, as indicated in the referenced Order, is the recipient of the remaining proceeds and it was the Department of Justice who brought the alleged tax claim against the Cromars in the first place. That fact certainly shows there has been a huge conflict of interest in the prosecution of these cases and a full accounting is required, including but not limited to a current and official declaration by I.R.S. to the current balance (including but not limited to all debits and/or credits that manifest a current accounting) for each Paul Kenneth Cromar and Barbara Ann Cromar.

**Sadly, Every Effort has been Employed by the Officers and Judges of the Court have participated in Abuse of Process in the Wrongful Use of Judicial Authority or Failure to Comply With Duty to Obfuscate, Hide, and Conceal Fraud Upon, In and Of the Court.**

#### **REQUESTED RELIEF**

All Charges and complaints against the Cromars need to be dismissed with prejudice along with

full and immediate restoration of them to their home and property including an appropriately more dramatic ceremonial escort back into their home/property, than was the dramatic and unlawful public humiliation of "75-man SWAT" of September 24, 2020, complete with 2 helicopters, 2 MRAPs and snipers commandeering and terrorizing an otherwise peaceful neighborhood, wherein the Cromars were falsely arrested and dishonorably and without lawful cause falsely accused burglary of their own home, and their public honor irreparably trespassed and damaged beyond perfect restoration. They should also be awarded damages and punitive damages to guarantee that this kind of abuse will not be tolerated in Utah and against men and women of Utah, and sanctions should be given to those who have failed to uphold their Oaths of Office in the interest of justice. Justice demands it! (AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 / Utah Rules of Civil Procedure Rule 65B)

### Declaration Under Penalty Of Perjury

We declare under penalty of perjury that we are the petitioners, we have read this petition or had it read to me, and the information in this petition is true and correct. We also understand that a false statement of a material fact may serve as the basis for prosecution for perjury. However, we reserve the right to correct and amend as desired.

Signature of Attorney or other authorized person,

~~Dennis~~ Marshall Spencer Relator

General Delivery

Pleasant Grove, Utah state [84062]

Date July -18-2022

Signing for Thomas H Fairbanks

Signature of Attorney or other authorized person,

Thomas H. Fairbanks Relator

345 N. 150 W.

Logan, Utah state [84321]

Date: July 18, 2022

FOR THE Heirs /Executors **ARE** FOR THE AFFIRMATION  
OF THE DECLARATION OF THE  
TRUE BY THE FIRSTHAND KNOWLEDGE OF THE FACTS.

Utah County )  
)  
Utah Republic )  
)  
United States of America )

Asseveration

L.S.

*by: Paul-Kenneth Cromar*  
© Paul-Kenneth: House of Cromar™  
Signed only in correct public capacity as  
Sole Heir & Executor to the Paul-Kenneth Cromar Estate  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]



Asseveration

L.S.

*by: Barbara-Ann Cromar*  
© Barbara-Ann: House of Cromar™  
Signed only in correct public capacity as Sole Heir &  
Executrix to the Barbara-Ann Cromar Estate  
c/o 9870 N. Meadow Drive [or to: P.O. Box 942]  
Cedar Hills, Utah [84062]



Which are commonly known addresses for LAND PATENT #392 part and parcel thereof,

We *Stand* on our Metes and Bounds, having never abandoned them, which are as follows:

Beginning at the Northeast corner of Lot 3, Plat "C", Amended North Meadow Estates Subdivision, said point being S89°28'48"W 1129.68 feet along the Quarter Section line, and S0°00'00"W 773.49 feet from the East 1/4 corner of Section 6, Township 5 South, Range 2 East of the Salt Lake Base and Meridian, and running thence along said Lot 3 boundary line the following five (5) course: (1) S0°18'49"W 96.09 feet; (2) S89°59'43"W 149.21 feet; (3) along a curve to the right 23.50 feet through a central angle of 89°46'16" having a radius of 15.00 feet and a chord that bears N45°07'09"W 21.17 feet; (4) N0°14'01"W 80.49 feet; (5) N89°45'59"E 165.06 feet to the point of beginning, containing 0.361 acres.

[for LOT "C", AMENDED NORTH MEADOW ESTATES  
SUBDIVISION within the SE ¼ of SEC. 6, T 5 S., R. 2 E. SLBM - 0.361 acres]

**Two Certified EXHIBITS**

From the U.S. Tax Court – Washington D.C.  
signed by  
Chief Judge Maurice B. Foley



United States Tax Court  
Washington, DC 20217

Paul Kenneth Cromar

Petitioner

v.

Commissioner of Internal Revenue

Respondent

Docket No. 15701-21

**ORDER OF DISMISSAL FOR LACK OF JURISDICTION**

This case is before the Court on respondent's motion to dismiss for lack of jurisdiction, filed September 9, 2021, on the grounds that: (1) no notices of deficiency or other notices of determination was issued to petitioner for taxable years 1991 through 1995, 1998, and 2006 through 2020, that would permit petitioner to invoke the Court's jurisdiction in this case; and (2) no notices of deficiency or notices of determination concerning collection action was issued in such time for taxable years 1996 through 1997, and 1999 through 2005, that would permit petitioner to invoke the Court's jurisdiction in this case. In his motion, respondent further requests that the Court warn petitioner it may impose an I.R.C. section 6673 penalty. That section authorizes the Court to require a taxpayer to pay to the United States a penalty not in excess of \$25,000 whenever it appears that proceedings have been instituted or maintained by the taxpayer(s) primarily for delay or that the position of the taxpayer(s) in such proceeding is frivolous or groundless.

On October 15, 2021, petitioner filed his objection to respondent's motion. Petitioner essentially does not object to the dismissal of the case upon the grounds stated in respondent's motion.

Taking into account statements made in the petition, statements made in petitioner's objection, and for reasons set forth in respondent's motion, it is

ORDERED that so much of respondent's motion that seeks dismissal of the case is granted. It is further

ORDERED that with respect to each year placed in issue in the petition, this case is dismissed for lack of jurisdiction upon the ground stated in respondent's motion.

Although an I.R.C. section 6673 penalty will not be imposed here, petitioner is admonished that the Court will consider imposing such a penalty in future cases commenced by petitioner seeking similar relief under similar circumstances.

**(Signed) Maurice B. Foley**  
**Chief Judge**



I certify that this document  
is a true copy of the original.

*Stephanie A. Oberman*, Clerk of the Court

**Entered and Served 10/20/21**



**United States Tax Court**

Washington, DC 20217

Barbara-Ann Cromar

Petitioner

v.

Commissioner of Internal Revenue

Respondent

Docket No. 3063-21

**ORDER**

Upon due consideration of the Motion To Dismiss for Lack of Jurisdiction, filed May 26, 2021, by respondent in the above-docketed case, it is

ORDERED that, on or before June 25, 2021, petitioner shall file an objection, if any, to respondent's just-referenced motion. Failure to comply with this Order may result in the granting of respondent's motion and dismissal of the instant case or other appropriate action by this Court.

**(Signed) Maurice B. Foley**  
**Chief Judge**



I certify that this document  
is a true copy of the original.

*Stephanie A. O'Connor* Clerk of the Court

**CERTIFICATE OF SERVICE**

For the verification is for the true and correct-copy of the Original of the **ANSWER TO RESPONSE AND AMENDMENT TO APPELLATE CASE** and is of the delivery by the following manner:

Judge Christine Johnson  
Magistrate Anthony Howell  
Judge Darold McDade  
Judge Kraig J. Powell  
Judge Robert Lund  
Judge James M. Brady  
Judge Lynn W. Davis

c/o UTAH FOURTH DISTRICT COURT  
137 North Freedom Blvd  
Provo UT 84601

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Certified Mail: #7022 0410 0002 9777 7733  
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Certified Mail: #7022 0410 0002 9777 7757  
Certified Mail: #7022 0410 0002 9777 7764  
Certified Mail: #7022 0410 0002 9777 7771  
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c/o UTAH COUNTY SHERIFF DEPARTMENT  
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Spanish Fork, UT 84660

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AFPD Darren Falslev  
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US Chief Judge Robert J. Shelby  
US District Judge David B. Barlow  
Magistrate Daphne Oberg  
c/o UNITED STATES DISTRICT COURT  
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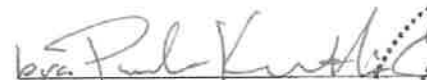
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Paul-Kenneth Cromar  
c/o 9870 N. Meadows Dr.  
Cedar Hills, Utah state [84062]

July 18<sup>th</sup>, 2022



Docket - 2:17-cv-01223-RJS  
Robert J. Shelby - USA v Cromars et al.

**US District Court Electronic Case Filing System  
District of Utah (Central)  
CIVIL DOCKET FOR CASE #: 2:17-cv-01223-RJS**

USA v. Cromar et al  
Assigned to: Judge Robert J. Shelby  
Demand: \$1,053,000  
Case in other court: Tenth, 18-04128  
Tenth, 18-04164  
Tenth, 19-04035  
Tenth, 19-04075  
Cause: 26:7401 IRS: Tax Liability

Date Filed: 11/22/2017  
Date Terminated: 03/05/2019  
Jury Demand: None  
Nature of Suit: 870 Taxes  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**USA**

represented by **John K. Mangum**  
US ATTORNEY'S OFFICE  
111 S MAIN ST STE 1800  
SALT LAKE CITY, UT 84111-2176  
(801)325-3216  
Email: [john.mangum@usdoj.gov](mailto:john.mangum@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Ryan S. Watson**  
US DEPARTMENT OF JUSTICE  
(TAX-683)  
TAX DIVISION  
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BEN FRANKLIN STATION  
WASHINGTON, DC 20044  
(202)514-5173  
Email: [ryan.watson@usdoj.gov](mailto:ryan.watson@usdoj.gov)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Paul Kenneth Cromar**

represented by **Paul Kenneth Cromar**  
NO ADDRESS  
NO ADDRESS 00000  
Email:

PRO SE

**Defendant**

**Barbara Ann Cromar**

represented by **Barbara Ann Cromar**  
NO ADDRESS  
NO ADDRESS 00000  
Email:  
PRO SE

**Defendant**

**Utah Housing Finance Agency**  
*TERMINATED: 05/01/2018*

**Defendant**

**Universal Campus Federal Credit  
Union**

**Defendant**

**State of Utah Tax Commission**  
*TERMINATED: 05/01/2018*

represented by **Stephen W. Lewis**  
UTAH ATTORNEY GENERAL'S  
OFFICE (160-5-140874)  
160 E 300 S 5TH FL  
PO BOX 140874  
SALT LAKE CITY, UT 84114-0874  
(801)366-0371  
Email:  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Utah County**

represented by **M. Cort Griffin**  
UTAH COUNTY ATTORNEYS OFFICE  
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PROVO, UT 84606  
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Email: [cortgriffin@gmail.com](mailto:cortgriffin@gmail.com)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Movant**

**Copper Birch Properties**  
*a Utah limited liability company*

represented by **Andrew V. Collins**  
MITCHELL BARLOW & MANSFIELD  
PC  
9 EXCHANGE PL STE 600  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/22/2017	<u>1</u>	<p>Case has been indexed and assigned to Judge Robert J. Shelby. Plaintiff USA is directed to E-File the <u>Complaint and cover sheet</u> (found under Complaints and Other Initiating Documents) by the end of the business day. Filing Fee waived (USA)</p> <p>NOTE: The court will not have jurisdiction until the opening document is electronically filed and the filing fee paid in the CM/ECF system.</p> <p>Civil Summons may be issued electronically. Prepare the summons using the courts <u>PDF version</u> and email it to <a href="mailto:utdecf_clerk@utd.uscourts.gov">utdecf_clerk@utd.uscourts.gov</a> for issuance. (tlh) (Entered: 11/22/2017)</p>
11/22/2017	<u>2</u>	<p>COMPLAINT against Barbara Ann Cromar, Paul Kenneth Cromar, State of Utah Tax Commission, Universal Campus Federal Credit Union, Utah County, Utah Housing Finance Agency No Filing Fee filed by USA. (Attachments: # <u>1</u> Civil Cover Sheet ) Assigned to Judge Robert J. Shelby (Watson, Ryan) (Entered: 11/22/2017)</p>
11/29/2017	<u>3</u>	<p><b>**RESTRICTED DOCUMENT**</b>Summons Issued Electronically as to Paul Kenneth Cromar.</p> <p>Instructions to Counsel:</p> <ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (nl) (Entered: 11/29/2017)</li> </ol>
11/29/2017	<u>4</u>	<p><b>**RESTRICTED DOCUMENT**</b>Summons Issued Electronically as to Barbara Ann Cromar.</p> <p>Instructions to Counsel:</p> <ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (nl) (Entered: 11/29/2017)</li> </ol>
11/29/2017	<u>5</u>	<p><b>**RESTRICTED DOCUMENT**</b>Summons Issued Electronically as to Utah Housing Finance Agency.</p> <p>Instructions to Counsel:</p> <ol style="list-style-type: none"> <li>1. Click on the document number.</li> <li>2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF.</li> <li>3. Print the issued summons for service. (nl) (Entered: 11/29/2017)</li> </ol>

11/29/2017	<u>6</u>	<b>**RESTRICTED DOCUMENT**</b> Summons Issued Electronically as to Universal Campus Federal Credit Union. Instructions to Counsel: 1. Click on the document number. 2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF. 3. Print the issued summons for service. (nl) (Entered: 11/29/2017)
11/29/2017	<u>7</u>	<b>**RESTRICTED DOCUMENT**</b> Summons Issued Electronically as to State of Utah Tax Commission. Instructions to Counsel: 1. Click on the document number. 2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF. 3. Print the issued summons for service. (nl) (Entered: 11/29/2017)
11/29/2017	<u>8</u>	<b>**RESTRICTED DOCUMENT**</b> Summons Issued Electronically as to Utah County. Instructions to Counsel: 1. Click on the document number. 2. If you are prompted for an ECF login, enter your 'Attorney' login to CM/ECF. 3. Print the issued summons for service. (nl) (Entered: 11/29/2017)
01/05/2018	<u>9</u>	ORDER REFERRING CASE to Magistrate Judge Evelyn J. Furse under 28:636 (b)(1)(A). Magistrate to hear and determine all nondispositive pretrial matters. No attached document. Signed by Judge Robert J. Shelby on 1/5/2018. (mjm) (Entered: 01/05/2018)
01/26/2018	<u>10</u>	NOTICE of Lis Pendens filed by Plaintiff USA (Watson, Ryan) (Entered: 01/26/2018)
02/13/2018	<u>11</u>	MOTION to Determine the Subject-Matter Jurisdiction of the Court filed by Defendant Paul Kenneth Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 02/13/2018)
02/13/2018	<u>12</u>	MOTION to Determine the Subject-Matter Jurisdiction of the Court filed by Defendant Barbara Ann Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 02/13/2018)
02/14/2018	<u>13</u>	Motions No Longer Referred: <u>12</u> to Determine the Subject-Matter Jurisdiction of the Court filed by Defendant Barbara Ann Cromar, MOTION, <u>11</u> MOTION to Determine the Subject-Matter Jurisdiction of the Court filed by Defendant Paul Kenneth Cromar. (mjm) (Entered: 02/14/2018)
02/14/2018	<u>14</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to Utah County served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)
02/14/2018	<u>15</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to Universal Campus Federal Credit Union served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)
02/14/2018	<u>16</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to Paul Kenneth Cromar served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)

02/14/2018	<u>17</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to Barbara Ann Cromar served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)
02/14/2018	<u>18</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to State of Utah Tax Commission served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)
02/14/2018	<u>19</u>	<b>**RESTRICTED DOCUMENT**</b> SUMMONS Returned Executed by USA as to Utah Housing Finance Agency served on 2/1/2018, answer due 2/22/2018. (Attachments: # <u>1</u> Original Summons)(Watson, Ryan) (Entered: 02/14/2018)
02/20/2018	<u>20</u>	NOTICE of Appearance by M. Cort Griffin on behalf of Utah County (Griffin, M.) (Entered: 02/20/2018)
02/20/2018	<u>21</u>	ANSWER to Complaint filed by Utah County.(Griffin, M.) (Entered: 02/20/2018)
02/26/2018	<u>22</u>	NOTICE OF CONVENTIONAL FILING of Disclaimer of Interest of Utah Housing Corporation f/k/a Utah Housing Finance Agency filed by Defendant Utah Housing Finance Agency (Dove, Kenyon) (Entered: 02/26/2018)
03/13/2018	<u>23</u>	RESPONSE to Motion re <u>11</u> MOTION, <u>12</u> MOTION filed by Plaintiff USA. (Watson, Ryan) (Entered: 03/13/2018)
03/14/2018	<u>24</u>	NOTICE of Appearance by Stephen W. Lewis on behalf of State of Utah Tax Commission (Lewis, Stephen) (Entered: 03/14/2018)
03/14/2018	<u>25</u>	<i>Disclaimer of Utah State Tax Commission</i> ANSWER to Complaint filed by State of Utah Tax Commission.(Lewis, Stephen) (Entered: 03/14/2018)
03/26/2018	<u>26</u>	OBJECTION to Plaintiff's Failure to Fully and Properly Identify the Granted Subject-Matter Jurisdiction of the District Court on the Record of the Action filed by Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 03/26/2018)
04/10/2018	<u>27</u>	ORDER TO PROPOSE SCHEDULE - Plaintiff must propose a schedule to defendant in the form of a draft Attorney Planning Meeting Report within the earlier of fourteen(14) days after any defendant has appeared or twenty-eight (28) days after any defendant has been served with the complaint. See order for additional instructions. Signed by Magistrate Judge Evelyn J. Furse on 4/10/2018. (jwt) (Entered: 04/10/2018)
04/25/2018	<u>28</u>	MOTION for Entry of Default as to Universal Campus Federal Credit Union filed by Plaintiff USA. Motions referred to Evelyn J. Furse.(Watson, Ryan) (Entered: 04/25/2018)
04/26/2018	<u>29</u>	OBJECTION to the <u>27</u> Order of the Court and MOTION to Suspend Proceedings for Lack of a Demonstrated Subject-Matter Jurisdiction of the Court that is Properly and Fully Shown on the Record of the Action filed by Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 04/26/2018)
04/27/2018	<u>30</u>	ORDER denying <u>11</u> , <u>12</u> Motions to Determine the Subject-Matter of the Court. For the reasons stated in the Order, the Cromars' Motions and <u>29</u> Objection are DENIED. Signed by Judge Robert J. Shelby on 4/26/18. (dla) (Entered: 04/27/2018)

05/01/2018	<u>31</u>	Joint MOTION to Dismiss Party Utah Housing Finance Agency and State of Utah Tax Commission filed by Plaintiff USA. (Attachments: # <u>1</u> Proposed Order) (Watson, Ryan) (Entered: 05/01/2018)
05/01/2018	<u>32</u>	Stipulated MOTION Entry of Order Approving Stipulation filed by Plaintiff USA. (Attachments: # <u>1</u> Proposed Order) Motions referred to Evelyn J. Furse.(Watson, Ryan) (Entered: 05/01/2018)
05/01/2018	<u>33</u>	MOTION for Initial Scheduling Conference filed by Plaintiff USA. (Attachments: # <u>1</u> Attorney Planning Meeting Report) Motions referred to Evelyn J. Furse. (Watson, Ryan) (Entered: 05/01/2018)
05/01/2018	<u>34</u>	ORDER granting <u>31</u> Motion to Dismiss Parties: State of Utah Tax Commission and Utah Housing Finance Agency are dismissed from this action. Signed by Judge Robert J. Shelby on 5/1/18 (alt) (Entered: 05/01/2018)
05/02/2018	35	Motions No Longer Referred: <u>32</u> Stipulated MOTION Entry of Order Approving Stipulation (mjm) (Entered: 05/02/2018)
05/03/2018	<u>36</u>	ORDER Approving Stipulation: 1) The Stipulation is approved; 2) If the United States obtains an order allowing it to sell the real property at issue in this action, it shall submit to the Court a proposed order of sale consistent with the terms of the Stipulation; 3) Pending sale of the Subject Property or unless otherwise ordered by the Court, Utah County is excused from further participation in this action; 4) The United States and Utah County shall each bear their own costs related to this litigation against each other. Signed by Judge Robert J. Shelby on 5/2/18. (dla) (Entered: 05/03/2018)
05/03/2018	37	<b><u>NOTICE OF HEARING:</u></b> (Notice generated by EJP Chambers) <b>Initial Pretrial Conference set for 5/9/2018 at 10:00 AM in Rm 7.400 before Magistrate Judge Evelyn J. Furse.</b> (lnp) (Entered: 05/03/2018)
05/04/2018	<u>38</u>	MOTION for Leave to Appear to Appear Telephonically Ryan S. Watson filed by Plaintiff USA. (Attachments: # <u>1</u> Proposed Order) Motions referred to Evelyn J. Furse.(Watson, Ryan) (Entered: 05/04/2018)
05/04/2018	<u>39</u>	MOTION to Dismiss filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (jlw) (Entered: 05/07/2018)
05/08/2018	40	DOCKET TEXT ORDER GRANTING <u>38</u> Motion for Leave to Appear Telephonic. <b>Court to email conference call information.</b> Signed by Magistrate Judge Evelyn J. Furse on 5/8/2018. No attached document. (lnp) (Entered: 05/08/2018)
05/09/2018	41	Minute Entry for proceedings held before Magistrate Judge Evelyn J. Furse: Initial Pretrial Conference held on 5/9/2018. Plaintiff's counsel and defendants present by telephone. Court hears statements from parties regarding scheduling order and will enter order provided by Plaintiff. <b>Defendants' objections to entry of scheduling order or any proceedings, put on record.</b> Court adjourned. Attorney for Plaintiff: Ryan S. Watson. Defendants: Paul Kenneth Cromar, Barbara Ann Cromar. Court Reporter: Electronic. (Time Start: 10:01:18, Time End: 10:12:57, Room 7.400.) (dla) (Entered: 05/09/2018)

05/14/2018	<u>42</u>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Initial Pretrial Conference held on May 9, 2018 before Judge Evelyn J. Furse. Court Reporter/Transcriber Ed Young, Telephone number 801-328-3202.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at <a href="http://www.utd.uscourts.gov">www.utd.uscourts.gov</a>. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</b></p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/4/2018. Redacted Transcript Deadline set for 6/14/2018. Release of Transcript Restriction set for 8/13/2018. (jmr) Modified by removing restricted text on 8/13/2018 (rgj). (Entered: 05/14/2018)</p>
05/14/2018	<u>44</u>	<p>RESPONSE to Motion re <u>39</u> MOTION to Dismiss filed by Plaintiff USA. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Watson, Ryan) (Entered: 05/14/2018)</p>
05/14/2018	<u>45</u>	<p>NOTICE of Filing Proposed Order by USA (Attachments: # <u>1</u> Proposed Order) (Watson, Ryan) (Entered: 05/14/2018)</p>
05/14/2018	<u>46</u>	<p>ORDER denying <u>39</u> Motion to Dismiss. Pursuant to Rule 12(a)(4)(A), the Cromars must respond to the United States' Complaint within 14 days of this Order. Signed by Judge Robert J. Shelby on 5/14/18. (dla) (Entered: 05/14/2018)</p>
05/14/2018		<p>ANSWER DEADLINE UPDATED for Barbara Ann Cromar answer due 5/28/2018; Paul Kenneth Cromar answer due 5/28/2018. (dla) (Entered: 05/14/2018)</p>
05/15/2018	<u>47</u>	<p>NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Initial Pretrial Conference held on May 9, 2018 before Judge Evelyn J. Furse. Court Reporter/Transcriber Ed Young, Telephone number 801-328-3202.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS: Within 7 business days of this filing, each party shall inform the Court, by filing a Notice of Intent to Redact, of the parties intent to redact <u>personal data identifiers</u> from the electronic transcript of the court proceeding. To redact additional information a Motion to Redact must be filed. The policy and forms are located on the court's website at <a href="http://www.utd.uscourts.gov">www.utd.uscourts.gov</a>. Please read this policy carefully. If no Notice of Intent to Redact is filed within the allotted time, this transcript will be made electronically available on the date set forth below.</b></p> <p>Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/5/2018. Redacted Transcript Deadline set for 6/15/2018. Release of Transcript Restriction set for 8/13/2018. (las) Modified by removing restricted text on 8/13/2018 (rgj). (Entered: 05/15/2018)</p>

05/23/2018	<u>48</u>	Defendant's Objection and MOTION to Strike Improper Pleadings for Lack of a Demonstrated subject-matter jurisdiction of the court that is properly and fully shown on the record of the action filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse.(jwt) (Entered: 05/23/2018)
05/23/2018	<u>49</u>	Defendants' MOTION for Hearing re <u>48</u> MOTION to Strike filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse.(jwt) (Entered: 05/23/2018)
05/24/2018	<u>50</u>	RESPONSE to Motion re <u>48</u> MOTION to Strike <u>45</u> Notice (Other) and Memorandum in Support filed by Plaintiff USA. (Watson, Ryan) (Entered: 05/24/2018)
05/30/2018	<u>51</u>	ORDER denying <u>48</u> Motion to Strike Improper Pleadings and <u>49</u> Motion for Hearing. On 5/15/2018, this Court entered an <u>46</u> Order denying the Cromar Defendants' Motion to Dismiss and issued a warning that "the filing of improper and frivolous motions may result in the impositions of sanctions." The Court again reminds the Cromar Defendants that the continued failure to abide by the Court's Order will result in sanctions. Signed by Magistrate Judge Evelyn J. Furse on 5/29/18. (dla) (Entered: 05/30/2018)
06/04/2018	<u>52</u>	Clerk's ENTRY OF DEFAULT CERTIFICATE as to Universal Campus Federal Credit Union (jwt) (Entered: 06/04/2018)
06/05/2018	<u>53</u>	Reply and Motion for a More Definite Statement filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 06/05/2018)
06/07/2018	<u>54</u>	SCHEDULING ORDER: Amended Pleadings due by 8/1/2018. Joinder of Parties due by 8/1/2018. Discovery due by 1/25/2019. Motions due by 2/8/2019. (See order for further deadlines.) Signed by Magistrate Judge Evelyn J. Furse on 6/6/2018. (jwt) (Entered: 06/07/2018)
06/19/2018	<u>55</u>	RESPONSE to Motion re <u>53</u> MOTION for More Definite Statement filed by Plaintiff USA. (Watson, Ryan) (Entered: 06/19/2018)
06/19/2018	<u>56</u>	MOTION for Entry of Default as to Paul Cromar and Barbara Cromar and Memorandum in Support filed by Plaintiff USA. (Attachments: # <u>1</u> Declaration of Ryan Watson, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B) Motions referred to Evelyn J. Furse. (Watson, Ryan) (Entered: 06/19/2018)
06/26/2018	<u>57</u>	DOCKET TEXT ORDER DENYING <u>53</u> Motion for More Definite Statement for the reasons stated in previous Orders <u>30</u> , <u>46</u> , and <u>51</u> . Signed by Magistrate Judge Evelyn J. Furse on 6/26/2018. (jjm) (Entered: 06/26/2018)
06/26/2018	<u>58</u>	ORDER TO SHOW CAUSE: Defendants Paul Kenneth Cromar and Barbara Ann Cromar are hereby ordered to show cause why the Court should not impose a \$100 sanction, payable to the District of Utah. based on their continued failure to abide by the Court's Order <u>46</u> prohibiting them from filing additional motions challenging this Court's subject matter jurisdiction in this case. Defendants are directed to respond in writing no later than July 10, 2018. Signed by Magistrate Judge Evelyn J. Furse on 6/26/2018. (jjm) (Entered: 06/26/2018)

06/27/2018	<u>59</u>	ORDER TO SHOW CAUSE- The Cromars are ordered to file an answer to the Complaint within fourteen days of this Order. Failure to answer or otherwise defend within fourteen days may result in the entry of default against them pursuant to Rule 55(a). Signed by Judge Robert J. Shelby on 6/27/18. (dla) (Entered: 06/27/2018)
06/27/2018		<b>Set Deadlines:</b> Response to Order to Show Cause due by 7/11/2018 (dla) (Entered: 06/27/2018)
06/28/2018	<u>60</u>	MOTION to Dismiss for Lack of Subject-Matter Jurisdiction of the District Court That Can be Taken Under Statutes Alone, Without an Identified Constitutional Authority and Motion for Hearing filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 06/29/2018)
07/03/2018	<u>61</u>	Defendant's Explanation of Why it is Impossible for Any Person to Properly Answer the Complaint filed by Barbara Ann Cromar, Paul Kenneth Cromar. (Response to <u>59</u> Order to Show Cause). (dla) (Entered: 07/05/2018)
07/06/2018	62	Motions No Longer Referred: <u>60</u> MOTION to Dismiss MOTION for Hearing. District Judge to handle the Motion. (lnp) (Entered: 07/06/2018)
07/12/2018	<u>63</u>	ORDER Denying Motion to Dismiss and granting <u>56</u> Motion for Entry of Default: The <u>60</u> Motion to Dismiss is DENIED for the same reasons articulated by the court in its previous Orders. In accordance with Federal Rule of Civil Procedure 55(a), it is ORDERED that a DEFAULT is entered against Defendants Paul Kenneth Cromar and Barbara Cromar for failure to defend against the United States' claims. Signed by Judge Robert J. Shelby on 7/12/18. (dla) Modified by correcting docket text and event type on 7/17/2018 (dla). Modified on 8/2/2018: removed Default Judgment event type from entry - this is an Order granting Motion for Entry of Default (alt) (Entered: 07/12/2018)
07/17/2018	<u>64</u>	MOTION to Void <u>63</u> Judgment for Lack of Subject-Matter Jurisdiction of the District Court to Enforce a Judgment Allegedly Rendered Under Article I, Section 8 Authority; for a Non-Geographically Uniform Tax on Income Enforced in Violation of Article I, Section 8, clause 1 of the U.S. Constitution filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 07/17/2018)
07/17/2018	<u>65</u>	MOTION to Void <u>63</u> Judgment for Lack of Subject-Matter Jurisdiction Under the 16th Amendment by New Evidence and for Fraud Upon the Court filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. Motions referred to Evelyn J. Furse. (dla) (Entered: 07/17/2018)
07/17/2018	<u>66</u>	MOTION to Vacate <u>63</u> Judgment and to Void the Order of the Court for Lack of Subject-Matter Jurisdiction filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 07/17/2018)
07/17/2018	<u>67</u>	OBJECTIONS to <u>63</u> Order of the Court Granting Default Judgment, After the Defendant Explained to the Court that the Defendants Do Not Understand the Claims Made in the Complaint filed by Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 07/17/2018)
07/18/2018	68	Motions No Longer Referred: <u>64</u> MOTION re <u>63</u> Default Judgment,,, Order,,, <u>65</u> MOTION re <u>63</u> Default Judgment,,, Order,. District Judge to handle the Motions.

		(lnp) (Entered: 07/18/2018)
07/20/2018	<u>69</u>	ORDER denying Motion to Dismiss and Entering Default: On 7/12/2018, the court entered default against Defendants Paul Kenneth Cromar and Barbara Ann Cromar for failing to defend against the United States' claims. Following that Order, the Cromars filed two Motions to Void Judgment <u>64</u> <u>65</u> , a Motion to Vacate Judgment and Void the Order of the Court <u>66</u> , and an "Objection to the Order of the Court Granting Default Judgment <u>67</u> . " Although the court ordered entry of <i>default</i> against the Cromars, the court docket text erroneously reflected that a <i>default judgment</i> had been entered. The docket text was corrected on 7/17/2018, the same day the Cromars filed their Motions and Objection. It seems clear the Cromars filed their Motions and Objection with a reasonable but mistaken understanding that default judgment had been entered against them. The <u>64</u> <u>65</u> <u>66</u> Motions are therefore dismissed without prejudice. Signed by Judge Robert J. Shelby on 7/20/18. (dla) (Entered: 07/20/2018)
08/01/2018	<u>70</u>	OBJECTIONS to <u>63</u> Order granting Motion for Entry of Default, filed by Barbara Ann Cromar, Paul Kenneth Cromar (alt) (Entered: 08/02/2018)
08/01/2018	<u>71</u>	MOTION to Set Aside Default, MOTION to Vacate <u>63</u> Order and Memorandum in Support filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar (alt) (Entered: 08/02/2018)
08/03/2018	<u>72</u>	ORDER denying <u>71</u> Motion to Set Aside Default; denying <u>71</u> Motion to Vacate. Signed by Judge Robert J. Shelby on 8/3/2018. (jwt) (Entered: 08/03/2018)
08/15/2018	<u>73</u>	MOTION to Vacate the <u>69</u> Order of the Court for Lack of a Subject-Matter Jurisdiction Proven by New Evidence, Documenting the Lack of the Constitutionally Required Geographical Uniformity of the 1986 IRC Section 1-"Tax Imposed", in Violation of the "Uniformity" Clause of Article I, Section 8, Clause 1 of the U.S. Constitution filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Exhibit A) (dla) (Entered: 08/16/2018)
08/28/2018	<u>74</u>	<p>ORDER denying <u>73</u> Motion to Vacate: The Cromars have filed a "Motion to Vacate the Order of the Court for Lack of a Subject-Matter Jurisdiction." The Motion is denied. As the court has stated numerous times, it is satisfied it has subject-matter jurisdiction over this action. And the Cromars' "new evidence documenting the lack of constitutionally required geographical uniformity" does nothing to change that conclusion or warrant reprieve from the entry of default. The Cromars are welcome to pursue any appellate rights they may have if or when those rights vest. But they may not continue to litigate settled questions in this case before this court. To that end, the court finds circumstances warrant the imposition of restrictions on the Cromars' ability to file motions or other documents in this case. "Federal courts have the inherent power to regulate the activities of abusive litigants by imposing carefully tailored restrictions under the appropriate circumstances." Accordingly, it is hereby ORDERED as follows:</p> <p>(1) The Cromars are RESTRICTED from filing additional motions or other documents in this case without first obtaining written permission from the Court.</p> <p>(2) Any motions for such leave should bear the title "Motion for Leave to File Motion." Any such motion for leave shall not exceed two (2) pages in length and shall contain, as attachments, each motion the Cromars wish to file. The Motion for Leave to File Motion must state "succinctly the precise relief sought and the</p>

		specific grounds for the motion" as required by the District of Utah Local Rules. (3) Any response to the Motion for Leave to File Motion must be filed within seven (7) days. (4) The Motion for Leave to File Motion will be considered ten days after it was filed. If leave to file the motion is granted, it may be filed within fourteen days. If the motion for which leave was given is not timely filed it may not be later filed without a new Motion for Leave to File Motion. If there is any variation in form of the motion actually filed from the form attached to the Motion for Leave to File Motion, the variant motion shall be stricken without notice. (5) Any motion filed without first obtaining leave will be summarily denied. Signed by Judge Robert J. Shelby on 8/28/18. (dla) (Entered: 08/28/2018)
09/07/2018	<u>75</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>63</u> Order, <u>74</u> Order, filed by Barbara Ann Cromar, Paul Kenneth Cromar. Appeals to the USCA for the 10th Circuit. Fee Status: <b>Not Paid</b> . Filing fee \$ 505. (dla) (Entered: 09/07/2018)
09/10/2018	<u>77</u>	MOTION for Leave to File Motion to Certify the Question on Appeal to the U.S. 10th Circuit Court of Appeals filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Supplement Defendants' Motion to Certify) Motions referred to Evelyn J. Furse. (dla) (Entered: 09/11/2018)
09/11/2018	<u>76</u>	Transmission of Preliminary Record to USCA re <u>75</u> Notice of Appeal - Interlocutory as to Tenth Circuit. (Attachments: # <u>1</u> Appendix Preliminary Record) (dla) (Entered: 09/11/2018)
09/11/2018	<u>78</u>	USCA Case Number Case Appealed to Tenth Case Number 18-4128 for <u>75</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. (jmr) (Entered: 09/11/2018)
09/13/2018	79	Motions No Longer Referred: <u>77</u> MOTION for Leave to File Motion to Certify (jjm) (Entered: 09/13/2018)
09/13/2018	<u>80</u>	ORDER of USCA Tenth Circuit as to <u>75</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 09/13/2018)
09/19/2018	<u>81</u>	MOTION for Leave of the Court to File Objection to the Order of the Court Denying Defendant's Constitutional Due Process Right to File Pleadings under the Federal Rules of Civil Procedure (FRCP) filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Supplement Defendant's Objection) Motions referred to Evelyn J. Furse. (dla) (Entered: 09/19/2018)
09/19/2018	82	Motions No Longer Referred: <u>81</u> MOTION for Leave to File (chambers) (Entered: 09/19/2018)
09/21/2018	<u>83</u>	ORDER denying <u>77</u> Motion for Leave to File Motion to Certify the Question: As the court has explained in numerous orders issued in this case, the jurisdictional question the Cromars seek to certify is not one to which there is substantial ground for difference of opinion. The Motion for Leave <u>77</u> is therefore denied. Signed by Judge Robert J. Shelby on 9/20/18. (dla) (Entered: 09/21/2018)
10/09/2018		USCA Appeal Fees received \$ 505 receipt number 4681083753 re <u>75</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar. (nl) (Entered: 10/09/2018)
10/11/2018	<u>84</u>	ORDER denying <u>81</u> Motion for Leave to File Objection. Signed by Judge Robert J. Shelby on 10/11/18. (dla) (Entered: 10/11/2018)

10/23/2018	<u>85</u>	DOCUMENT LODGED consisting of Cross-Complaint for Damages in the Amount of \$10,000,000 for Multiple Violations of Constitutional Rights, Forgery, and Fraud. Note: Defendants Paul and Barbara Cromar attempted to file a "cross-complaint for damages in the amount of \$10,000,000 for multiple violations of constitutional rights, forgery, and fraud." However, because they refused to adhere to the filing procedures laid out in Dkt. <u>74</u> , the document will not be entered on the docket or considered by the Court. Attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (dla) (Entered: 10/26/2018)
11/08/2018	<u>86</u>	MANDATE of USCA as to <u>75</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. According to the USCA the Mandate of the USDC for the Dist of UT is Dismissed. (dla) (Entered: 11/08/2018)
11/26/2018	<u>87</u>	NOTICE OF INTERLOCUTORY APPEAL filed by Barbara Ann Cromar, Paul Kenneth Cromar. Appeals to the USCA for the 10th Circuit. Fee Status: Not Paid. Filing fee \$ 505. (jwt) (Entered: 11/26/2018)
11/26/2018	<u>88</u>	Transmission of Preliminary Record to USCA re <u>87</u> Notice of Appeal - Interlocutory as to 10th Circuit. (Attachments: # <u>1</u> Appendix)(jwt) (Entered: 11/26/2018)
11/27/2018	<u>89</u>	USCA Case Number Case Appealed to Tenth Case Number 18-4164 for <u>87</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. (jmr) (Entered: 11/27/2018)
11/30/2018	<u>90</u>	MANDATE of USCA as to <u>87</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. According to the USCA the appeal of the USDC for the Dist of UT is dismissed. (jmr) (Entered: 11/30/2018)
12/21/2018	<u>91</u>	MOTION for Leave to File Cross Complaint filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Supplement Crossclaim, # <u>2</u> Envelope) Motions referred to Evelyn J. Furse. (dla) (Entered: 12/21/2018)
01/03/2019	<u>92</u>	Motions No Longer Referred: <u>91</u> MOTION for Leave to File Cross Complaint (jjm) (Entered: 01/03/2019)
01/10/2019	<u>93</u>	ORDER denying <u>91</u> Motion for Leave to File Cross Complaint. Signed by Judge Robert J. Shelby on 1/10/19. (dla) (Entered: 01/10/2019)
01/18/2019	<u>94</u>	ORDER of USCA Tenth Circuit as to <u>75</u> Notice of Appeal - Interlocutory filed by Paul Kenneth Cromar, Barbara Ann Cromar. Order filed by Judges Matheson, Phillips and McHugh denying appellants petition for rehearing and petition for rehearing en banc filed by Paul Kenneth Cromar and Barbara Ann Cromar. (jmr) (Entered: 01/24/2019)
02/08/2019	<u>95</u>	MOTION for Default Judgment as to defendant(s) Paul Kenneth Cromar, Barbara Ann Cromar, Universal Campus Federal Credit Union and Memorandum in Support filed by Plaintiff USA. (Attachments: # <u>1</u> Declaration of Ryan S. Watson, # <u>2</u> Declaration of Wanda Manley, # <u>3</u> Manley Decl. Ex. A, # <u>4</u> Manley Decl. Ex B, # <u>5</u> Proposed Default Judgment)(Watson, Ryan) (Entered: 02/08/2019)

02/14/2019	<u>96</u>	DEFAULT JUDGMENT Against Paul Kenneth Cromar, Barbara Ann Cromar, and Universal Campus Federal Credit Union: 1) The United States' <u>95</u> Motion is GRANTED; 2) Judgment is hereby entered in favor of the United States and against Defendant Paul Kenneth Cromar in the amount of \$1,053,028.65, plus statutory interest under 26 U.S.C. Sections 6621 and 6622 and other statutory additions as provided by law from November 21, 2017 until paid; 3) The United States has a perfected lien interest in all property and rights to property belonging to Defendant Paul Kenneth Cromar, including the real property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430; 4) As a result of their default, Defendants Barbara Ann Cromar and Universal Campus Federal Credit Union have no interest in the Subject Property or the sale proceeds therefrom; 5) The United States' federal tax liens on the Subject Property are foreclosed, and the Subject Property shall be sold pursuant to 26 U.S.C. § 7403 and 28 U.S.C. Section 2001. 6) The United States shall submit an order of foreclosure and judicial sale consistent with this Order and the court's Order Approving Stipulation between the United States and Utah County, Utah; 7) The United States is awarded its costs. Signed by Judge Robert J. Shelby on 2/14/19. (dla) (Entered: 02/14/2019)
02/22/2019	<u>97</u>	MOTION for Leave of the Court to File Objections to the <i>Ex Parte</i> Judgment filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Supplement Objection to Ex Parte Pleading, # <u>2</u> Supplement Motion to Void Judgment) Motions referred to Evelyn J. Furse. (dla) (Entered: 02/22/2019)
02/27/2019	<u>98</u>	Motions No Longer Referred: <u>97</u> MOTION for Leave to File (jjm) (Entered: 02/27/2019)
03/05/2019	<u>99</u>	ORDER granting <u>97</u> Leave to File Objections, Overruling Objections, and Closing Case: The Cromars' Objections are overruled, and default judgment stands. Case closed. Magistrate Judge Evelyn J. Furse no longer assigned to case. Signed by Judge Robert J. Shelby on 3/5/19. (dla) (Entered: 03/05/2019)
03/15/2019	<u>100</u>	NOTICE OF APPEAL as to <u>99</u> Order granting Leave to File Objections, Overruling Objections, and Closing Case filed by Barbara Ann Cromar, Paul Kenneth Cromar. Appeals to the USCA for the 10th Circuit. Fee Status: Unpaid. Filing fee unpaid. (dla) (Entered: 03/15/2019)
03/15/2019	<u>101</u>	Transmission of Preliminary Record to USCA re <u>100</u> Notice of Appeal, as to Tenth Circuit. (Attachments: # <u>1</u> Appendix Preliminary Record) (dla) (Entered: 03/15/2019)
03/18/2019	<u>102</u>	USCA Case Number Case Appealed to Tenth Case Number 19-4035 for <u>100</u> Notice of Appeal, filed by Paul Kenneth Cromar, Barbara Ann Cromar. (jmr) (Entered: 03/18/2019)
03/19/2019	<u>103</u>	MOTION for Order of Sale filed by Plaintiff USA. (Attachments: # <u>1</u> Proposed Order of Sale)(Watson, Ryan) (Entered: 03/19/2019)
03/20/2019	<u>104</u>	ORDER granting <u>103</u> Motion for Order of Foreclosure and Judicial Sale. Signed by Judge Robert J. Shelby on 3/20/2019. (jwt) (Entered: 03/20/2019)
03/26/2019	<u>105</u>	MOTION for Leave to File Objections filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Supplement Objection to Ex-Parte Pleading, # <u>2</u> Supplement Objection to the Order of the Court, # <u>3</u> Supplement Memorandum of Law in Support of Objection for Lack of Territorial Jurisdiction)

		(dla) (Entered: 03/26/2019)
04/02/2019	<u>106</u>	MOTION for Leave to File Motion to Stay Execution of the Orders of the Court Pending Appeal filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Exhibit Motion to Stay Execution of the Order of the Court Pending Appeal) (dla) (Entered: 04/03/2019)
04/04/2019	<u>107</u>	ORDER denying <u>105</u> Plaintiffs' Motion for Leave to File Objections. Signed by Judge Robert J. Shelby on 4/4/19. (dla) (Entered: 04/04/2019)
04/05/2019	<u>108</u>	USCA Appeal Fees received \$ 505 receipt number 4681085830 re <u>100</u> Notice of Appeal, filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 04/05/2019)
04/11/2019	<u>109</u>	MANDATE of USCA as to <u>100</u> Notice of Appeal, filed by Paul Kenneth Cromar, Barbara Ann Cromar According to the USCA the Mandate of the USDC for the Dist of UT is Dismissed. (dla) (Entered: 04/11/2019)
04/18/2019	<u>110</u>	ORDER denying <u>106</u> Defendants' Motion for Leave to File Motion to Stay: The Cromars' Motion is DENIED without prejudice to seek relief from the Tenth Circuit, if they wish to do so. Signed by Judge Robert J. Shelby on 4/18/19. (dla) (Entered: 04/18/2019)
05/07/2019	<u>111</u>	ORDER of USCA Tenth Circuit as to <u>100</u> Notice of Appeal, filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 05/07/2019)
05/17/2019	<u>112</u>	NOTICE OF APPEAL as to <u>104</u> Order on Motion for Order of Sale filed by Barbara Ann Cromar, Paul Kenneth Cromar. Appeals to the USCA for the 10th Circuit. Fee Status: Unpaid. (dla) (Entered: 05/17/2019)
05/17/2019	<u>113</u>	Transmission of Preliminary Record to USCA re <u>112</u> Notice of Appeal as to Tenth Circuit. (Attachments: # <u>1</u> Supplement Preliminary Record) (dla) (Entered: 05/17/2019)
05/21/2019	<u>114</u>	USCA Case Number Case Appealed to Tenth Case Number 19-4075 for <u>112</u> Notice of Appeal filed by Paul Kenneth Cromar, Barbara Ann Cromar. (jmr) (Entered: 05/21/2019)
06/06/2019	<u>115</u>	USCA Appeal Fees received \$ 505 receipt number 4681086596 re <u>112</u> Notice of Appeal filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 06/07/2019)
08/28/2019	<u>116</u>	ORDER of USCA Tenth Circuit as to <u>112</u> Notice of Appeal filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 08/29/2019)
03/04/2020	<u>117</u>	MOTION for Disbursement of Funds and Memorandum in Support <i>and Motion for Order Confirming Sale</i> filed by Plaintiff USA. (Attachments: # <u>1</u> Declaration of Gary Chapman, # <u>2</u> Ex. A, # <u>3</u> Ex. B, # <u>4</u> Ex. C, # <u>5</u> Ex. D, # <u>6</u> Declaration of Ryan S. Watson, # <u>7</u> Ex. E, # <u>8</u> Ex. F, # <u>9</u> Ex. G, # <u>10</u> Ex. H, # <u>11</u> Proposed Order) (Watson, Ryan) (Entered: 03/04/2020)
03/17/2020	<u>118</u>	OBJECTION to <u>117</u> Plaintiff's Motion for Disbursement and "Rejection of Default Judgment for Fraud and Swindle in Dishonor" filed by Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 03/17/2020)

04/15/2020	<u>119</u>	ORDER Confirming Sale and Distributing Proceeds. Signed by Judge Robert J. Shelby on 4/15/20. (dla) (Entered: 04/15/2020)
05/18/2020	<u>120</u>	NOTICE OF INFORMATION by Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 05/19/2020)
05/29/2020	<u>121</u>	NOTICE of Appearance by Nathan S. Dorius on behalf of Copper Birch Properties (Dorius, Nathan) (Entered: 05/29/2020)
05/29/2020	<u>122</u>	Ex Parte (Not Sealed) MOTION for Writ of Assistance and Memorandum in Support filed by Movant Copper Birch Properties. (Dorius, Nathan) Modified by sealing document per <u>125</u> Sealed Order on 6/5/2020 (dla). Modified on 8/21/2020 entry and document unsealed per <u>135</u> Order of Unsealing(jwt). (Entered: 05/29/2020)
05/29/2020	<u>123</u>	NOTICE of Appearance by Andrew V. Collins on behalf of Copper Birch Properties (Collins, Andrew) (Entered: 05/29/2020)
06/02/2020	<u>124</u>	<b>*SEALED DOCUMENT*</b> SEALED MOTION for Leave to Filed Sealed Document and Memorandum in Support (NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties) filed by Plaintiff USA. (Attachments: # <u>1</u> Exhibit Motion) Attorney John K. Mangum added to party USA(pty:pla)(Mangum, John) Modified on 8/21/2020 - document unsealed per <u>135</u> Order of Unsealing(jwt). (Entered: 06/02/2020)
06/05/2020	<u>125</u>	SEALED-ORDER granting <u>124</u> Motion for Leave to File Under Seal and Motion to Stay Action on Requested Writ of Assistance and to Seal Document No. <u>122</u> . Signed by Judge Robert J. Shelby on 6/5/20. (Attachments: # <u>1</u> Exhibit Mailing Certificate) (dla) Modified on 8/21/2020 - unsealed per <u>135</u> Order of Unsealing(jwt). (Entered: 06/05/2020)
06/08/2020	<u>126</u>	<b>**SEALED DOCUMENT**</b> re <u>124</u> <b>*SEALED DOCUMENT*</b> SEALED MOTION for Leave to Filed Sealed Document and Memorandum in Support (NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties) <b>*SEALED DOCUMENT*</b> SEALED MOTION for Leave to Filed Sealed Document and Memorandum in Support (NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties) filed by Movant Copper Birch Properties  <b>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties..</b> (Attachments: # <u>1</u> Exhibit Opposition to Motion)(Collins, Andrew) Modified on 8/21/2020 - unsealed per <u>135</u> Order of Unsealing(jwt). (Entered: 06/08/2020)
06/15/2020	<u>127</u>	ORDER of USCA Tenth Circuit as to <u>112</u> Notice of Appeal filed by Paul Kenneth Cromar, Barbara Ann Cromar. (dla) (Entered: 06/15/2020)
06/23/2020	<u>128</u>	MANDATE of USCA as to <u>112</u> Notice of Appeal filed by Paul Kenneth Cromar, Barbara Ann Cromar. According to the USCA the district court's decision of the USDC for the Dist of UT is Affirmed. (Attachments: # <u>1</u> Mandate letter)(jrj) (Entered: 06/23/2020)
06/23/2020	<u>129</u>	<b>**SEALED DOCUMENT**</b> re <u>124</u> <b>*SEALED DOCUMENT*</b> SEALED MOTION for Leave to Filed Sealed Document and Memorandum in Support (NOTE: Filer is instructed to serve the <u>sealed document</u> on all other

		<p>parties)*<b>SEALED DOCUMENT*</b> SEALED MOTION for Leave to Filed Sealed Document and Memorandum in Support  <b>(NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties),</b>  <u>126</u> Sealed Document,, filed by Movant Copper Birch Properties</p> <p><b>NOTE: Filer is instructed to serve the <u>sealed document</u> on all other parties..</b>  (Attachments: # <u>1</u> Exhibit )(Collins, Andrew) Modified on 8/21/2020 - unsealed per <u>135</u> Order of Unsealing(jwt). (Entered: 06/23/2020)</p>
06/23/2020	<u>130</u>	NOTICE OF FILING Public Notice, Declarations, Mandates, and Lawful Protest filed by Defendant Paul Kenneth Cromar. (dla) (Additional attachment(s) added on 6/24/2020: # <u>1</u> Envelope) (dla). (Entered: 06/24/2020)
06/29/2020	<u>131</u>	ORDER LIFTING STAY and denying <u>122</u> <i>Ex Parte</i> Application for Writ of Assistance. Signed by Judge Robert J. Shelby on 6/26/20. (dla) Modified on 8/21/2020 - unsealed per <u>135</u> Order of Unsealing (jwt). (Entered: 06/29/2020)
08/13/2020	<u>132</u>	NOTICE OF FILING of Lawful Protests filed by Defendant Paul Kenneth Cromar. (NOTE: the documents were received by the clerk's office on 7/6/2020. Chambers instructed the clerk to enter them on 8/13/2020). (Attachments: # <u>1</u> Exhibit Branman, # <u>2</u> Exhibit Briscoe, # <u>3</u> Exhibit Carson, # <u>4</u> Exhibit Chapman, # <u>5</u> Exhibit Digiusti, # <u>6</u> Exhibit Holmes, # <u>7</u> Exhibit Hubbert, # <u>8</u> Exhibit Huber, # <u>9</u> Exhibit Jones, # <u>10</u> Exhibit Mangum, # <u>11</u> Exhibit McHugh, # <u>12</u> Exhibit Phillips, # <u>13</u> Exhibit Shelby, # <u>14</u> Exhibit Watson, # <u>15</u> Exhibit Zuckerman) (dla) (Entered: 08/13/2020)
08/17/2020	<u>133</u>	ORDER TO SHOW CAUSE: The court hereby orders Plaintiff United States of America and Copper Birch Properties, LLC, to show cause why their sealed filings and the sealed orders concerning those filings, including docket numbers 124, 125, 126, 129, and 131, should not be unsealed. The parties shall file their response no later than <b>Thursday, August 20, 2020</b> . Failure to respond will result in the unsealing of the identified documents. Signed by Judge Robert J. Shelby on 8/17/20. (dla) (Entered: 08/17/2020)
08/20/2020	<u>134</u>	RESPONSE TO ORDER TO SHOW CAUSE re <u>133</u> Order to Show Cause,, filed by USA. (Mangum, John) (Entered: 08/20/2020)
08/21/2020	<u>135</u>	ORDER of Unsealing re <u>133</u> Order to Show Cause. On August 17, 2020, the court ordered Plaintiff United States of America and Copper Birch Properties, LLC, to show cause why their sealed filings and the sealed orders concerning those filings should not be unsealed.1 Plaintiff filed a response indicating it had no objection to the court unsealing the relevant documents.2 Copper Birch Properties did not file a response. Accordingly, it is hereby ORDERED that the following documents be UNSEALED: docket numbers 122, 124, 125, 126, 129, and 131. Signed by Judge Robert J. Shelby on 8/21/2020. (jwt) (Entered: 08/21/2020)
09/04/2020	<u>136</u>	Emergency MOTION for Temporary Restraining Order and Memorandum in Support filed by Defendant Paul Kenneth Cromar, Barbara Ann Cromar. (Attachments: # <u>1</u> Memorandum at Law in Support, # <u>2</u> Exhibit A to Memorandum, # <u>3</u> Exhibit B to Memorandum)(jwt) Modified on 9/8/2020 added Barbara Ann Cromar as a filer(jwt). (Entered: 09/08/2020)

09/09/2020	<u>137</u>	DOCKET TEXT ORDER: Defendants filed a Motion for Emergency TRO (Dkt. <u>136</u> ) shortly before the end of the business day on Friday, September 4, 2020. The undersigned was unaware of this filing until the Motion was electronically entered onto the docket on Tuesday, September 8, 2020, following the Labor Day holiday. Based on the Motion's representation that a private sale of the 9870 Meadow Drive property was to occur on Saturday, September 5, 2020, the Motion may now be moot. But the court invites a status report from Defendants explaining whether they still request action on the Motion. Defendants shall provide the court with their status report, if any, no later than <b>Friday, September 11, 2020, at noon</b> . No attached document. Signed by Judge Robert J. Shelby on 9/9/20. (dla) (Entered: 09/09/2020)
09/10/2020	<u>138</u>	Court Requested STATUS REPORT regarding ECF No. <u>136</u> Defendant's Motion for Emergency TRO by Barbara Ann Cromar, Paul Kenneth Cromar. (jwt) (Entered: 09/10/2020)
09/15/2020	<u>139</u>	MOTION for Leave to Amend Pleading Captions filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Exhibit Motion for Emergency TRO, # <u>2</u> Exhibit Memorandum at Law in Support of Motion for TRO, # <u>3</u> Exhibit Court Requested Status Report Regarding Defendants' Motion for Emergency TRO) (dla) (Entered: 09/15/2020)
09/15/2020	<u>140</u>	ORDER denying <u>136</u> Defendants Paul Kenneth Cromar and Barbara Ann Cromar's Motion for Emergency TRO and <u>139</u> Motion for Leave to Amend Pleading Captions. Signed by Judge Robert J. Shelby on 9/15/20. (dla) (Entered: 09/15/2020)
09/17/2020	<u>141</u>	Defendants' MOTION for Temporary Restraining Order filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (jwt) (Entered: 09/17/2020)
09/18/2020	<u>142</u>	ORDER denying <u>141</u> Defendants Paul Kenneth Cromar and Barbara Ann Cromar's Motion for Temporary Restraining Order and Reinstating the Cromar's Filing Restriction. Signed by Judge Robert J. Shelby on 9/18/20. (dla) (Entered: 09/18/2020)
09/23/2020	<u>143</u>	DOCUMENTS LODGED consisting of Notice of Default, Acceptance of Agreement and Intent to Collect. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Envelope)(nl) (Entered: 09/23/2020)
10/06/2020	<u>144</u>	DOCUMENTS LODGED consisting of Notice of Default, Acceptance of Your Agreement, and Intent to Collect addressed to D. Mark Jones. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (jwt) (Entered: 10/06/2020)
10/20/2020	<u>145</u>	MOTION for Leave to File Motion for Discovery filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Attachments: # <u>1</u> Exhibit Motion for Discovery) (dla) (Entered: 10/20/2020)
10/23/2020	<u>146</u>	MOTION for Discovery filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (Originally filed on 10/20/2020 with <u>145</u> Motion for Leave to File.) (jwt) (Entered: 10/23/2020)

10/23/2020	<u>147</u>	ORDER granting <u>145</u> Motion for Leave to File: denying <u>146</u> Motion for Discovery. Signed by Judge Robert J. Shelby on 10/23/2020. (jwt) (Entered: 10/23/2020)
01/05/2021	<u>148</u>	NOTICE OF FILING of Judicial Notice: Order for Motion for Leave to File is Void and Statutorily Recinded filed by Defendants Barbara Ann Cromar, Paul Kenneth Cromar. (dla) (Entered: 01/06/2021)
02/08/2021	<u>149</u>	EXHIBITS: Second Judicial Notice, two dvds with this filing "A More Perfect Union" and "Miracles in God We Trust" filed by Paul Kenneth Cromar. Exhibits to be maintained by the Clerk's Office Records Dept. (dla) (Entered: 02/11/2021)
04/23/2021	<u>150</u>	DOCUMENTS LODGED consisting of Third Judicial Notice. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Exhibit Part 1, # <u>2</u> Exhibit Part 2, # <u>3</u> Exhibit Part 3, # <u>4</u> Exhibit Part 4) (dla) (Additional attachment(s) added on 4/28/2021: # <u>5</u> Envelope) (dla). (Entered: 04/28/2021)
06/10/2021	<u>151</u>	DOCUMENTS LODGED consisting of Writ of Quo Warranto. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (dla) (Entered: 06/10/2021)
07/20/2021	<u>152</u>	DOCUMENTS LODGED consisting of Request for Bonds, letter from Clerk's Office Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Exhibit Request for Bonds (dla). (Additional attachment(s) added on 8/27/2021: # <u>2</u> 7/16/21 FOIA Request) (jwt). (Entered: 07/20/2021)
08/12/2021	<u>153</u>	DOCUMENTS LODGED consisting of Fourth Judicial Notice. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Exhibit A-N, # <u>2</u> Exhibit A-N, # <u>3</u> Exhibit A-N, # <u>4</u> Exhibit A-N) (dla) (Entered: 08/12/2021)
08/24/2021	<u>154</u>	DOCUMENTS LODGED consisting of Fifth Judicial Notice. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Exhibit Exhibits A, C, # <u>2</u> Restricted Exhibit B) (dla) (Additional attachment(s) added on 8/27/2021: # <u>3</u> Rescan of Main Document with pgs 1-7) (jwt). Modified on 8/27/2021 documents entered using emailed images on 8/24/2021; paper originals received by certified mail on 8/27/21 (jwt). (Entered: 08/25/2021)
10/28/2021	<u>155</u>	DOCUMENTS LODGED consisting of Sixth Judicial Notice. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (dla) (Entered: 10/29/2021)
12/30/2021	<u>156</u>	DOCUMENTS LODGED consisting of document from Cheryl Davis entitled This Renewed Notice of Default, Acceptance of Your Agreement, Intent to Collect - with Invoice #2131203a attached. Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Envelope)(jwt) (Entered: 12/30/2021)

01/05/2022	<u>157</u>	<p>DOCUMENTS LODGED consisting of Notice of Failure to Post Bond as per Contractual Obligation.</p> <p>Note: attached document lodged for reference purposes only; no response required unless specifically ordered by the court. (Attachments: # <u>1</u> Envelope) (dla) (Entered: 01/05/2022)</p>
02/23/2022	<u>158</u>	<p>Mail Returned as Undeliverable, Attempted - Not Known, Unable to Forward. Mail sent to Barbara Ann Cromar re: <u>156</u> Documents Lodged.</p> <p>(NOTE: This returned mail item was not date stamped by the clerk on the date of receipt. Filed as of 2/23/2022 for lack of receipt date.) (Attachments: # <u>1</u> Envelope) (jwt) (Entered: 02/23/2022)</p>

Case: 2:17-cv-01223-RJS  
Document 122

Nathan S. Dorius (8977)  
Andrew V. Collins (11544)  
**MITCHELL BARLOW & MANSFIELD, P.C.**  
Boston Building  
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Salt Lake City, Utah 84111  
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acollins@mbmlawyers.com

*Attorneys for Copper Birch Properties, LLC*

I hereby certify that the annexed is a true and correct copy of a document or an electronic docket entry on file at the United States District court for the District of Utah.

# of pages

Date

D. MARK JONES, Clerk

By

Deputy Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

PAUL KENNETH CROMAR, BARBARA  
ANN CROMAR, UTAH HOUSING  
FINANCE AGENCY, UNIVERSAL  
CAMPUS FEDERAL CREDIT UNION,  
STATE OF UTAH, TAX COMMISSION,  
and UTAH COUNTY, UTAH,

Defendants.

**EX PARTE APPLICATION FOR WRIT  
OF ASSISTANCE  
(Federal Rule of Civil Procedure 70)**

Case No. 2:17-cv-01223-RJS

Chief Judge Robert J. Shelby

Copper Birch Properties, LLC, a Utah limited liability company, by and through its undersigned counsel, hereby applies for the issuance of a writ of assistance pursuant to Rule 70 of the Federal Rules of Civil Procedure. This application is more fully supported by the below statement of facts and points of law.

### **STATEMENT OF FACTS**

1. On March 20, 2019, and following the entry of default judgment against the above-named Defendants Paul Kenneth Cromar and Barbara Ann Cromar, this Court entered an order of Foreclosure and Judicial Sale (the “Order of Foreclosure”), whereby the real property situated at 9870 N. Meadow Drive, Cedar Hills, Utah 84062 (the “Property”) previously owned by Paul Kenneth Cromar and Barbara Ann Cromar (the “Cromars”) was to be sold at public sale to the highest bidder. *See* Order of Foreclosure, ECF No. 104, on file with the clerk of the court.

2. The Order of Foreclosure also directed the Cromars to vacate the Property and for the locks on the Property to be changed to preserve the Property pending the public sale. *See* Order of Foreclosure, ECF No. 104, on file with the clerk of the court.

3. The Order of Foreclosure ordered the Cromars to “not record any instruments, publish any notice, or take any other action that may directly or indirectly tend to adversely affect the value of the Subject Property,” and warned the Cromars that “violation of this paragraph shall be deemed a contempt of court and punishable as such.” *See* Order of Foreclosure, ECF No. 104, on file with the clerk of the court.

4. The Order of Foreclosure required all persons occupying the Property to “leave and vacate permanently the property no later than 15 days after the date of this Order, each taking with them his or her personal property.” The Order of Foreclosure further states that the United States Marshal’s Office is “authorized to take whatever action it deems appropriate to remove such person or persons from the premises.” *See* Order of Foreclosure, ECF No. 104, on file with the clerk of the court.

5. Finally, the Order of Foreclosure states that if “after the sale of the Subject Property is confirmed by this court, the Subject Property remains occupied, a writ of assistance may, without further notice, be issued by the Clerk of the Court pursuant to Rule 70 of the Federal Rules of Civil Procedure to compel delivery of possession of the Subject Property to the purchaser or purchasers thereof.” *See* Order of Foreclosure, ECF No. 104, on file with the clerk of the court.

6. The sale of the Property was held on September 10, 2019, and on April 15, 2020, this Court issued an Order Confirming Sale and Distributing Proceeds (the “Order Confirming Sale”). *See* Order Confirming Sale, ECF No. 119, on file with the clerk of the court.

7. The successful purchaser of the Property was Copper Birch Properties, LLC, a Utah limited liability company (“Copper Birch”), and the IRS prepared, executed and delivered to Copper Birch a Deed to Real Property (the “Deed”) on April 29, 2020, transferring title to the Property to Copper Birch. *See* Order Confirming Sale, ECF No. 119, on file with the clerk of the court; *see also* a true and correct copy of the executed Deed attached hereto as Exhibit A.

8. While the U.S. Marshal’s Office had previously forcibly removed the Cromars from the Property pursuant to the Order of Foreclosure, between the sale of the Property and the date the Deed was delivered to Copper Birch, the Cromars broke into and began occupying the Property. *See* Declaration of Nathan S. Dorius, ¶ 2, attached hereto as Exhibit B.

9. Counsel for the United States of America, Ryan Watson (“Watson”), had been informed by an owner of Copper Birch, Tyler Belliston, on March 23, 2020, that the Cromars were showing up to the Property, placing signs on the Property, and telling people that they still own the Property. *See* copy of email exchanges with Watson attached hereto as Exhibit C.

10. On April 13, 2020, another owner of Copper Birch, Brett Belliston, contacted Watson to notify him that the Cromars were damaging the Property and placing more signs asserting the Cromars' ownership of the Property. See Exhibit C.

11. On April 23, 2020, Tyler Belliston notified Watson by phone that the Cromars had broken into the Property and were removing personal property. Mr. Watson responded by email suggesting that Copper Birch notify the local authorities of the crime. See Exhibit C.

12. The Bellistons contacted the local police department about the break-in, the police showed up at the Property to confront the Cromars, but because the Deed had not yet been delivered to Copper Birch and recorded with the county recorder the police would not take any action on behalf of Copper Birch. See Exhibit B, ¶ 3.

13. On or about April 24, 2020, the Cromars began posting videos online stating that they are the title owners of the Property, that the government tried to take their home from them, and that they were not vacating the Property. On April 27, 2020, the video was sent to Watson with a request that he work with Copper Birch to unwind the sale given the Cromars' actions. See Exhibit B, ¶ 4.

14. On or about April 30, 2020, Copper Birch began working with Watson, the American Fork Police Chief, and the Utah County Sheriff to enforce Utah's criminal trespass law and remove the Cromars and other occupants from the Property to deliver possession to Copper Birch. See Exhibit B, ¶ 5.

15. Despite many broken commitments to help remove the Cromars from the Property, the local law enforcement ultimately refused to take any action to remove the Cromars

from the Property, asking that Copper Birch instead work with the federal government to resolve the situation. *See* Exhibit B, ¶ 6.

16. The federal government refused to take action to remove the Cromars, requesting Copper Birch to work with local authorities to resolve the situation. *See* Exhibit B, ¶ 7.

17. On May 5, 2020, Copper Birch emailed a copy of the recorded Deed to the Cromars, along with a letter explaining that Copper Birch was the lawful purchaser of the Property and demanding that the Cromars immediately vacate the Property. *See* Exhibit B, ¶ 8; *see also* a true and correct copy of said letter attached hereto as Exhibit D.

18. On May 8, 2020, the Cromars responded to the May 5<sup>th</sup> letter from Copper Birch, acknowledging receipt of the Deed and letter from Copper Birch, notifying Copper Birch that the Cromars are the lawful owners of the Property, and making veiled threats against the owners of Copper Birch. *See* Exhibit B, ¶ 9; *see also* a copy of the Cromars' email and attached correspondence from the Cromars attached hereto as Exhibit E.

19. To date, the Cromars are in violation of the Court's Order of Foreclosure and Order Confirming Sale and are retaining unlawful possession of the Property, the local law enforcement and the US government representatives are refusing to forcibly remove the Cromars and deliver possession to the Property to Copper Birch despite this Court's Order of Foreclosure and Order Confirming Sale and despite the multitude of pleas from Copper Birch to assist them in gaining possession of their property, and Copper Birch's only lawful recourse appears to be to petition this Court to issue a Writ of Assistance to compel the U.S. Marshal's Office to remove the Cromars from the Property pursuant to the Order Confirming Sale. *See* Exhibit B, ¶ 10.

### ARGUMENT

Rule 70 of the Federal Rules of Civil Procedure provides in relevant part as follows:

(a) *Party's Failure to Act; Ordering Another to Act.* If a judgment requires a party to . . . perform any other specific act and the party fails to comply within the time specified, the court may order the act to be done—at the disobedient party's expense—by another person appointed by the court. . . . (d) *Obtaining a Writ of Execution or Assistance.* On application by a party who obtains a judgment or order for possession, the clerk must issue a writ of execution or assistance.

This Court's Order Confirming Sale expressly allows for Copper Birch, as the successful purchase of the Property, to obtain, without further notice, a writ of assistance "to compel delivery of the property to" Copper Birch. *See* Order Confirming Sale, ECF No. 119, on file with the clerk of the court.

Copper Birch is the lawful owner of the Property and is entitled to immediate possession and quiet enjoyment of the Property. Copper Birch was the successful purchaser of the Property pursuant to the Order of Foreclosure. Copper Birch presented the Cromars with a copy of the recorded Deed and demanded that they vacate the Property immediately. The Cromars have refused to honor the Court's Order Confirming Sale and Copper Birch's right to possession of the Property. Furthermore, Copper Birch has exhausted all efforts to gain the assistance of local law enforcement and the U.S. government to aid Copper Birch in restoring lawful possession of the Property per this Court's Order of Foreclosure and Order Confirming Sale.

The provisions of Rule 70 of the Federal Rules of Civil Procedure governing writs of assistance are "designed 'to deal with parties who seek to thwart judgments by refusals to comply with orders to perform specific acts.'" *U.S. v. One (1) Douglas A-26B Aircraft*, 662 F.2d 1372, 1374 (11<sup>th</sup> Cir. Ct. App. 1981) (citing 12 C. Wright & A. Miller, *Federal Practice & Procedure*, Civil s 3021 (1973)). In this case, default judgment was entered against the Cromars,

and the Court thereafter ordered that the Property be sold and that the Cromars permanently vacate the Property. Rule 70 was designed with this very situation in mind. Furthermore, this Court expressly allowed for the utilization of a writ of assistance by the purchaser of the Property to remove the Cromars and any other occupants from the Property upon presentation of the Deed to the Cromars. Copper Birch has fulfilled all of its obligations under the Order of Foreclosure and the Order Confirming Sale, and it is now entitled, without further notice, to a writ of assistance directing the U.S. Marshal's Office to forcibly remove all occupants from the Property and place Copper Birch in possession of the Property.

### **CONCLUSION**

Based upon the foregoing facts and legal authority, Copper Birch hereby respectfully requests that the Court grant this application and issue a Writ of Assistance, without further notice, compelling the U.S. Marshal's Office to, within ten (10) days of the issuance of the Writ, forcibly remove the Cromars and all other occupants of the Property without removing any personal property from the Property, and to prevent such occupants from entering the Property while Copper Birch changes the locks on the Property and installs a security system at the Property. Copper Birch further requests that no notice of this Application be provided to the Cromars and that the Writ of Assistance be issued on an ex parte basis to prevent the Cromars from taking further action to damage the Property and/or cause further impediments to Copper Birch retaking possession of the Property. A form of Writ of Assistance is attached hereto as Exhibit F and is being submitted concurrently herewith.

DATED this 29<sup>th</sup> day of May, 2020.

MITCHELL BARLOW & MANSFIELD, P.C.

/s/ Nathan S. Dorius

Nathan S. Dorius

*Attorneys for Copper Birch Properties, LLC*

**EXHIBIT A**



ENT56957:2020 PG 1 of 2  
Jeffery Smith  
Utah County Recorder  
2020 Apr 29 02:26 PM FEE 40.00 BY MA  
RECORDED FOR Mitchell Barlow & Mansfield, P.C.  
ELECTRONICALLY RECORDED

### DEED TO REAL PROPERTY

THIS INDENTURE made this 24th day of April 2020, by and between Andrea Ventura, Advisory Manager, Southwestern, on behalf of the Director, Southwestern Area Collection of Internal Revenue Service a duly authorized delegate of the Department of the Treasury, grantor; and Copper Birch Properties, LLC, grantee.

### WITNESSETH

WHEREAS, the United States District Court for the District of Utah, in a judicial order of sale entered on March 20, 2019 in the case of United States of America v. Paul Kenneth Cromar, et al. Defendants, ordered that the subject property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430, the hereinafter described real property sold in order to pay delinquent Internal Revenue income tax liabilities assessed against Paul Kenneth Cromar.

AND WHEREAS, the said property was sold on September 10th, 2019, to Copper Birch Properties, LLC, for the sum of \$331,000.00, the receipt of which is hereby acknowledged, does grant, bargain, and sell to Copper Birch Properties, LLC all right, title, and interest in the real property, in Cedar Hills, Utah County, State of Utah, described as:

Legal Description:

**Lot 3, Plat "C", Amended North Meadows Estates Subdivision, according to the official plat thereof on file in the office of the Recorder, Utah County, Utah.**

The property commonly known as **9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430.**

IN WITNESS WHEREOF, the grantor has hereunto set her hand on the 24<sup>th</sup> day of

April, 2020.

Andrea Ventura

Official Signature

Andrea Ventura

Title: Advisory Manager, Southwestern  
Internal Revenue Service

**Notary**

State of Colorado

County of Jefferson

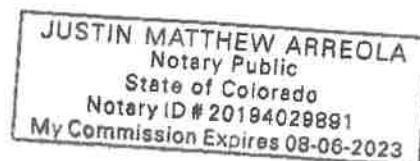
Signed and sworn to before me on the 23 day of April, 2020, by Andrea Ventura, who appeared before me, being by me duly sworn, did say that she is the Advisory Manager Southwestern signing on behalf of the Director, Southwestern Area Collection of Internal Revenue Service, a duly authorized delegate of the United States of America, and that said instrument was signed on behalf of the United States of America by authority of its laws and regulations promulgated thereunder, and is the free act and deed of said body politic.

[Signature]

NOTARY PUBLIC's Official Signature

08/06/2023

Commission Expiration



**EXHIBIT B**

Nathan S. Dorius (8977)  
Andrew V. Collins (11544)  
**MITCHELL BARLOW & MANSFIELD, P.C.**  
Boston Building  
Nine Exchange Place, Suite 600  
Salt Lake City, Utah 84111  
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Facsimile: (801) 998-8077  
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acollins@mbmlawyers.com

*Attorneys for Copper Birch Properties, LLC*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL KENNETH CROMAR, BARBARA  
ANN CROMAR, UTAH HOUSING  
FINANCE AGENCY, UNIVERSAL  
CAMPUS FEDERAL CREDIT UNION,  
STATE OF UTAH, TAX COMMISSION,  
and UTAH COUNTY, UTAH,

Defendants.

**DECLARATION OF NATHAN S.  
DORIUS IN SUPPORT OF EX PARTE  
APPLICATION FOR WRIT OF  
ASSISTANCE**

Case No. 2:17-cv-01223-RJS

Chief Judge Robert J. Shelby

---

I, NATHAN S. DORIUS, do hereby declare as follows:

1. I am over the age of eighteen, I am an attorney, and I have personal knowledge of the matters set forth in this Declaration.

2. While the U.S. Marshal's Office had previously forcibly removed Paul Kenneth Cromar and Barbara Ann Cromar (the "Cromars") from the real property located at 9870 N.

Meadow Drive, Cedar Hills, Utah 84062 (the "Property") pursuant to the Order of Foreclosure, between time of the sale of the Property and the date the Deed was delivered to Copper Birch Properties, LLC ("Copper Birch"), the Cromars broke into and began occupying the Property.

3. Brett and Tyler Belliston, the owners of Copper Birch, contacted the local police department about the break-in, the police showed up at the Property to confront the Cromars, but because the Deed had not yet been delivered to Copper Birch and recorded with the county recorder the police would not take any action on behalf of Copper Birch.

4. On or about April 24, 2020, the Cromars began posting videos online stating that they are the title owners of the Property, that the government tried to take their home from them, and that they were not vacating the Property. On April 27, 2020, I sent a link to the video to Ryan Watson, counsel for the United States of America in the above-captioned action, with a request that he work with Copper Birch to unwind the sale given the Cromars' actions.

5. On or about April 30, 2020, Copper Birch began working with Watson, the American Fork Police Chief, and the Utah County Sheriff to enforce Utah's criminal trespass law and remove the Cromars and other occupants from the Property to deliver possession to Copper Birch.

6. Despite many broken commitments to help remove the Cromars from the Property, the local law enforcement ultimately refused to take any action to remove the Cromars from the Property, asking that Copper Birch instead work with the federal government to resolve the situation.

7. The federal government refused to take action to remove the Cromars, requesting Copper Birch instead to work with local authorities to resolve the situation.


8. On May 5, 2020, I emailed a copy of the recorded Deed to Real Property (the "Deed") to the Cromars, along with a letter explaining that Copper Birch was the lawful purchaser of the Property and demanding that the Cromars immediately vacate the Property.

9. On May 8, 2020, the Cromars responded to my May 5<sup>th</sup> letter, acknowledging receipt of the Deed and my letter, notifying me that they claim to be the lawful owners of the Property, and making veiled threats against the owners of Copper Birch and their families.

10. To date, the Cromars continue to defy the Court's Order of Foreclosure and Order Confirming Sale and remain in unlawful possession of the Property, the local law enforcement and the U.S. government representatives are refusing to forcibly remove the Cromars and deliver possession to the Property to Copper Birch despite the Court's Order of Foreclosure and Order Confirming Sale and despite the multitude of pleas from Copper Birch to assist them in gaining possession of their property.

Pursuant to Utah Code § 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing declaration is true and correct.

DATED this 29<sup>th</sup> day of May 2020.

  
\_\_\_\_\_  
Nathan S. Dorius

**EXHIBIT C**

**Friday, May 22, 2020 at 14:14:44 Mountain Daylight Time**

**Subject:** Re:

**Date:** Monday, April 27, 2020 at 10:52:28 AM Mountain Daylight Time

**From:** Bre? Belliston

**To:** Chapman Gary

**CC:** Nathan Dorius, Watson, Ryan (TAX), John R. Barlow, Ty B, Doug Gilmore, Bucky Gay

Gary and Ryan,

Over the weekend Cromar brought in the Bundy clan from the famous Oregon standoff a few years ago. They are all squatting on the property, refusing to leave and threatening the police. Obviously this a new level of escalation. As of now none of the government authorities are willing to do anything at all. It has been our understanding from the beginning that the DOJ and IRS would take care of these types of issues. It is extremely concerning that the government would allow these individuals to 1. break into the property and 2. do nothing about this and even leave when Cromar threatens them.

At this point we would like to know

1. Will you do anything to not only provide clear title but ensure that we have clear access to the property through restraining orders and other legal remedies as needed?
2. Return our funds if the government cannot take care of this as we have been told you would?

Thanks for your assistance but Cromar has turned out to be crazier than anyone thought. My friends in the neighborhood are concerned for their families and would love to have this done once for all by us completing the sale but not at the risk of a Bundy like stand off in Oregon.

Please Advise.

On Mon, Apr 27, 2020 at 8:42 AM Chapman Gary <[Gary.Chapman@irs.gov](mailto:Gary.Chapman@irs.gov)> wrote:

All;

I just received an e-mail that ran through my chain-of-command that stated that the employee with the deed has it notarized and received approval to go into the IRS office in Denver to overnight UPS it today.

Sorry for all of the delays but with the COVID-19 issues ongoing it takes a lot for our employees to get approval to even go into an official office or to the post office/UPS. Our Area Directors (about 4 links up the chain of command) have to approve the action and ensure that social distancing practices and personal protective gear is available to the person. I'm sure it has to do with liability and protecting the employee during this time of unsurety.

Regardless, it appears they were approved and will be going in this morning to overnight it. You should have the deed tomorrow.

Thank you for your patience.

**Gary Chapman**

**INTERNAL REVENUE SERVICE**

**SBSE, Collections ~ PALS**

**Attn: Gary Chapman**

**1201 Pacific Ave, Suite 550, M/S W802**

**Tacoma, WA 98402**

**(360)536-6602**

**From:** Nathan Dorius <[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Sent:** Friday, April 24, 2020 12:04 PM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)>; Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>

**Cc:** Chapman Gary <[Gary.Chapman@irs.gov](mailto:Gary.Chapman@irs.gov)>; John R. Barlow <[jbarlow@mbmlawyers.com](mailto:jbarlow@mbmlawyers.com)>; Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>; Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay <[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>

**Subject:** Re:

Ryan:

Thank you for following up on the status of the deed. Inasmuch as the deed is now being notarized electronically, will we be receiving it via email today? It would sure be nice if we could get it today, so we can record it today and place the new owners in a position to utilize available resources to deal with Cromar. If we cannot receive the fully executed deed via email today, then we need your office and/or the IRS to get involved immediately to protect the property until such time as the deed can be executed and recorded. Thanks, Ryan.

Nathan S. Dorius

(801) 998-8888

**From:** "Watson, Ryan (TAX)" <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)>

**Date:** Thursday, April 23, 2020 at 6:21 PM

**To:** Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>

**Cc:** Chapman Gary <[Gary.Chapman@irs.gov](mailto:Gary.Chapman@irs.gov)>, "John R. Barlow" <[jbarlow@mbmlawyers.com](mailto:jbarlow@mbmlawyers.com)>, Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>, Doug Gilmore

<[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>, Bucky Gay <[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>, Nathan Dorius <[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Subject:** RE: Re:

Guys—

I think I have everyone involved in the Cromar transaction included in this email. I just received a voicemail from Ty saying that Cromar is now breaking into the house to remove items.

Your best bet is reporting his trespass/robbery to the local police. I am attaching the deed that the IRS is going to provide you for filing. Given the shutdown of offices, I recommended that our IRS advisor use an electronic notary in order to get this to you, because the Utah legislature passed a law in 2019 allowing for it.

-Ryan

**From:** Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>

**Sent:** Thursday, April 16, 2020 11:31 AM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@tax.USDOL.gov](mailto:Ryan.Watson@tax.USDOL.gov)>

**Cc:** Chapman Gary <[Gary.Chapman@irs.gov](mailto:Gary.Chapman@irs.gov)>; John R. Barlow <[jbarlow@mbmlawyers.com](mailto:jbarlow@mbmlawyers.com)>; Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>; Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay <[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>; Nathan Dorius <[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Subject:** Re: Re:

Thanks Ryan,

Appreciate your work on all of this. Please advise if there is anything else we need to do for completion.

On Thu, Apr 16, 2020 at 7:15 AM Watson, Ryan (TAX) <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)> wrote:

See the attached order confirming the sale that the court entered yesterday.

**From:** Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>

**Sent:** Monday, April 13, 2020 6:21 PM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@tax.USDOL.gov](mailto:Ryan.Watson@tax.USDOL.gov)>; Chapman Gary <[Gary.Chapman@irs.gov](mailto:Gary.Chapman@irs.gov)>; John R. Barlow <[jbarlow@mbmlawyers.com](mailto:jbarlow@mbmlawyers.com)>

**Cc:** Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>; Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay <[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>; Nathan Dorius <[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Subject:** Re: Re:

Ryan,

Just wanted to let you know that Cromar is now cementing 2 signs into the yard of 9870 Meadow home. We know that the current Covid-19 situation has slowed things down but we would love to know where this stands.

We were told that once we wired funds (completed on Jan. 15) we could expect you to finalize this process in 4-6 weeks. We are now 12 weeks into this and the former owner is

destroying the property which we understood would violate court orders. Please let us know what the next steps are in this process and when we can expect completion.

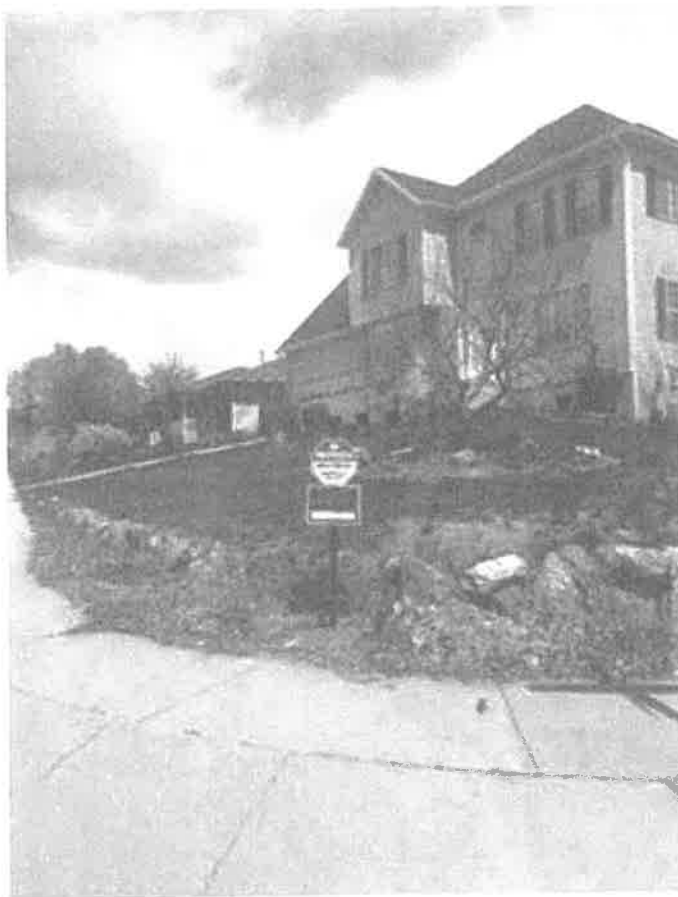
Thanks and look forward to hearing from you.

1:47



Done

6 of 6



On Mon, Mar 23, 2020 at 1:43 PM Watson, Ryan (TAX) <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)> wrote:

We already filed everything we need to; we are just waiting on the judge's signature.

**From:** Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>

**Sent:** Monday, March 23, 2020 2:00 PM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@tax.USDOJ.gov](mailto:Ryan.Watson@tax.USDOJ.gov)>

**Cc:** Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay

<[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>; Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>; Nathan Dorius

<[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Subject:** Re: Re:

Thx for the response. I understand the craziness of what is going on around the country right now. Is there anything we can do locally to assist? Our concern is that Cromar is still showing up at the house, putting signs up, telling people he still owns it, etc. Knowing that you're probably short on staff right now, maybe we can hand deliver what is needed to the court house? Would that help?

On Mon, Mar 23, 2020 at 10:40 AM Watson, Ryan (TAX) <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)> wrote:

Good morning—

We are still up and running here at DOJ, and although they are limiting in-person appearances at the federal court in SLC, they are still open, issuing orders, and processing civil cases. Mr. Cromar did file a nonsensical "opposition" to our motion to confirm the sale, but I doubt the court is giving that any consideration.

I'm sorry that the answer is that we need to hurry up and wait, but unfortunately we are waiting for the court to act. I will keep you posted—hopefully we get something soon.

-Ryan

**From:** Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>

**Sent:** Monday, March 23, 2020 11:54 AM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@tax.USDOJ.gov](mailto:Ryan.Watson@tax.USDOJ.gov)>

**Cc:** Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay

<[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>; Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>; Nathan Dorius

<[NDorius@mbmlawyers.com](mailto:NDorius@mbmlawyers.com)>

**Subject:** Re:

Hey Ryan,

Just following up. Have we made any progress on the Cedar Hills home?

On Thu, Mar 12, 2020 at 12:49 PM Watson, Ryan (TAX) <[Ryan.Watson@usdoj.gov](mailto:Ryan.Watson@usdoj.gov)> wrote:

Tyler—

Thanks for getting in touch. We filed our motion to confirm the sale and are awaiting the court to sign off on it. I do apologize for a portion of the delay where I had to prioritize travel and short deadlines on a few other cases.

I think we are in good shape with regard to the motion to confirm and would expect a decision shortly. The court may be contemplating assigning it to another judge who was not sued by Cromar, but that is just a guess. Once that is entered, the IRS will be able to quickly send the deed over and we should be out of your hair.

Cc'ing Mr. Dorius on this.

Thanks,

Ryan

202.514.5173

**From:** Ty B <[tylerbelliston45@gmail.com](mailto:tylerbelliston45@gmail.com)>

**Sent:** Wednesday, March 11, 2020 1:28 PM

**To:** Watson, Ryan (TAX) <[Ryan.Watson@tax.USDOJ.gov](mailto:Ryan.Watson@tax.USDOJ.gov)>; Doug Gilmore <[doug.gilmore@summitcreekutah.com](mailto:doug.gilmore@summitcreekutah.com)>; Bucky Gay <[bucky.gay@summitcreekutah.com](mailto:bucky.gay@summitcreekutah.com)>; Brett Belliston <[bellistonbrett@gmail.com](mailto:bellistonbrett@gmail.com)>

**Subject:**

Ryan,

My name is Tyler Belliston. I'm one of the buyers on the 9870 N Meadow Dr property in Cedar Hills. Got your contact from Doug.

We expected a few weeks to close but it's been about a month since we transferred funds to Gary at the IRS. Can you help us understand the status on the progress to closing?

Thanks.

Brett Belliston

**EXHIBIT D**

MITCHELL  
BARLOW  
MANSFIELD

MITCHELL BARLOW & MANSFIELD, P.C. | BOSTON BUILDING | NINE EXCHANGE PLACE, SUITE 600 | SALT LAKE CITY, UTAH 84111  
TEL: (801) 998-8888 | FAX: (801) 998-8077 | www.mbmlawyers.com

May 5, 2020

Sent Via Email

Ken and Barbara Cromar

Email: kencromar@bluemoonprod.com

barbaracromar@gmail.com

Re: *Notice to Vacate Property*

Mr. and Mrs. Cromar:

Our law office has been engaged by Copper Birch Properties, LLC (the "Company"), in connection with the Company's purchase of the real property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062 (the "Property"). We have enclosed a copy of the recorded Deed to Real Property transferring all right, title and interest in and to the Property to the Company. We have also enclosed for your records a copy of the court order approving the sale of the Property to the Company. Based upon the enclosed documents, you no longer have any legal or equitable rights in or title to the Property. Demand is hereby made that you and all other occupants vacate the Property immediately, and that you vacate without damaging or removing any portion of the Property or any personal property located therein. Your failure to vacate immediately will result in further legal action.

The court order dated March 20, 2019 ordered you to not make any additional filings against the Property. Therefore, you are on notice that your recent filings of the (i) Declaration of Assignees Update to Patent recorded on April 22, 2020 and (ii) Land Patent Notice and accompanying papers recorded on April 17, 2020, are in violation of the court's March 20, 2019 order and are null, void and of no legal effect. To the extent necessary, the Company hereby formally objects to such filings.

Please contact us if you wish to discuss the particulars of this letter further. Thank you for your anticipated cooperation.

Sincerely,

MITCHELL BARLOW & MANSFIELD, P.C.



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Nathan S. Dorius

Enc.



ENT56957:2020 PG 1 of 2  
Jeffery Smith  
Utah County Recorder  
2020 Apr 29 02:26 PM FEE 40.00 BY MA  
RECORDED FOR Mitchell Barlow & Mansfield, P.C.  
ELECTRONICALLY RECORDED

### DEED TO REAL PROPERTY

THIS INDENTURE made this 24th day of April 2020, by and between Andrea Ventura, Advisory Manager, Southwestern, on behalf of the Director, Southwestern Area Collection of Internal Revenue Service a duly authorized delegate of the Department of the Treasury, grantor; and Copper Birch Properties, LLC, grantee.

### WITNESSETH

WHEREAS, the United States District Court for the District of Utah, in a judicial order of sale entered on March 20, 2019 in the case of United States of America v. Paul Kenneth Cromar, et al. Defendants, ordered that the subject property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430, the hereinafter described real property sold in order to pay delinquent Internal Revenue income tax liabilities assessed against Paul Kenneth Cromar.

AND WHEREAS, the said property was sold on September 10th, 2019, to Copper Birch Properties, LLC, for the sum of \$331,000.00, the receipt of which is hereby acknowledged, does grant, bargain, and sell to Copper Birch Properties, LLC all right, title, and interest in the real property, in Cedar Hills, Utah County, State of Utah, described as:

Legal Description:

**Lot 3, Plat "C", Amended North Meadows Estates Subdivision, according to the official plat thereof on file in the office of the Recorder, Utah County, Utah.**

The property commonly known as **9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430.**

IN WITNESS WHEREOF, the grantor has hereunto set her hand on the 24<sup>th</sup> day of

April, 2020.

Andrea Ventura  
Official Signature  
Andrea Ventura

Title: Advisory Manager, Southwestern  
Internal Revenue Service

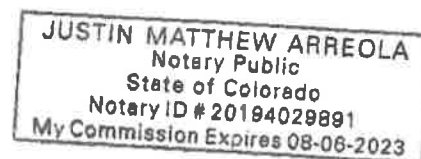
**Notary**

State of Colorado  
County of Jefferson

Signed and sworn to before me on the 23 day of April, 2020, by Andrea Ventura, who appeared before me, being by me duly sworn, did say that she is the Advisory Manager Southwestern signing on behalf of the Director, Southwestern Area Collection of Internal Revenue Service, a duly authorized delegate of the United States of America, and that said instrument was signed on behalf of the United States of America by authority of its laws and regulations promulgated thereunder, and is the free act and deed of said body politic.

[Signature]  
NOTARY PUBLIC's Official Signature

08/06/2023  
Commission Expiration



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL KENNETH CROMAR, BARBARA  
ANN CROMAR, UTAH HOUSING  
FINANCE AGENCY, UNIVERSAL  
CAMPUS FEDERAL CREDIT UNION,  
STATE OF UTAH, TAX COMMISSION,  
AND UTAH COUNTY, UTAH,

Defendants.

**ORDER CONFIRMING SALE AND  
DISTRIBUTING PROCEEDS**

Case No. 2:17-cv-01223-RJS

Chief Judge Robert J. Shelby

On March 20, 2019, the court entered an Order of Foreclosure and Judicial Sale.<sup>1</sup> The Order directed the United States to sell Paul Kenneth Cromar's property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430 (the property), which is more particularly described as:

Lot 3, Plat "C", Amended North Meadows Estates Subdivision, according to the official plat thereof on file in the office of the Recorder, Utah County, Utah.

The court now has before it the United States' Motion for Order Confirming Sale and Distributing Proceeds,<sup>2</sup> together with Defendants Paul Kenneth Cromar and Barbara Ann Cromar's Objection to Plaintiff's Motion for Disbursement and Rejection of Default Judgment for Fraud and Swindle in Dishonor.<sup>3</sup> Upon review, the Cromars' Objection raises no evidentiary objections to the United States' Motion and offers no legal or factual arguments justifying denial

<sup>1</sup> Dkt. 104.

<sup>2</sup> Dkt. 117.

<sup>3</sup> Dkt. 118.

of the Motion.<sup>4</sup> Instead, the Objection relies on the same frivolous arguments the Cromars have raised throughout this case, i.e., that their due process rights have been violated and this court lacks subject matter jurisdiction over this case.<sup>5</sup> But this court and the Tenth Circuit have repeatedly rejected these arguments, and the court declines to readdress the arguments here other than to note that they unequivocally fail.<sup>6</sup> For that reason, the Motion is substantially unopposed and is well taken. Therefore, for good cause appearing, the United States' Motion is GRANTED as follows:

IT IS ORDERED THAT the sale on September 10, 2019, of the property was properly conducted, and the sale is hereby confirmed.

IT IS FURTHER ORDERED THAT the Internal Revenue Service is authorized to execute and deliver to the purchaser a Certificate of Sale and Deed conveying the property to the purchaser or assignee(s).

IT IS FURTHER ORDERED THAT, on delivery of the Certificate of Sale and Deed, all interests in, liens against, or claims to the property (including the June 28, 2019 *lis pendens* that Paul Kenneth Cromar filed in Utah County, Utah, and that is attached in Exhibit H to the United States' Motion) that are held or asserted in this action by the United States or any of the Defendants are discharged and extinguished. On the delivery of the Certificate of Sale and Deed, the property shall be free and clear of the interests of all parties to this action.

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<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

<sup>6</sup> See *United States v. Cromar*, Case No. 2:17-cv-01223, [2020 WL 1488763](#) (10th Cir. Mar. 26, 2020) (unpublished); see also *United States v. Cromar*, Case No. 2:17-cv-01223, [2018 WL 3719258](#) (D. Utah Aug. 3, 2018); *United States v. Cromar*, Case No. 2:17-cv-01223, [2018 WL 9371363](#) (D. Utah May 14, 2018). The Cromars make other similarly frivolous arguments based on the misapplication of various statutory provisions and improperly include requests for relief in their Objection. See DUCivR 7-1(b)(1)(A) ("No motion . . . may be included in a response or reply memorandum.").

IT IS FURTHER ORDERED THAT possession of the property sold shall be yielded to the purchaser or assignee(s) upon the production of a copy of the Certificate of Sale and Deed; if there is a refusal to so yield, a Writ of Assistance may, without further notice, be issued by the Clerk of Court to compel delivery of the property to the purchaser or assignee(s).

IT IS FURTHER ORDERED THAT the proceeds of the sale on September 10, 2019, of the property shall be distributed by the Clerk of Court as follows:

1. First, by check made payable to the "Internal Revenue Service" in the amount of \$683.80 for costs of sale, mailed to:

Internal Revenue Service  
c/o Gary Chapman  
IRS Property Appraisal & Liquidation Specialist  
1201 Pacific Ave., Suite 550, M/S W802  
Tacoma, WA 98402

2. Second, by check made payable to "Utah County, Utah" in the amount of \$2,114.49, as of March 3, 2020, plus an additional \$0.44 for each day past March 3, 2020, mailed to:

Utah County Treasurer  
100 E. Center Street, Suite 1200  
Provo, Utah 84606

3. Third, by check made payable to the "United States Department of Justice," with "*United States v. Cromar, et al.*, Case No. 2:17-cv-01223" written in the memo field, in the amount of the remaining proceeds from the sale, mailed to:

Department of Justice, ATTN: TAXFLU  
P.O. Box 310 – Ben Franklin Station  
Washington, DC 20044

SO ORDERED this 15th day of April 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', written over a horizontal line.

ROBERT J. SHELBY  
United States Chief District Judge

**EXHIBIT E**

**Subject:** OFFER REJECTED FOR FRAUD & SWINDLE / Counter OFFER provided Re: Notice to Vacate Property  
**Date:** Friday, May 8, 2020 at 2:03:43 PM Mountain Daylight Time  
**From:** Ken Cromar  
**To:** Nathan Dorius  
**CC:** Barbara Cromar  
**Priority:** High  
**Attachments:** \_\_\_2020 05 08 - OFFER REJECTED FOR FRAUD & SWINDLE – PKC Final.pdf, ATT00001.htm,  
\_\_\_2020 05 08 - BELLISTON letter w Watermark of OFFER RECINDED - final.pdf, ATT00002.htm

May 8, 2020

Mr. Dorius,

Please find attached two documents in the form of PDFs:

\_\_\_2020 05 08 - OFFER REJECTED FOR FRAUD & SWINDLE – PKC Final  
\_\_\_2020 05 08 - BELLISTON letter w Watermark of OFFER RECINDED - final

As noted within, PLEASE NEVER contact us by email. Your communication was deficient. (This is a one time courtesy communication.) Any communication from you will be officially received and considered ONLY under an original signature of an properly identified authorized agent, sent to our home address below, and as prescribed in the letter to you attached herein — which also requires your previous communication to be RESENT as a original, properly signed under penalty of perjury, and mailed via USPS.

Respectfully,

by: **Paul-Kenneth: Cromar**  
:Paul-Kenneth: Cromar  
c/o 9870 N. Meadow Drive  
Cedar Hills, Utah [ 84062 ]

May 8, 2020

Mr. Nathan Dorius

*(Are you an attorney? A secretary? A paralegal? Illegitimate? Something else?  
Declare yourself! Do you have a Law license or BAR # please?)*

Mitchell, Barlow & Mansfield  
Nine Exchange Place, Suite 600  
Salt Lake City, Utah 84111

**Re: Your so-called "Notice to Vacate Property" OFFER of May 5, 2020 Hereby  
RESCINDED for Fraud and Swindle in Dishonor. Counter Offer provided.**

Mr. Dorius,

Your offer to contract in the above reference email/letter is hereby RESCINDED based  
upon cause of FRAUD AND SWINDLE IN DISHONOR.

Additionally, to be officially received, you MUST re-send your communication of May 5 in hard copy under authorized original signature (not a copy) via USPS mail – at which time I will carefully consider it's content in detail. Please DO NOT EVER communicate with us via email, text, phone call, or through friends, political associates, etc. ONLY communications provided by the above-prescribed manner will be fully read and properly considered – including that of May 5<sup>th</sup>.

This following written communiqué is a one-time courtesy; designed to alert you to information your client may not have known or provided you. This communication will be followed-up via certified USPS mail. You and your client are held accountable for it's content. Any future communications from you, by any means other than USPS mail and Signed under penalty of perjury, to our home address below, are rejected in advance and are not accepted.

**GENERAL INFORMATION Provided as a one-time Courtesy:**

COUNTER OFFER: Greed and opportunity led your client to make a deal with "the devil" IRS – and the devil won, when Bishop Brett Belliston of 9671 N. 5650 W., Highland, UT 84003, **gambled his money on an attempt to purchase stolen property.** He lost.

Your client's concerns are best addressed with whatever party or parties fraudulently "sold property" they did not lawfully control, nor was there lawful authority to sell. Your client's concern is not with us, the Cromars. We have no contract with the Bishop Belliston, who as an ecclesiastical leader should know better than to attempt to purchase stolen property when Constitutional rights of the owners have been denied. Nevertheless, if your client will commit in writing within 10-days to FOREVER cease and desist all legal threats this instant, we would be delighted to provide all the evidence needed to attempt to recover the monies taken from your client by the IRS under false pretenses, misrepresentations and fraud. Additionally, we will similarly commit in writing not to pursue legal action via counter suit and/or conspiracy to defraud, collusion and possible racketeering charges against Bishop Belliston.

Our home on Meadow Drive is God's house, recovered and restored by His divine hand, which He can preserve for us in our stewardship as long as He chooses. As He wills it, IF your client continues down his threatened path with legal action – not only will Bishop Belliston lose again – he may destroy himself in many ways in the process. Your client's best option now is to accept our COUNTER OFFER, to wit, IF Bishop Belliston will sign a document within 10-days of receipt of this letter, committing to FOREVER cease attempts to obtain our home or collude with anyone else trying to do so, signed under penalty of perjury, we will provide all evidence directly helpful to Bishop Belliston to make his case against "the devil" IRS and associated conspirators in their unlawful, fraudulent effort to swindle us out of our home, including but not limited to audio and video recordings, emails, newspaper clippings, court filings, etc., sufficient to make his case for a REFUND of his ill-advised "investment". We pray he chooses wisely in behalf of he and his good family.

Should your client choose unwisely, we are prepared to consider any and all lawful options to protect ourselves and our property – including but not limited to a counter suit and pursuit of charges of conspiracy to defraud and swindle, and seeking damages against your client. Great profit potential for the firm of Mitchell, Barlow & Mansfield. Congratulations Mr. Dorius!

Additional helpful insights:

Your client was not at the auction. He did NOT bid. He cannot be a lawful 2<sup>nd</sup>, or 3<sup>rd</sup>, etc. bidder to pick up on a defaulted bid by Nathan Eddington. (Deals with "the devil" can be so sticky.)

A copy of our *Lis Pendens* was posted on our property since June 27, 2019, long before the public notice of "auction", and copies were filed at the Utah County recorders office, provided to neighbors, and to potential bidders at the UN-lawful IRS Auction on September 10, 2019, notifying all interested parties our property that was NOT "free and clear" as falsely publicly advertised. Mr. Eddington was warned with a copy of the *Lis Pendens* at the auction. He bid anyway. As the "winning bidder", Eddington did NOT provide the IRS required full 10% of \$33K, but rather \$31K. That was his first default. He did NOT provide the balance of the \$330K he bid within the 30 days, thus defaulting again. The IRS

representatives were required by their own regulations to offer it to the second bidder. This was NOT Bishop Belliston. It should have been re-offered to the public with a new auction – AFTER it was actually “free and clear”. This did not happen. Rather, NO “fulfillment” payment was made in October, or November, or December, and it wasn’t until Jan 22 according to court records that a \$299K payment was made via Alta Bank by an undeclared party. (presumably Bishop Belliston?) Is your client part of a conspiracy to defraud, collusion and possible racketeering worthy of charges?

Numerous failures by multiple parties to uphold law, Constitutional rights, right to hearing, and due process, a properly identified Constitutional subject matter jurisdiction claim, etc., etc. -- all served to VOID the “devil’s” efforts to steal our property under the color of law and justice. We did not VOID their pretended authority, -- they did. They too know it, which is probably why we’ve NEVER been allowed a hearing in this case. (NOTE: All laws repugnant to the Constitution are null and void. *see Marbury vs. Madison*)

Mr. Dorius, assuming you are a part of a legitimate law firm that actually respects the Constitutional law of the land that you and your colleagues presumably swore a solemn oath to protect and defend against “enemies foreign and domestic”, -- I’m confident you would similarly demand and require those same rights in behalf of any of your clients before a lawfully acting tribunal. And, under that same oath, you’ve actually bound yourselves to insure the same for us now, the Cromars.

We built this home and paid it off around 2003 or so. Our title remains in our lawful control. And, as the neon green sign on our front door has highlighted for nearly two months:

“I, :Paul-Kenneth: Cromar, as Grantor refuse to Grant my property here to any Assigns FOREVER! And forever. *by: Paul-Kenneth: Cromar* - March 15, 2020 at 11:05 a.m.”

Without our signature, (which as per above indicates will not happen), a forged signature by an Administrator presuming to have our power of attorney, doesn’t lawfully cut it. Nevertheless, should your client be inclined to pursue this misguided effort to pursue our property, fraudulently “sold” to them, based in “defaulted” bid, BEWARE!, that your client can only do so as per our Superior title notification of “Certificate of Acceptance of Land Patent” recorded at the Utah County Recorder April 17, 2020 filing starting at #ENT 50723:2020 PG 27 of 38, which includes:

6. “Henceforth perfected in our names ‘Paul Kenneth Cromar and Barbara Ann Cromar’ and all future claims against this land shall be forever waived. When a lawfully qualified Sovereign American individual has a claim to title and is challenged, the court of competent original and exclusive jurisdiction is the

Common law Supreme Court (Article III). Any action against a patent by a corporate state or their Respective statutory, legislative units (i.e., courts ) would be an action at Law which is outside the venue and jurisdiction of these Article 1 courts. There is no Law issue contained herein which may be heard in any of the State courts (Article 1 ), nor can any court of Equity/Admiralty/Military set aside, annul, or correct a LAND PATENT.”

If and when your client chooses to embark on a legal threat against us, I hope he is financially prepared to pay your massive legal fees (and possibly mine too) to address foundational issues at law and possible conspiracy and racketeering charges, which include the following facts of Constitutional abuse of our rights, through which he greedily hoped to profit:

1. No proper Constitutionally based subject matter jurisdiction claim by Plaintiff was provided in the original Complaint as required by numerous High court rulings.
2. The administrator did not require the Plaintiff to provide a proper Constitutionally based complaint with Congressionally enacted lawful statute(s).  
When the Plaintiff's subject matter jurisdiction claim was finally provided 21 months late at the Circuit Court, the Plaintiff effectively nullified their own case because he was required (as per numerous Supreme Court rulings) to provide it in the original Complaint.
3. No certified audit of our “account” by the IRS was ever produced, nor signed by an authorized agent as required by “law”.
4. Nor was #3 above followed with the required Notice process required by “law”.
5. No Hearing.
6. No trial by jury.
7. No discovery or cross-examination of sworn witnesses under penalty of perjury.
8. No 2<sup>nd</sup> hearing on foreclosure as required by the Administrator's own “ORDER”.
9. No certified financial Audit of the court case, and CAFR fund / pension fund, or other conflicts of interest.
10. No justice.

The Chief Administrator, Plaintiff, certain IRS agents, and US Marshals were on "trial", -- not us. They proved themselves guilty of breaking their own oaths of office to protect and defend the Constitution, and our rights and guaranteed due process thereunder -- thus nullifying their own authority and judgments -- leaving our final filing of **Defendants' Objection to Plaintiff's Motion for Disbursement, AND Rejection of Default Judgment for Fraud and Swindle in Dishonor** the unanswered and final lawful filing in this case.

No doubt, Mr. Darius, you and your firm can bleed your client of vast amounts of money with "billable hours", but you owe him the sharing of this letter and attached "Courtesy Notes & Research" in total, along with your honest, intelligent and professional analysis of his unlawful claims against us, so he can make a proper analysis of his odds in a legal attack against us. Additionally, be sure to make your client aware of our conditional, limited time offer to provide valuable evidence that should help him secure a refund of his monies taken for property they never lawfully controlled, and hence fraudulently "sold" to your client. The good news is that as victims ourselves of this illegitimate band of dark "land pirates", we would be happy to help your client recover the stolen treasure (\$299K?) and have the deceitful parties "walk the plank" so to speak, back to their alleged jurisdiction of the sea (admiralty).

No abstract title can overlay a true and Superior title -- especially when placed there fraudulently. The District Court had no lawful authority to use a fake map overlay, including using an abstract land title, as a means of transition of property rights, when a Superior and perfected Land Patent title is claimed and preserved by us. Simply stated, the opinion of the administrator in the court, Robert J. Shelby, pretending to have lawful claim on our property was based on false evidence -- and hence is Null and VOID. Fraud vitiates any claim -- including your client's.

In conclusion, please advise your client that we have well posted "No Trespassing" signs with a \$250,000 Fee per trespass, per person, and the threatening harassments on May 4<sup>th</sup> in front of our home, and violent pounding on our door the evening of May 5<sup>th</sup> appear to be by children and/or friends of your client. This is dangerous, and will not be tolerated.

Respectfully,

*by Paul-Kenneth: Cromar*  
:Paul-Kenneth: Cromar  
c/o 9870 N. Meadow Drive  
Cedar Hills, Utah [ 84062 ]

**Courtesy NOTES & RESEARCH regarding Superior title via Land Patent  
provided by the Paul-Kenneth: and :Barbara-Ann: Cromar**

**The issue of Land Patents has already been decided -- *res judicata*!**

The right of Land ownership comes from the **Bible, Genesis; Chapter, 28: v. 13,14,15, Genesis 47** and other references in the Bible as well.

Equity/Admiralty/Maritime court that has no jurisdiction to rule on the Land Patent.

A land patent is known in law as "Letters patent", and usually issues to the original grantee and to their heirs and assigns forever. The patent stands as evidence of the **supreme title** to the land, because it secures that all evidence of title existent before its issue date was reviewed by the sovereign authority under which it was sealed and was so sealed as irrefutable; thus, in law the land patent itself so becomes the title to the land defined within its four corners.

The courts are bound by the Supremacy Clause, Article VI Clause II & of the Constitution to uphold the treaty making your Patent a statutory limitation throughout the land! (**Wineman v. Gastrell, 54 FED 819, 2 US App. 581.**)

When a land patent is issued by the united states government to the grantee, that land patent stands forever, That is why on every land patent issued it states to their **HEIRS AND ASSIGNS FOREVER!**

"The patent is prima facie conclusive evidence of title,"  
**Marsh v. Brooks, 49 US 223, 224..**

The American people, newly established sovereigns in this republic after the victory achieved during the Revolutionary War, became complete owners in their land, beholden to no lord or superior; sovereign freeholders in the land themselves.

So who has all the land in America? If the state doesn't have any authority over land, and the federal United States government corporation can't own land, then who has the land?

We the People still have all the land in America! The land is still ours. It hasn't gone anywhere. The rights and titles haven't been bought or sold. They are not for sale. By the law of the land, We the People are still holding the right and titles to every square inch of land in the united states of America.

*Quote, "The individual title derived from the Government involves the entire transfer of the ownership of the soil and water. " It is purely ALLODIAL:*

*" With all the incidents pertaining to that title as substantial as in the infancy of Teutonic civilization. Following in the wake of this fundamental reform in our State land laws are several others which constitute appropriate corollary."*

*"The statute of uses was never adopted in the public-land States, and hence the complex distinction between uses and trust has never embarrassed our jurisprudence."*

COMMISSIONER OF GENERAL LAND OFFICE BOOK, page, 28, 29, (1870)

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With over one hundred and eighty plus years of court cases proves that land patent is in fact valid!

### **Over 180 years of unanimous U.S. Supreme Court cases speak for themselves that land patents are valid:**

**WRIGHT v. MATTISON 18 HOW (1856) (9-0):** The courts have concurred, it is believed, without an exception, in defining "color of title" to be that which in appearance is title, but which in reality is no title. Yet a claim asserted under the provisions of such a deed is strictly acclaim under color of title, hence, color of title, even under a void and worthless deed, has always been received as evidence that the person in possession claims adversely to the entire world. Color of title may be made through conveyances, or bonds, or contracts, or bare possession under parol agreements. We can entertain no doubt in this case that the auditor's deed to the purchaser at the tax sale is color of title in Woodward, in the true intent and meaning of the Statute, and without regard to its intrinsic worth as

a title.

**STONE v. UNITED STATES 69 U.S. (1865):** A patent is the highest evidence of title, and is conclusive as against the government, and all claiming under junior patents or titles, until it is set aside or annulled by some judicial tribunal. The patent is but evidence of a grant, and the officer who issues it acts magisterially and not judicially.

**SANFORD v. SANFORD 139 U.S. (1891) (9-0):** In ejectment, the question always is who has the legal title for the demanded premises, *not who ought to have it*. In such cases the patent of the government issued upon the direction of the land department is unassailable. A Court of equity has jurisdiction in such a case to compel the transfer to the plaintiff of property which, but for such fraud and misrepresentation, would have been awarded to him, and of which he was thereby wrongfully deprived.

**CHANDLER v. CALUMET & HECLA 149 US (1893) (7-0):** It is well settled that the state could have impeached the title thus conveyed to the canal company only by a bill in chancery to cancel or annul it, either for fraud on the part of the grantee, or mistake or misconstruction of the law on the part of its officers in issuing the patent. But whether there is any technical estoppel, in the ordinary sense, or not, it cannot be maintained that the state can issue two patents, at different dates to different parties, for the same land, so as to convey by the second patent a title superior to that acquired under the first patent.

Neither can the second patentee, under such circumstances, in an action at law, be heard to impeach the prior patent for any fraud committed by the grantee against the state, or any mistake committed by its officers acting within the scope of their authority and having jurisdiction to act and to execute the conveyance sought to be impeached. Neither the state nor its subsequent patentee is in a position to cancel or annul the title which it had authority to make, and which it had previously conveyed to the patentee.

**SARGEANT v. HERRICK 221 US (1911) (9-0):** It is apparent that the validity of the tax title depends upon the question whether the location of the warrant in 1857, without more, gave a right to a patent. Among the

conditions upon compliance with which such a right depends, none has been deemed more essential than the payment of the purchase price, which, in this instance, could have been made in money or by a warrant like the one actually used.

**UNITED STATES v. CREEK NATION 295 US (1935) (9-0):** They were intended from their inception to effect a change of ownership and were consummated by the issue of patents, the most accredited type of conveyance known to our law.

**SUMMA CORP v. CALIFORNIA STATE EX REL. LANDS COM'N 466 US (1984) (8-0):** The final decree of the Board, or any patent issued under the Act, was also a conclusive adjudication of the rights of the claimant as against the United States, but not against the interests of third parties with superior titles.

Finally, in **UNITED STATES v. CORONADO BEACH CO. 255 US (1921):** The Court expressly rejected the Government's argument, holding that the patent proceedings were conclusive on this issue, and could not be collaterally attacked by the Government. The necessary result of the Coronado Beach decision is that even "sovereign" claims such as those raised by the State of California in the present case be barred.

#### **FRIENDS OF MARTIN BEACH v. MARTIN BEACH**

**Case No. CIV517634 (2013):** These decisions control the outcome of this case. We hold that California cannot at this late date assert its public trust easement over petitioner's property, when petitioner's predecessors-in-interest had their interest confirmed without any mention of such an easement in proceedings taken pursuant to the Act of 1851. The interest claimed by California is one of such substantial magnitude that regardless of the fact that the claim is asserted by the State in its sovereign capacity, this interest, like the Indian claims made in BARKER and in **UNITED STATES v. TITLE INS. & TRUST CO.,** must have been presented in the patent proceeding or be barred.

After exclusive jurisdiction over lands within a State have been ceded to the United States, private property located thereon is not subject to taxation by the State, nor can state statutes enacted subsequent to the transfer have any operation therein. **Surplus Trading Company v. Cook, 281 US 647;**

**Western Union Telegraph Co. v. Chiles, 214 US 274;**  
**Arlington Hotel v. Fant, 278 US 439;**  
**Pacific Coast Dairy v. Department of Agriculture, 318 US 285.**

**Additional NOTES:**

The Notice and effect of a Land Patent or Grant of Public Land is a public Law standing on the books in all States (Except Texas) and is notice to every subsequent purchaser under any conflicting sale made afterward (the date of the original Land Grant/Patent). See: **Wineman v. Gastrell 54 FED 819, 4 CCA 596, 2 US APP 581.**

A patent alone passes perfect title to Grantee.  
See: **Wilcox v. Jackson, 13 PET US. 498, 10 L. ED 264.**

When the United States has parted with a title by patent, legally issued, and upon surveys made by it self and approved by the proper department, the title so granted cannot be impaired by any subsequent survey made by the government for its own purposes, **Gage v. Danks 13 LA. ANN, 128.**

In the case of ejectment, where the question has been who has the legal title the title patent of the government is unassailable, **Sanford v. Sanford 139 US 642.** The transfer of lawful Title Patent to public domain gives the Grantee the right to possess and enjoy the land transferred, **Gibson v. Chouteau, 80 US 92.**

A patent for land is the highest evidence of title and is conclusive as evidence even against the Government and all others claiming under junior patents or titles (Warranty Deed) etc., **United States v. Stone, 2 US 525.** Estoppel is hereby noticed and has been maintained as against a municipal corporation (County), **Beadle v. Smyser, 209 US 393.**

Until it issues, the Fee is in the Government trust, which by patent passes to the Grantee, and he is entitled to enforcement possession in ejectment, **Bagnell v. Broderick, 3 Peter US 436:.** State statutes that give lesser authoritative ownership of title than a patent cannot even be brought in Federal Court, **Langdon v. Sherwood, 124 US 74, 80:.** The power of Congress to dispose of land cannot be interfered with, or its exercise embarrassed by any state legislation; nor can such legislation deprive the Grantees of the United States of the possession and enjoyment of the property granted by reason of any delay in the transfer of the title after the initiation of proceedings for its acquisition, **Gibson v. Chouteau. 13 Wall US 92, 93.**

An estate in inheritance without condition, belonging to the owner and alienable by him, transmissible to his heirs absolutely and simply, is an absolute estate in perpetuity and the largest possible estate a man can have; being in fact allodial in its nature, **Stanton v. Sullivan, 63 R.L 216 7a, 696:.** The original meaning of perpetuity is an inalienable, indestructible interest. **Bouvier's Law Dictionary Volume 3, page 2570 (1914).**

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End of Courtesy NOTES & RESEARCH.

MITCHELL  
BARLOW &  
MANSFIELD

MITCHELL BARLOW & MANSFIELD, P.C. | BOSTON BUILDING | NINE EXCHANGE PLACE, SUITE 600 | SALT LAKE CITY, UTAH 84111  
TEL (801) 998-8888 | FAX (801) 998-8077 | [www.mbmlawyers.com](http://www.mbmlawyers.com)

May 5, 2020

Sent Via Email

Ken and Barbara Cromar

Email: [kencromar@bluemoonprod.com](mailto:kencromar@bluemoonprod.com)

[barbaracromar@gmail.com](mailto:barbaracromar@gmail.com)

Re: *Notice to Vacate Property*

Mr. and Mrs. Cromar:

Our law office has been engaged by Copper Birch Properties, LLC (the "Company"), in connection with the Company's purchase of the real property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062 (the "Property"). We have enclosed a copy of the recorded Deed to Real Property transferring all right, title and interest in and to the Property to the Company. We have also enclosed for your records a copy of the court order approving the sale of the Property to the Company. Based upon the enclosed documents, you no longer have any legal or equitable rights in or title to the Property. Demand is hereby made that you and all other occupants vacate the Property immediately, and that you vacate without damaging or removing any portion of the Property or any personal property located therein. Your failure to vacate immediately will result in further legal action.

The court order dated March 20, 2019 ordered you to not make any additional filings against the Property. Therefore, you are on notice that your recent filings of the (i) Declaration of Assignees Update to Patent recorded on April 22, 2020 and (ii) Land Patent Notice and accompanying papers recorded on April 17, 2020, are in violation of the court's March 20, 2019 order and are null, void and of no legal effect. To the extent necessary, the Company hereby formally objects to such filings.

Please contact us if you wish to discuss the particulars of this letter further. Thank you for your anticipated cooperation.

Sincerely,  
MITCHELL BARLOW & MANSFIELD, P.C.

\_\_\_\_\_  
Nathan S. Dorius

Enc.



ENT56957:2020 PG 1 of 2  
Jeffery Smith  
Utah County Recorder  
2020 Apr 29 02:26 PM FEE 40.00 BY MA  
RECORDED FOR Mitchell Barlow & Mansfield, P.C.  
ELECTRONICALLY RECORDED

### DEED TO REAL PROPERTY

THIS INDENTURE made this 24th day of April 2020, by and between Andrea Ventura, Advisory Manager, Southwestern, on behalf of the Director, Southwestern Area Collection of Internal Revenue Service a duly authorized delegate of the Department of the Treasury, grantor; and Copper Birch Properties, LLC, grantee.

### WITNESSETH

WHEREAS, the United States District Court for the District of Utah, in a judicial order of sale entered on March 20, 2019 in the case of United States of America v. Paul Kenneth Cromar, et al. Defendants, ordered that the subject property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430, the hereinafter described real property sold in order to pay delinquent Internal Revenue income tax liabilities assessed against Paul Kenneth Cromar.

AND WHEREAS, the said property was sold on September 10th, 2019, to Copper Birch Properties, LLC, for the sum of \$331,000.00, the receipt of which is hereby acknowledged, does grant, bargain, and sell to Copper Birch Properties, LLC all right, title, and interest in the real property, in Cedar Hills, Utah County, State of Utah, described as:

Legal Description:

Lot 3, Plat "C", Amended North Meadows Estates Subdivision, according to the official plat thereof on file in the office of the Recorder, Utah County, Utah.

The property commonly known as 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430.

IN WITNESS WHEREOF, the grantor has hereunto set her hand on the 24<sup>th</sup> day of

April, 2020.

Andrea Ventura  
Official Signature  
Andrea Ventura

Title: Advisory Manager, Southwestern  
Internal Revenue Service

Notary

State of Colorado  
County of Jefferson

Signed and sworn to before me on the 23 day of April, 2020, by Andrea Ventura, who appeared before me, being by me duly sworn, did say that she is the Advisory Manager Southwestern signing on behalf of the Director, Southwestern Area Collection of Internal Revenue Service, a duly authorized delegate of the United States of America, and that said instrument was signed on behalf of the United States of America by authority of its laws and regulations promulgated thereunder, and is the free act and deed of said body politic.

[Signature]  
NOTARY PUBLIC's Official Signature

08/06/2023  
Commission Expiration

JUSTIN MATTHEW ARREOLA  
Notary Public  
State of Colorado  
Notary ID # 20184028891  
My Commission Expires 08-08-2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL KENNETH CROMAR, BARBARA  
ANN CROMAR, UTAH HOUSING  
FINANCE AGENCY, UNIVERSAL  
CAMPUS FEDERAL CREDIT UNION,  
STATE OF UTAH, TAX COMMISSION,  
AND UTAH COUNTY, UTAH,

Defendants.

**ORDER CONFIRMING SALE AND  
DISTRIBUTING PROCEEDS**

Case No. 2:17-cv-01223-RJS

Chief Judge Robert J. Shelby

On March 20, 2019, the court entered an Order of Foreclosure and Judicial Sale.<sup>1</sup> The Order directed the United States to sell Paul Kenneth Cromar's property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062-9430 (the property), which is more particularly described as:

Lot 3, Plat "C", Amended North Meadows Estates Subdivision, according to the official plat thereof on file in the office of the Recorder, Utah County, Utah.

The court now has before it the United States' Motion for Order Confirming Sale and Distributing Proceeds,<sup>2</sup> together with Defendants Paul Kenneth Cromar and Barbara Ann Cromar's Objection to Plaintiff's Motion for Disbursement and Rejection of Default Judgment for Fraud and Swindle in Dishonor.<sup>3</sup> Upon review, the Cromars' Objection raises no evidentiary objections to the United States' Motion and offers no legal or factual arguments justifying denial

<sup>1</sup> Dkt. 104.

<sup>2</sup> Dkt. 117.

<sup>3</sup> Dkt. 118.

of the Motion.<sup>4</sup> Instead, the Objection relies on the same frivolous arguments the Cromars have raised throughout this case, i.e., that their due process rights have been violated and this court lacks subject matter jurisdiction over this case.<sup>5</sup> But this court and the Tenth Circuit have repeatedly rejected these arguments, and the court declines to readdress the arguments here other than to note that they unequivocally fail.<sup>6</sup> For that reason, the Motion is substantially unopposed and is well taken. Therefore, for good cause appearing, the United States' Motion is GRANTED as follows:

IT IS ORDERED THAT the sale on September 10, 2019, of the property was properly conducted, and the sale is hereby confirmed.

IT IS FURTHER ORDERED THAT the Internal Revenue Service is authorized to execute and deliver to the purchaser a Certificate of Sale and Deed conveying the property to the purchaser or assignee(s).

IT IS FURTHER ORDERED THAT, on delivery of the Certificate of Sale and Deed, all interests in, liens against, or claims to the property (including the June 28, 2019 *lis pendens* that Paul Kenneth Cromar filed in Utah County, Utah, and that is attached in Exhibit H to the United States' Motion) that are held or asserted in this action by the United States or any of the Defendants are discharged and extinguished. On the delivery of the Certificate of Sale and Deed, the property shall be free and clear of the interests of all parties to this action.

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<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

<sup>6</sup> See *United States v. Cromar*, Case No. 2:17-cv-01223, 2020 WL 1488763 (10th Cir. Mar. 26, 2020) (unpublished); see also *United States v. Cromar*, Case No. 2:17-cv-01223, 2018 WL 3719258 (D. Utah Aug. 3, 2018); *United States v. Cromar*, Case No. 2:17-cv-01223, 2018 WL 9371363 (D. Utah May 14, 2018). The Cromars make other similarly frivolous arguments based on the misapplication of various statutory provisions and improperly include requests for relief in their Objection. See DUCivR 7-1(b)(1)(A) ("No motion . . . may be included in a response or reply memorandum.").

IT IS FURTHER ORDERED THAT possession of the property sold shall be yielded to the purchaser or assignee(s) upon the production of a copy of the Certificate of Sale and Deed; if there is a refusal to so yield, a Writ of Assistance may, without further notice, be issued by the Clerk of Court to compel delivery of the property to the purchaser or assignee(s).

IT IS FURTHER ORDERED THAT the proceeds of the sale on September 10, 2019, of the property shall be distributed by the Clerk of Court as follows:

1. First, by check made payable to the "Internal Revenue Service" in the amount of \$683.80 for costs of sale, mailed to:

Internal Revenue Service  
c/o Gary Chapman  
IRS Property Appraisal & Liquidation Specialist  
1201 Pacific Ave., Suite 550, M/S W802  
Tacoma, WA 98402

2. Second, by check made payable to "Utah County, Utah" in the amount of \$2,114.49, as of March 3, 2020, plus an additional \$0.44 for each day past March 3, 2020, mailed to:

Utah County Treasurer  
100 E. Center Street, Suite 1200  
Provo, Utah 84606

3. Third, by check made payable to the "United States Department of Justice," with "United States v. Cromar, et al., Case No. 2:17-cv-01223" written in the memo field, in the amount of the remaining proceeds from the sale, mailed to:

Department of Justice, ATTN: TAXFLU  
P.O. Box 310 - Ben Franklin Station  
Washington, DC 20044

SO ORDERED this 15th day of April 2020.

BY THE COURT:



ROBERT V. SHELBY  
United States Chief District Judge

OFFER of May 5, 2020  
Hereby RESCINDED for  
Fraud and Swindle in  
Dishonor  
With lots & lots of "trivoltas" stuff too!

**EXHIBIT F**

Nathan S. Dorius (8977)  
Andrew V. Collins (11544)  
**MITCHELL BARLOW & MANSFIELD, P.C.**  
Boston Building  
Nine Exchange Place, Suite 600  
Salt Lake City, Utah 84111  
Telephone: (801) 998-8888  
Facsimile: (801) 998-8077  
Email: ndorius@mbmlawyers.com  
acollins@mbmlawyers.com

*Attorneys for Copper Birch Properties, LLC*

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL KENNETH CROMAR, BARBARA  
ANN CROMAR, UTAH HOUSING  
FINANCE AGENCY, UNIVERSAL  
CAMPUS FEDERAL CREDIT UNION,  
STATE OF UTAH, TAX COMMISSION,  
and UTAH COUNTY, UTAH,

Defendants.

**WRIT OF ASSISTANCE**

Case No. 2:17-cv-01223-RJS

Chief Judge Robert J. Shelby

---

TO THE UNITED STATES MARSHAL'S OFFICE, DISTRICT OF UTAH, CENTRAL

DIVISION:

1. A judgment was entered against the defendants Paul Kenneth Cromar and Barbara Ann Cromar (the "Cromars") in the above-captioned litigation.

2. The Court thereafter issued an Order of Foreclosure and Judicial Sale on March 20, 2019, wherein the Cromars were ordered to permanently vacate the real property located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062 (the "Property").

3. The Cromars violated the Court's March 20, 2019 Order and were subsequently forcibly removed from the Property.

4. The Cromars unlawfully re-entered the Property after the Property was sold to Copper Birch Properties, LLC ("Copper Birch"), which sale was conducted pursuant to the Court's March 20, 2019 Order.

5. On April 15, 2020, the Court issued an Order Confirming Sale and Distributing Proceeds which, among other things, ordered the transfer of title to the Property to Copper Birch and authorized the issuance of this Writ of Assistance to deliver possession of the Property to Copper Birch.

6. You are hereby directed to, within ten (10) days from the date of issuance of this Writ of Assistance, (a) forcibly remove the Cromars and all other occupants from the Property, (b) restrain the Cromars and all other occupants of the Property from removing any personal property from the Property or causing physical damage to the Property while being removed therefrom, and (c) coordinate the forcible removal of the Cromars with Copper Birch so as to allow it a reasonable window of time in which to change the locks and install a security system at the Property once the Cromars have been removed.

7. You are to return this Writ within ten (10) days after receiving it, with a signed account of your actions in executing this Writ.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2020.

---

Clerk of the Court

Docket - 2200400972  
Copper Birch v Cromars

4TH DISTRICT COURT - PROVO  
UTAH COUNTY, STATE OF UTAH

COPPER BIRCH PROPERTIES LLC vs. PAUL KENNETH CROMAR et al.

CASE NUMBER 200400972 Eviction

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CURRENT ASSIGNED JUDGE  
JAMES BRADY

PARTIES

Plaintiff - COPPER BIRCH PROPERTIES LLC  
Represented by: NATHAN DORIUS  
Represented by: ANDREW COLLINS

Defendant - PAUL KENNETH CROMAR

Defendant - BARBARA ANN CROMAR

ACCOUNT SUMMARY

Total Revenue Amount Due:	419.50
Amount Paid:	419.50
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COMPLAINT - NO AMT S

Original Amount Due:	375.00
Amended Amount Due:	375.00
Amount Paid:	375.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	5.00
Amended Amount Due:	5.00
Amount Paid:	5.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	5.00
Amended Amount Due:	5.00
Amount Paid:	5.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	16.50
Amended Amount Due:	16.50
Amount Paid:	16.50
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	7.00
Amended Amount Due:	7.00
Amount Paid:	7.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	7.00
Amended Amount Due:	7.00
Amount Paid:	7.00
Amount Credit:	0.00
Balance:	0.00

## CASE NOTE

## PROCEEDINGS

07-13-2020 Filed: Complaint

07-13-2020 Case filed by efiler

07-13-2020 Fee Account created Total Due: 375.00

07-13-2020 COMPLAINT - NO AMT S Payment Received: 375.00

07-13-2020 Judge KRAIG POWELL assigned.

07-13-2020 Note: discovery tier set to Exempt

07-13-2020 Filed: Return of Electronic Notification

07-15-2020 Filed return: Return of Service (Summons and Complaint - Barbara Cromar) upon BARBARA CROMAR for  
Party Served: BARBARA ANN CROMAR  
Service Type: Personal  
Service Date: July 13, 2020  
Garnishee:

07-15-2020 Filed return: Return of Service (Summons and Complaint - Ken Cromar) upon BARBARA CROMAR for  
Party Served: PAUL KENNETH CROMAR  
Service Type: Personal  
Service Date: July 13, 2020  
Garnishee:

07-15-2020 Filed: Return of Electronic Notification

07-16-2020 Filed: Notice of the Appearance in the Writing for the Defendants

07-17-2020 Filed: Certificate of Service (Default Judgment documents)

07-17-2020 Filed: Default Certificate (Proposed)

07-17-2020 Filed: Default Judgment (Proposed)

07-17-2020 Filed: Military Service Aff/Declaration Military Service

Declaration (Barbara Cromar)

)7-17-2020 Filed: Military Service Aff/Declaration Military Service  
Declaration (Ken Cromar)

)7-17-2020 Filed: Motion and Memorandum for Default Judgment  
Filed by: COPPER BIRCH PROPERTIES LLC

)7-17-2020 Filed: Order of Restitution (Proposed)

)7-17-2020 Filed: Return of Electronic Notification

)7-21-2020 Filed: Request for Expedited Hearing

)7-21-2020 Filed: Return of Electronic Notification

)7-27-2020 Filed: Mandate to Dismiss Due to Resolved Conflict

)7-28-2020 Filed: Other - Not Signed Order of Restitution (Proposed)

)7-28-2020 Filed: Other - Not Signed Default Certificate (Proposed)

)7-28-2020 Filed: Other - Not Signed Default Judgment (Proposed)

)7-28-2020 Filed: Return of Electronic Notification

)7-28-2020 Filed: Return of Electronic Notification

)7-28-2020 Filed: Return of Electronic Notification

)8-11-2020 NOTICE for Case 200400972 ID 21089500

Judge: KRAIG POWELL

OCCUPANCY HEARING is scheduled.

Date: 08/18/2020

Time: 03:15 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: KRAIG POWELL

This hearing will be conducted through video Webex. Please  
contact the Clerk, at 801-429-1011, to give an email  
address where the Webex invite can be sent.

If you don't have access to a phone or computer for your  
hearing, please contact Kathy at 801-429-1037 at least  
THREE business days prior to your hearing to make  
arrangements for a private location at the courthouse to  
remotely join your hearing.

)8-11-2020 OCCUPANCY HEARING scheduled on August 18, 2020 at 03:15 PM in  
6th Fl, Courtroom 6B with Judge KRAIG POWELL

)8-11-2020 Filed: Notice for Case 200400972 EV: Judge KRAIG POWELL

)8-12-2020 Filed: Return of Electronic Notification

)8-18-2020 Filed: Notice: of the Appearance in Writing for the Defendants  
(Appearance: De-bene-esse) and Courtesy Notice

)8-18-2020 Filed: (Proposed) Order of Dismissal

)8-18-2020 Minute Entry - OCCUPANCY HEARING

Judge: KRAIG POWELL

Clerk: callis

PRESENT

Plaintiff(s): COPPER BIRCH PROPERTIES LLC

Plaintiff's Attorney(s): NATHAN DORIUS

Audio

Tape Number: Webex Tape Count: 3.18-3.48

HEARING

This matter comes before the court for an occupancy hearing. Mr. or Mrs. Cromar are not present. The Clerk states that Mr. Cromar contacted her last Friday complaining that he just barely received the notice of hearing and that was not enough time before the hearing. The Clerk informed him the notice was also emailed to him on August 11 and the hearing will go forward as scheduled. The Clerk states she also emailed the Webex link to the defendants a few days ago and again today.

Mr. Dorius addresses the Court and requests an order of restitution be granted.  
The Court makes findings and grants the request. Mr. Dorius is to submit an order for signature.

08-18-2020 Filed: Order of Restitution (Proposed)  
08-18-2020 Filed: Return of Electronic Notification  
08-18-2020 Issued: Order of Restitution  
Judge KRAIG POWELL  
08-18-2020 Filed: Return of Electronic Notification  
08-19-2020 Filed: Return of Electronic Notification  
08-20-2020 Filed return: Return of Service Order of Restitution - Paul Kenneth Cromar  
Party Served: PAUL KENNETH CROMAR  
Service Type: Personal  
Service Date: August 19, 2020  
Garnishee:  
08-20-2020 Filed return: Return of Service Order of Restitution - Barbara Ann Cromar upon PAUL KENNETH CROMAR for  
Party Served: BARBARA ANN CROMAR  
Service Type: Personal  
Service Date: August 19, 2020  
Garnishee:  
08-20-2020 Filed: Return of Electronic Notification  
08-20-2020 Filed return: Return of Service Order of Restitution - Paul Kenneth Cromar  
Party Served: PAUL KENNETH CROMAR  
Service Type: Personal  
Service Date: August 19, 2020  
Garnishee:  
08-20-2020 Filed return: Return of Service Order of Restitution - Barbara Ann Cromar upon PAUL KENNETH CROMAR for  
Party Served: BARBARA ANN CROMAR  
Service Type: Personal  
Service Date: August 19, 2020  
Garnishee:  
08-20-2020 Filed: Return of Electronic Notification  
08-20-2020 Filed: Objection to Order and Judicial Notice  
08-21-2020 Filed: Utah GRAMA REQUEST for Records  
08-21-2020 Filed: Defendant's Public Notice, Declarations, Mandates, and Lawful Protest  
08-21-2020 Note: Emailed Paul-Kenneth Cromar and let him know that we have no copies of documents regarding bonds in this case.  
08-21-2020 Filed: (Proposed) Order of Dismissal, to Vacate Order, and to Pay Damages  
08-21-2020 Filed: Undeliverable Email Re: Utah GRAMA REQUEST for Records  
08-21-2020 Filed: Return of Electronic Notification  
08-26-2020 Filed: Request for Expedited Hearing  
08-26-2020 Filed: Return of Electronic Notification

08-28-2020 NOTICE for Case 200400972 ID 21137106

Judge: KRAIG POWELL

ORAL ARGUMENT is scheduled.

Date: 09/02/2020

Time: 03:00 p.m.

Location: 6th Fl, Courtroom 6B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: KRAIG POWELL

08-28-2020 ORAL ARGUMENT scheduled on September 02, 2020 at 03:00 PM in 6th Fl, Courtroom 6B with Judge KRAIG POWELL

08-28-2020 Filed: Notice for Case 200400972 EV: Judge KRAIG POWELL

08-28-2020 Filed: Return of Electronic Notification

08-31-2020 Filed: Defendant's Notice of Default, Acceptance of Your Agreement, and Intent to Collect

08-31-2020 Filed: Notice of Default, Acceptance of Your Agreement, and Intent to Collect (addressed to Kraig Powell)

08-31-2020 Filed: Notice of Default, Acceptance of Your Agreement, and Intent to Collect (addressed to Calli Stephensen)

09-01-2020 Filed: Motion to Continue Oral Argument Hearing

Filed by: PAUL KENNETH CROMAR et al.

09-01-2020 Filed: Return of Electronic Notification

09-02-2020 Fee Account created Total Due: 5.00

09-02-2020 TELEPHONE/FAX/EMAIL Payment Received: 5.00

Note: TELEPHONE/FAX/EMAIL

09-02-2020 Minute Entry - ORAL ARGUMENT

Judge: KRAIG POWELL

Clerk: mindyi

PRESENT

Defendant(s): PAUL KENNETH CROMAR

Defendant(s): BARBARA ANN CROMAR

Plaintiff's Attorney(s): NATHAN DORIUS

Audio

Tape Number: Webex Tape Count: 3.03-4:04

HEARING

This matter comes before the court for an oral argument.

Mr. Cromar addresses the Court.

Mr. Dorius Responds.

Discussion ensues.

The court makes findings and a ruling is signed in open court.

09-02-2020 Filed order: FINAL ORDER TO VACATE PREMISES

Judge KRAIG POWELL

Signed September 02, 2020

09-02-2020 Case Disposition is Judgment

Disposition Judge is KRAIG POWELL

09-02-2020 Ruling Entry - AMENDED - FINAL ORDER TO VACATE PREMISES

Judge: POWELL, KRAIG

Pursuant to Utah Code Section 78B-6-812, the Court held a hearing on September 2, 2020 regarding the manner of enforcement of the order of restitution in this case. Having heard the arguments of the parties, the Court now finds, concludes and orders as follows:

- 1 - Plaintiff Copper Birch Properties, LLC filed its Complaint with the Court on July 13, 2020.
- 2 - Both Defendants Paul Kenneth Cromar and Barbara Ann Cromar were properly served with the Summons and Complaint on July 13, 2020.
- 3 - Defendants filed their responsive pleading to the Complaint with this Court on July 16, 2020.
- 4 - On July 21, 2020, plaintiff filed a request for expedited hearing to determine who has the right of occupancy of the property during the pendency of the litigation.
- 5 - On August 11, 2020, the Court issued notice of the occupancy hearing to be held on August 18, 2020 at 3:15 p.m.
- 6 - The Clerk of Court mailed notice of the occupancy hearing to defendants on August 11, 2020.
- 7 - The Clerk of Court also emailed notice of the occupancy hearing to defendants on August 11, 2020.
- 8 - On August 14, 2020, defendant Mr. Cromar contacted the Court Clerk and stated that he had just received notice of the hearing and that he did not have enough time to prepare for the hearing. The Clerk instructed Mr. Cromar that the judge had decided that the hearing would go forward as scheduled.
- 9 - At the occupancy hearing on August 18, 2020, defendants failed to appear.
- 10 - At the occupancy hearing on August 18, 2020, the Court heard argument from plaintiff.
- 11 - At the conclusion of the occupancy hearing on August 18, 2020, the Court ruled in favor of plaintiff's arguments regarding unlawful detainer by defendants and granted plaintiff's motion for an order of restitution restoring the premises to plaintiff.
- 12 - On August 18, 2020, the Court signed the Order of Restitution restoring the premises to plaintiff.
- 13 - On August 19, 2020, the Order of Restitution was properly served upon both defendants.
- 14 - On August 20, 2020, defendants filed an objection to the Order of Restitution.
- 15 - On August 26, 2020, plaintiffs filed a request for expedited hearing on plaintiff's objection, pursuant to Utah Code Section 78B-6-812.
- 16 - On August 28, 2020, the Clerk issued and mailed, and e-mailed, to defendants, notice of the hearing on the objection, to be held September 2, 2020, at 3:00 p.m.
- 17 - Defendants have filed several documents with the Court in this case. Many of the documents are unintelligible to the Court and do not comport with the Utah Rules of Civil Procedure. Having reviewed all of defendants' filings with this Court, the Court rules that none of the filings by defendants disprove the claim of unlawful detainer alleged in plaintiffs' complaint.
- 18 - On September 1, 2020, defendants filed a motion with the Court to continue the hearing on the objection. The grounds stated for the motion to continue are that defendants expected the hearing to be held in person and not via remote Webex transmission. Defendants also argue that they did not have sufficient notice of the hearing on the motion to continue.
- 19 - The Court finds no merit to defendant's arguments in the motion to continue, because adequate notice was given, and a Webex hearing is easy to attend, and also because defendants have waived their objections by appearing and presenting arguments at today's hearing.
- 20 - At the hearing on the objection, defendants argued that the attorney for the plaintiff was not an authorized attorney. The Court overruled this objection, finding that

counsel is an authorized member of the Utah State Bar.  
 21 - At the hearing on the objection, defendants argued that the Court is not a lawful judge in the State of Utah. The Court overruled the objection.  
 22 - At the hearing on the objection, defendants argued that because they had sued the judge, and the court clerk, and opposing counsel in this case, and because these individuals are now in default, all proceedings in this case are now null and void and these individuals must recuse themselves. The Court finds no basis in law for such an argument and overrules this objection.  
 23 - As to the Order of Restitution, the Court finds that defendants are in unlawful detainer because they failed to comply with a lawful order to vacate the premises.  
 24 - The Court also finds that the Order of Restitution was properly served and issued.  
 25 - The Court orders defendants Mr. and Ms. Cromar to vacate the premises located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062 no later than 5:00 p.m. on Saturday, September 5, 2020.  
 26 - The Court authorizes law enforcement to enter the premises and forcibly remove defendants if they fail to comply with this order.  
 27 - This is the final, enforceable order of the Court, effective immediately, and no further order is necessary to effectuate the order of restitution and this order to vacate the premises located at 9870 N. Meadow Drive, Cedar Hills, Utah 84062.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

EMAIL: BARBARA ANN CROMAR barbaracromar@gmail.com

EMAIL: PAUL KENNETH CROMAR KENCROMAR5@GMAIL.COM

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

EMAIL: PAUL KENNETH CROMAR kencromar5@bluemoonprod.com

09/02/20

/s/

MINDY IGE

Date: \_\_\_\_\_

Signature

09-02-2020 Filed order: AMENDED - FINAL ORDER TO VACATE PREMISES

Judge KRAIG POWELL

Signed September 02, 2020

09-02-2020 Filed: Return of Electronic Notification

09-04-2020 Filed return: Return of Service Final Order to Vacate Premises (B. Cromar) upon DEFENDANT REFUSED TO OPEN DOOR; POSTED O for

Party Served: BARBARA ANN CROMAR

Service Type: Personal

Service Date: September 03, 2020

Garnishee:

09-04-2020 Filed return: Return of Service Final Order to Vacate Premises (P. Cromar) upon DEFENDANT REFUSED TO OPEN DOOR; POSTED O for

Party Served: PAUL KENNETH CROMAR

Service Type: Personal

Service Date: September 03, 2020

Garnishee:

09-04-2020 Filed: Return of Electronic Notification  
09-07-2020 Filed: TRANSCRIPT for Hearing of 09-02-2020  
09-07-2020 Filed: Return of Electronic Notification  
09-15-2020 Filed: Motion for New Trial, Recusal of Judge, and Stay of Judgment  
Filed by: PAUL KENNETH CROMAR et al.  
09-16-2020 Filed: Motion for Relief from Order  
Filed by: PAUL KENNETH CROMAR et al.  
09-16-2020 Filed: Notice of Civil Claim  
09-16-2020 Filed: Return of Electronic Notification  
09-18-2020 Fee Account created Total Due: 5.00  
09-18-2020 TELEPHONE/FAX/EMAIL Payment Received: 5.00  
Note: TELEPHONE/FAX/EMAIL  
09-18-2020 Note: Emailed copy of docket to Mr. Cromar at kencromar@bluemoonprod.com.  
09-22-2020 Filed: TRANSCRIPT for Hearing of 08-18-2020  
09-23-2020 Filed: Return of Electronic Notification  
09-29-2020 Filed: Memorandum Plaintiffs Opposition to Motion for Relief from Order  
09-29-2020 Filed: Memorandum Plaintiffs Opposition to Motion for New Trial, Recusal of Judge, and Stay of Judgment  
09-29-2020 Filed: Return of Electronic Notification  
09-30-2020 Filed: Certificate of Service (Plaintiffs Opposing Memoranda)  
09-30-2020 Filed: Return of Electronic Notification  
10-14-2020 Filed: Motion for Extension of Time to Argue  
Filed by: PAUL KENNETH CROMAR et al.  
10-15-2020 Filed: Return of Electronic Notification  
10-26-2020 Filed: Public Notice, Declarations, Mandates, and Lawful Protest filed by Paul-Kenneth: Cromar. Barbara-Ann: Cromar.  
10-29-2020 Filed: Memorandum Opposition to Defendants Motion for Extension of Time to Argue  
10-29-2020 Filed: Return of Electronic Notification  
10-30-2020 Filed: Return of Electronic Notification  
12-30-2020 Filed: Motion to Submit for Review  
01-04-2021 Filed: Notice of Lis Pendens, Land Patent, and the Administrative Procedure Act  
01-05-2021 Ruling Entry - ORDER GRANTING MOTION TO RECUSE

Judge: KRAIG POWELL

On September 15, 2020, Defendants Paul Kenneth Cromar and Barbara Ann Cromar filed a Motion for New Trial, Recusal of Judge, and Stay of Judgement.

On December 30, 2020, Defendants filed a Motion to Submit for Review.

Pursuant to Rule 63, Utah Rules of Civil Procedure, the Court grants the motion to recuse.

The presiding judge is directed to assign another judge to this action.

#### CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: PAUL AND BARBAR CROMAR, UT

EMAIL: BARBARA ANN CROMAR barbaracromar@gmail.com

EMAIL: PAUL KENNETH CROMAR KENCROMAR5@GMAIL.COM

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

01/06/21

/s/

CALLI STEPHENSEN

Date: \_\_\_\_\_

Signature

)1-06-2021 Filed: Return of Electronic Notification  
)1-06-2021 Filed order: ORDER GRANTING MOTION TO RECUSE  
Judge KRAIG POWELL  
Signed January 06, 2021  
)1-06-2021 Judge ROBERT LUND assigned.  
)1-07-2021 Filed: Return of Electronic Notification  
)2-16-2021 Filed: Second Notice to Submit: New Trial and Stay of Judgment  
)2-16-2021 Filed: Return of Electronic Notification  
)3-22-2021 Filed: Notice of Errata  
)3-22-2021 Filed: Motion to Compel Plaintiff to Produce Discovery Under  
Rule 65B Extraordinary Relief  
Filed by: PAUL KENNETH CROMAR et al.  
)3-22-2021 Filed: Certificate of Service  
)3-22-2021 Filed: Return of Electronic Notification  
)4-22-2021 Filed: Third Judicial Notice: Certified Land Patent,  
Memorandums of Law, Law and Public Notices as Exhibits in Facts  
)4-22-2021 Filed: Third Judicial Notice - Exhibits A to I  
)4-23-2021 Filed: Return of Electronic Notification  
)5-03-2021 Fee Account created Total Due: 16.50  
)5-03-2021 TELEPHONE/FAX/EMAIL Payment Received: 16.50  
Note: TELEPHONE/FAX/EMAIL  
)5-03-2021 Note: DEF (Paul Kenneth Cromar) is requesting that all service  
be done by USPS mail addressed to the address on file.  
)5-05-2021 Filed: Defendant's Ten Day Demand for Surety Bonds on Distress  
)5-05-2021 Filed: Defendant's Notice of Interest  
)5-08-2021 Filed: Return of Electronic Notification  
)5-10-2021 Filed: Notice of Returned Documents- Plaintiff's Copy returned  
to Paul Kenneth Cromar  
)5-10-2021 Filed: Return of Electronic Notification  
)5-13-2021 Judge JAMES BRADY assigned.  
)5-13-2021 Ruling Entry - ORDER OF RECUSAL  
Judge: ROBERT LUND  
Pursuant to section 2.11(A)(1) of the Utah Code of Judicial  
Conduct, the Honorable Robert A. Lund recuses himself from  
further involvement in the above-captioned case. In  
accordance with the policy of the court on assignment of  
cases, this case is reassigned to the Honorable James M.  
Brady.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to  
the following people for case 200400972 by the method and  
on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N. MEADOW DRIVE CEDAR HILLS,  
UT 84062

MAIL: PAUL KENNETH CROMAR 9870 N. MEADOW DRIVE CEDAR HILLS,  
UT 84062

MANUAL EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

MANUAL EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

05/13/21

/s/

CHRISTINA COPE

Date: \_\_\_\_\_

Signature

05-13-2021 Filed order: ORDER OF RECUSAL

Judge ROBERT LUND

Signed May 13, 2021

05-13-2021 Filed: Return of Electronic Notification

05-18-2021 Ruling Entry - RULING ON DEFENDANT'S PENDING MOTIONS

Judge: JAMES BRADY

This matter comes before the court for ruling on the defendant's pending motions. The court received the defendant's second notice to submit on the defendant's following motions:

1. Motion for new trial

2. Motion for stay of judgment

(The defendant's combined motion also moved for recusal of Judge Powell. However, since Judge Powell granted this portion of the combined motion and has recused, that portion of the motion is moot and is not addressed in this ruling.)

The defendant's motion for a new trial is denied. Rule 59 is a post-trial remedy. There has been no trial and therefore the court cannot order a new trial.

The defendant's motion for stay of proceedings to enforce a judgment is denied. The defendant's motion identifies no judgment from which relief is sought. The court's files do not show that a judgment was entered. Rule 62 is a post-trial or post-judgment remedy. There has been no trial and no judgment. Therefore, the court can not order a stay from enforcement of a judgment that does not exist.

#### CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

05/18/21

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

05-18-2021 Filed order: RULING ON DEFENDANT'S PENDING MOTIONS

Judge JAMES BRADY

Signed May 18, 2021

05-18-2021 Filed: Return of Electronic Notification

05-25-2021 Filed: Returned Mail- No Such Street Unable to Deliver

05-28-2021 Filed: Return of Electronic Notification

06-01-2021 Filed: Notice to Submit for Decision on Defendants' Motion to Accept Plaintiff's Admission  
06-01-2021 Filed: Return of Electronic Notification  
06-10-2021 Filed: Writ in Quo Warranto  
06-10-2021 Filed: Return of Electronic Notification  
06-21-2021 Filed: Public Notice, Declarations, Mandates, and Lawful Protest  
06-23-2021 Filed: Return of Electronic Notification  
06-24-2021 Filed: Return of Electronic Notification  
06-25-2021 Filed: Return of Electronic Notification  
06-30-2021 Filed: Notice to Submit: Motion for Relief  
07-01-2021 Filed: Return of Electronic Notification  
07-01-2021 Ruling Entry - RULING ON DEFENDANTS MOTION FOR RELIEF F

Judge: JAMES BRADY

Having considered the defendant's motion for relief from the court's order of September 2, 2020, and the plaintiff's memorandum in opposition thereto, the court finds that the defendant's motion fails to establish a legal basis for the relief requested. The defendant's motion for relief from the order entered on September 2, 2020 is denied.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

07/01/21

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

07-01-2021 Ruling Entry - NOTICE OF INSUFFICIENT PLEADING

Judge: JAMES BRADY

On June 1, 2021 this court received a document titled Notice to Submit regarding defendant's Motion to Accept Plaintiff's Admissions. This document does not comply with the rule 7(g) of the Utah Rules of Civil Procedure. No action will be taken based on that notice to submit.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT 84062

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

07/01/21

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

07-01-2021 Filed order: RULING ON DEFENDANTS MOTION FOR RELIEF FROM ORDER  
Judge JAMES BRADY  
Signed July 01, 2021

07-01-2021 Filed order: NOTICE OF INSUFFICIENT PLEADING  
Judge JAMES BRADY  
Signed July 01, 2021

07-02-2021 Filed: Return of Electronic Notification

07-26-2021 Filed: GRAMA request for all bonds . . . related to case  
#200400972

07-28-2021 Ruling Entry - REPLY TO GRAMA REQUEST  
Judge: JAMES BRADY  
On July 26, 2021, the court received a GRAMA request from  
the defendants requesting 'full disclosure and release of  
all bond related records and/or data, notes, etc.,  
contained in your Department and/or Agency under Our  
name(s).' A review of the court's record shows that no  
bond has ever been ordered or paid in this case.

## CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to  
the following people for case 200400972 by the method and  
on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

07/28/2021

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

07-29-2021 Filed: Return of Electronic Notification

08-05-2021 Filed: Mail Returned for Barbara Ann Cromar: \*\* Unable To  
Deliver / No Forwarding Address Given \*\*

08-05-2021 Filed: Mail Returned to Paul Kenneth Cromar: \*\* Unable To  
Deliver / No Forwarding Address Given \*\*

08-06-2021 Filed: Return of Electronic Notification

08-11-2021 Filed: Fourth Judicial Notice

08-12-2021 Filed: Exhibits A, B, and C to Fourth Judicial Notice

08-12-2021 Filed: Exhibits D, E, and F to Fourt Judicial Notice

08-12-2021 Filed: Exhibits G, H, I, J, K, L, and M to Fourt Judicial  
Notice

08-12-2021 Filed: Return of Electronic Notification

08-19-2021 Filed: Fifth Judicial Notice: Lawful Claim of Title, Will,  
Execution of Will, Declaration of Status, Appointment of  
Trutees and Standing Orderf for Same

08-20-2021 Filed: Return of Electronic Notification

09-29-2021 Filed: Affidavit regarding this renewed notice of default,  
acceptance of your agreement, intent to collect, with updated  
invoice attached with 30 days to pay in full.

09-30-2021 Filed: Return of Electronic Notification

10-19-2021 Filed: Affidavit Executors Move Court in Behalf of the Res  
Defendants: Request to Submit for Decision on Motion to Accept  
Plaintiff's Admissions and Motion for Hearing on Same  
10-21-2021 Filed: Return of Electronic Notification  
10-28-2021 Ruling Entry - NOTICE ON DEFENDANTS' REQUEST TO SUBMIT

Judge: JAMES BRADY

The defendants, appearing pro se, filed a document which the court construes as a request to submit for decision pursuant to rule 7(g) in this case. The request to submit refers to a Motion to Accept Plaintiff's Admissions and states that the motion was filed on April 23, 2021. No Motion to Accept Plaintiff's Admissions is found in the court's file. Although the defendants submitted a motion to accept the plaintiff's admissions as an exhibit to their Request to submit, attaching an exhibit does not constitute filing a motion under the rules. Since there is no such motion pending, the defendant's request to submit for ruling is denied. Should the defendants choose to file the motion with notice to the plaintiff and an opportunity to respond, the court will address the motion. This ruling expressly does not address the issues raised by the defendants on the merits.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

10/28/21

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

10-28-2021 Filed order: NOTICE ON DEFENDANTS' REQUEST TO SUBMIT

Judge JAMES BRADY

Signed October 28, 2021

10-28-2021 Ruling Entry - SUA SPONTE VEXATIOUS LITIGANT ORDER

Judge: JAMES BRADY

The court has been made aware that a vexatious litigant order was filed in case 201402860 on September 22, 2021 as docket item 264 by Judge Christine Johnson. That vexatious litigant order found that the defendant Paul Kenneth Cromar is a vexatious litigant and requires that any pleading submitted on his behalf must be submitted by qualified legal counsel in that case. Pursuant to rules 83(b) and 83(j), based on the findings in case 201402860, this court also finds Paul Kenneth Cromar to be a vexatious litigant and orders that in this case, the defendant Paul Kenneth Cromar may not file any pleadings with the court except through qualified legal counsel. Any pleadings filed that are not in compliance with this order may be stricken by the court.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 200400972 by the method and on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

10/28/21

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

10-28-2021 Filed order: SUA SPONTE VEXATIOUS LITIGANT ORDER

Judge JAMES BRADY

Signed October 28, 2021

10-29-2021 Filed: Return of Electronic Notification

10-29-2021 Filed: Sixth Judicial Notice: Exoneration of All IRS Claims  
Against Cromars from 1990-2020 by US Tax Court

11-01-2021 Ruling Entry - NOTICE OF STRIKING OF SIXTH JUDICIAL NOT

Judge: JAMES BRADY

On October 28, 2021, the court received a document from the  
defendant Paul Kenneth Cromar entitled Sixth Judicial  
Notice: Exoneration of All IRS Claims Against Cromars from  
1990-2020 by US Tax Court. The previous day on October  
28, 2021, the court had declared Mr. Cromar to be a  
vexatious lititgant and that he could not file anything  
with this court except through qualified legal counsel.  
Therefore, the court strikes the Sixth Judicial Notice.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to  
the following people for case 200400972 by the method and  
on the date specified.

MAIL: BARBARA ANN CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DR CEDAR HILLS, UT  
84062-9998

EMAIL: ANDREW COLLINS ACOLLINS@MBMLAWYERS.COM

EMAIL: NATHAN DORIUS NDORIUS@MBMLAWYERS.COM

11/01/2021

/s/ MIKE

TRONIER

Date: \_\_\_\_\_

Signature

11-02-2021 Filed: Return of Electronic Notification

11-02-2021 Filed: Mail Returned for Paul Kenneth Cromar: \*\* Attempted -  
Not known / Unable To Deliver / No Forwarding Address Given \*\*

11-02-2021 Filed: Mail Returned for Paul Kenneth Cromar: \*\* Attempted -  
Not known / Unable To Deliver / No Forwarding Address Given \*\*

11-02-2021 Filed: Mail Returned for Barbara Ann Cromar: \*\* Attempted - Not  
known / Unable To Deliver / No Forwarding Address Given \*\*

11-02-2021 Filed: Mail Returned for Barbara Ann Cromar: \*\* Attempted - Not  
known / Unable To Deliver / No Forwarding Address Given \*\*

11-03-2021 Filed: Return of Electronic Notification

05-20-2022 Fee Account created Total Due: 4.00  
05-20-2022 Fee Account created Total Due: 7.00  
05-20-2022 Fee Account created Total Due: 7.00  
05-20-2022 CERTIFICATION Payment Received: 4.00  
05-20-2022 CERTIFIED COPIES Payment Received: 7.00  
05-20-2022 TELEPHONE/FAX/EMAIL Payment Received: 7.00  
06-02-2022 Note: The court clerk has received multiple documents from  
Kenneth Cromar entitled Exhibits 201-217. Not being In  
compliance with the court's Vexatious Litigant Order of  
10/28/21, the clerk declines to enter the documents.  
07-08-2022 Note: The court clerk has received a 1-3/16 inch thick document  
from Kenneth Cromar entitled Seventh Judicial Notice. Not  
being In compliance with the court's Vexatious Litigant Order  
of 10/28/21, the clerk declines to enter the documents.



## Response to Petition for Extraordinary Writ

Stacy R. Haacke (13578)  
Attorney for Hon. Christine Johnson,  
Hon. Anthony Howell, Hon. Darold McDade  
Office of General Counsel  
Administrative Office of the Courts  
P.O. Box 140241  
Salt Lake City, Utah 84114-0241  
Tel: (801) 578-3800

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**IN THE UTAH COURT OF APPEALS**

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Paul Kenneth Cromar, Barbara Ann Cromar,  
Petitioners,

v.

Hon. Christine Johnson, Hon. Anthony  
Howell, Hon. Darold McDade,  
Respondents.

**RESPONSE TO PETITION  
FOR EXTRAORDINARY  
RELIEF**

Appellate Case No. 20220593- CA;  
20220594-CA

Trial Court No. 201402860; 201402868

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Judges Christine Johnson, Anthony Howell, and Darold McDade, by and through counsel, Stacy R. Haacke, of the Office of General Counsel, Administrative Office of the Courts, provides the following response to Petitioner Paul Kenneth Cromar and Barbara Ann Cromar's (hereinafter "the Cromars") petition for extraordinary relief.

## INTRODUCTION

The Cromars' filings with this court are devoid of reference to or inclusion of relevant portions of the court record that would support any of their claims or requests. The Cromars each have a criminal case pending in the trial courts. As noted in the Affidavit of Probable Cause attached to the Cromars Petition to this Court, and attached hereto as Addendum A, the Cromars were evicted from their home after the federal government forced the sale of the home to collect a tax debt. The charges against the Cromars include Burglary, a second degree felony, and Wrongful appropriation, a third degree felony. A copy of the case history for case no. 201402860 is attached hereto as Addendum B. The Cromars were arrested on or about September 24, 2020 and released on or about September 27, 2020. The Cromars were not in custody for their initial appearance hearing on September 28, 2020 and have not been in custody for any hearing since their initial arrest and release.

During the pendency of this case the trial court received numerous filings by the Cromars and scheduled special set oral arguments at various times in addition to the regular proceedings to address these various motions and filings. These included the Motion to Dismiss filed by the Cromars that was denied by the trial court at the hearing held on April 19, 2021, and the Motion for Vexatious Litigant Order Against the Defendants that was filed by the State and was granted by the trial court at the hearing on July 6, 2021. *See* Order Declaring Defendants Vexatious Litigants, and Order Striking Defendants' Post Vexatious Litigants Order Pleadings attached hereto as Addendum C.

The Cromars continued to attempt to make filings with the trial court and on October 19, 2021 the trial court appointed a public defender to represent the Cromars for the limited purpose of filing legal documents. At the final pretrial conference held on June 2, 2022 the minutes of the hearing on the case docket indicate the public defender, Ms. Lisa Estrada, had concerns with going forward with trial and stated that she may file a petition for competency. No such petition was filed. Previously on January 20, 2022 at a continued pretrial hearing the trial court had already scheduled a five day trial to be held at the end of June 2022.

The Cromars filed their Petition, and Emergency Application with this Court during the pendency of those trial proceedings in the trial court, in apparent attempt to delay or stop such proceedings. \*The Cromars have now been found guilty by a jury of counts 1 and 2. *See* Verdict Forms attached hereto as Addendum D.

## **ARGUMENT**

The Cromars petition for extraordinary relief asks this court to review the lower court case and intervene as this court deems appropriate. The Cromars have not cited relevant authority for their request and are seeking case dismissal of their case, or as stated in their Emergency Application, immediate cessation of trial. Respondents assert that there is no basis for relief to these filings.

Respondent first notes that the Cromars have not complied with Rule 19 of the Utah Rules of Appellate Procedure. Although self-represented litigants are allowed leniency in some circumstances, they are held to standards that allow opposing parties to

adequately respond. See e.g. *Lewis v. Nelson*, 2017 UT App 230, ¶ 17, 409 P.3d 149 (“although a pro se litigant is ‘entitled to every consideration that may reasonably be indulged,’ ‘[r]easonable considerations do not include the need to . . . attempt to redress the ongoing consequences of the party’s decision to function in a capacity for which [the person] is not trained.’” citing *Allen v. Friel*, 2008 UT 56, ¶11, 194 P.3d 903). The Cromars failure to follow Rule 19 has made a response difficult. The Cromars have not identified specific orders that are being challenged, or succinctly stated facts, or provided authority for the request. The petition should be denied on that basis. Nevertheless, even if the Cromars were to provide a petition that complies with Rule 19, precedent from the Utah appellate courts indicates that appellate intervention is not warranted at this time.

Under rule 65(B)(a) of the Utah Rules of Civil Procedure a person may seek extraordinary relief when that person “has no other plain, speedy, and adequate remedy available.” In *Wilde v. Third Circuit Court of the State of Utah*, 655 P.2d 674 (Utah 1982) (per curiam), the Utah Supreme Court stated that “[e]xtraordinary writs were not intended to be used as substitutes for appeal or to circumvent the formalities required for an appeal.” In *Tyler v. Department of Human Services*, 874 P.2d 119, 120 (Utah 1994), the court stated:

Three avenues exist in this jurisdiction for securing review of a nonfinal order, one mandatory and two discretionary. The first avenue is to petition this court to grant an interlocutory appeal pursuant to rule 5 of the Utah Rules of Appellate Procedure, . . . . Review is discretionary with the Utah appellate courts under rule 5. The second avenue is to seek certification of an order under rule 54(b) of the Utah Rules of Civil Procedure. Review is mandatory on the part of the appellate courts if the trial court has validly certified the order as final under rule 54(b). A third possible avenue, usable when neither an appeal of right nor interlocutory appeal is available, is to

invoke this court's powers to grant extraordinary relief under Rule 65(B) of the Utah Rules of Civil Procedure.

The Supreme Court has found the appellate courts have ample power to consider an appeal if immediate review is necessary as the rules "allowing discretionary review provide parties an opportunity to convince an appellate court that the issue raised is so important that review prior to final adjudication of the case is justified or that the order will escape review altogether if an appeal is not allowed." *Id.*

The Cromars had various options to seek review of a trial court's orders and actions. The most appropriate option is to proceed with the trial court case and then raise issues on final appeal, if necessary or appropriate. If the Cromars wanted to challenge interlocutory orders, they could file a petition for interlocutory appeal. Because other options are available, the Cromars are not permitted to seek extraordinary relief and the petition should be denied.

Even if extraordinary relief were available, extraordinary relief is entirely discretionary with the appellate court. The Cromars have not identified extraordinary reasons why the court should review trial court proceedings at this time. (*See e.g. State v. Barrett*, 2005 UT 88, ¶ 24, 127 P.3d 682 in which the court discussed the extraordinary circumstances that might justify a writ.) The trial court respects and has tried to accommodate the Cromars in their beliefs and pro se representation, but it is nevertheless the type of case that must follow traditional processes. The trial court proceeds to conclusion, followed by appellate processes if appropriate.

## CONCLUSION

The Cromars have remedies available, such as filing an appeal when trial court proceedings have concluded or filing a petition for interlocutory appeal. The Cromars may seek those remedies at appropriate times. A petition for extraordinary relief is not the proper procedure to challenge trial court actions in this circumstance and the petition should be denied.

Signed and dated this 11<sup>th</sup> day of July, 2022.

/s/ Stacy R. Haacke

Stacy R. Haacke  
Associate General Counsel  
Administrative Office of the Court

## MAILING CERTIFICATE

This is to certify that a true and correct copy of the foregoing RESPONSE TO PETITION FOR EXTRAORDINARY RELIEF was delivered via electronic mail as follows on this 11<sup>th</sup> day July, 2022.

Paul Kenneth Cromar

Email: [kencromar5@gmail.com](mailto:kencromar5@gmail.com)

Barbara Ann Cromar

Email: [barbaracromar@gmail.com](mailto:barbaracromar@gmail.com)

*Pro Se*

/s/ Minhvan Brimhall

Minhvan Brimhall

Legal Secretary

Office of General Counsel

# Addendum A

IN THE  
COUNTY OF UTAH, STATE OF UTAH

State of Utah

vs.

CROMAR, PAUL KENNETH  
Date Of Birth: 05/05/1959  
9870 N MEADOW DR PLEASANT GROVE, UT 84062

Arrestee

## Affidavit of Probable Cause

**On 09/24/2020 18:30 the defendant was arrested for the offense(s) of:**

	Offense Date	Offense Description	Enhancement Statute	Severity	Court
1	09/24/2020	BURGLARY OF A DWELLING	76-6-202(2)	F2	DST
2	09/24/2020	WRONGFUL APPROPRIATION - F3	76-6-404.5(3)(A)	F3	DST

**I believe there is probable cause to charge the defendant with these charges because:**

Sergeant R. Weidlein  
20UC08707

Arrested Person:  
Paul Kenneth Cromar 05/05/1959

**Synopsis:**

Paul Kenneth Cromar was legally evicted from the address of 9870 N Meadow Dr., in the city of Cedar Hills, on August 18, 2020. Paul Kenneth Cromar has refused to leave the residence and has posted the property with signage claiming the property as his via a land patent. Paul Kenneth Cromar had reentered the house after the property had previously been sold by the US government.

**Source of Activity:**

This situation was brought to my attention on August 24, 2020, when I was informed that there was an eviction notice for the address of 9870 N Meadow Dr., in the city of Cedar Hills. The persons to be evicted were identified as Paul Kenneth Cromar and his wife Barbara Ann Cromar.

**Investigation:**

I was informed the federal government had forced the sale of the home, in order to collect money from the Cromar's tax debt. The Cromar family was evicted from the home by the Federal Marshals. At some point after the eviction and sale of the house, the Cromar's illegally moved back into the home.

The new owners took financial custody of the home and then found that the Cromar's had moved back into the home. Several calls were created regarding civil problems and to keep the peace, that were handled by the American Fork Police Department.

Nathan Dorius and Andrew V Collins of Copper Birch Properties, LLC filed the paperwork and went through the eviction process. On August 18, 2020 an eviction order was signed by District Court Judge Kraig Powell. Paul Kenneth Cromar was served with the order on August 19, 2020, at 8:30 PM by Bernard Walker of the Wasatch Constables.

The order gave Kenneth and Barbara Cromar three days to evacuate the home. I drove by the home on August 26, 2020, during daytime hours and the home appeared to be occupied.

Paul Kenneth and Barbara Cromar have posted signage around the home that display, "Caution United States Land Patent Part and Parcel of #392," "No Trespassing," and a document that provides circumstances that the property can be entered. The home sits on a corner lot and these signs are posted on the three corners that are visible from the street. There is a large green sign on the garage door that states "Land Patent Victory! NO lawful challenge by anyone

within 60 days to our patent contact in any Article III court. DONE! Thank you Pres Grover Cleveland's 1887 Signature."

Photos of the house and signage were placed on Ken Cromar's public Facebook page on August 7, 2020, as well as earlier dates. The photos include all of the signage as well as photos of Kenneth and Barbara Cromar standing in front of some of the signs. On June 26, 2020, Ken Cromar posted on Facebook the same signs and stated, "CONGRATULATIONS to our Cromar family, law and order, contracts, Superior Land Patents, and especially We The People!" It continues to say, "Special THANKS to President Grover Cleveland and his 1887 signature in behalf of the united States, securing our contract unchallenged in any Constitutional Article III court, in behalf of our "heirs and assigns forever". ;)" In the same post a person asks, "Does that mean you are back in your home?" Ken Cromar replies "Been back since April 23. It is and has, and will always remain our house-until we say otherwise-despite attempted FRAUD and SWINDLE in dishonor by the courts who voided their own authority".

Paul Kenneth Cromar also posted a video on his YouTube channel where he was confronted by police officers at the residence. The officers told him that the property was owned by the US government and he replied that the property belonged to him. The officers asked him how he got into the property after the locks were changed and he told him that it was not their concern. He challenged them to check the county records to see who the property was titled to.

I looked up the property on the Utah County Public Information System, land records, and discovered that the residence was no longer deeded to the Cromar's and that it is currently deeded to COPPER BIRCH PROPERTIES LLC.

Charges:

On 08/26/2020, a meeting was held with the Utah County Attorney, David Leavitt, his staff, as well as the Utah County Sheriff, Mike Smith, and his staff. This case was reviewed and it was decided that the appropriate course of action would be to request charges for the following:

76-6-404.5	Wrongful appropriation	3rd degree Felony
76-6-202	Burglary	2nd degree Felony

Judicial follow up:

On September, 2nd 2020, Paul Kenneth Cormar was able to see Judge Powell via Web-X. Judge Powell ordered him to be out of the house on September 5th, 2020 at 1700 hours.

Safety Concerns:

Rather than moving out of the home when ordered by Judge Powell, Paul Kenneth Cromar invited several members from an armed militia come to his house to protect him. Paul Kenneth Cromar has made no attempt to move out of the property.

Case #20UC06091 was investigated when a letter was sent to District Court Judge Davis. The letter was investigated as a threat, but charges were denied.

Paul Kenneth Cromar has made comments online about protecting his property and scaring away law enforcement. He has also aligned himself with radical groups and people and invited them to join him in defending his property.

Enhanced bail:

The Utah County Prosecutor's office and the Utah County Sheriff's office is requesting a bail for \$100,000.00. Deputies found two males at the home that were armed and were there to protect the property. It is beleived that Paul Kenneth Cromar allerted militia members to come to his home to protect his property after the order to vacate had occured. It is also beleived that Paul Kenneth Cromar will respond back to the property if he is released and there is a likelihood of violence or damage to property by either Mr. Cromar or his associates.

End report.

By submitting this affidavit, I declare under criminal penalty of the State of Utah that the foregoing is true and correct.  
/S/ Weidlein, Robert

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**Officer Name:** SCHWABE - ROBERT WENDEN  
**A sworn officer with:** UT0250000 - UCSO  
**Agency Case** 20UC08708

**Probable Cause Entered:** 09/24/2020 21:20  
**Probable Cause ID:** 157514  
**Suggested Bail Amount:**

**SUBMISSION IDENTIFICATION INFORMATION**

**Booking Agency:** Utah County Sheriff Office  
**Agency Inmate ID:** 398468  
**Arrest Date/Time:** 09/24/2020 18:30

**SID:** NONE  
**FBI ID:** NONE

**Booking Agency ORI:** UT0250000  
**OTN:** 60760691

# Addendum B

4TH DISTRICT COURT - PROVO  
UTAH COUNTY, STATE OF UTAH

STATE OF UTAH vs. PAUL KENNETH CROMAR

CASE NUMBER 201402860 State Felony

Defendants PAUL KENNETH CROMAR, BARBARA ANN CROMAR are linked.

CHARGES

Charge 1 - 76-6-202 - BURGLARY - 2nd Degree Felony

Offense Date: April 23, 2020

Location: UTAH COUNTY, UT

Plea: July 01, 2022 Guilty

Disposition: July 01, 2022 Guilty

Charge 2 - 76-6-404.5 - WRONGFUL APPROPRIATION - 3rd Degree Felony

Offense Date: April 23, 2020

Location: UTAH COUNTY, UT

Plea: July 01, 2022 Guilty

Disposition: July 01, 2022 Guilty

CURRENT ASSIGNED JUDGE

CHRISTINE JOHNSON

PARTIES

Plaintiff - STATE OF UTAH

Represented by: DAVID LEAVITT

Defendant - PAUL KENNETH CROMAR

Represented by: DEFENDER PUBLIC

Represented by: LISA MAXINE ESTRADA

Also Known As - PAUL-KENNETH CROMAR(PAUL KENNETH CROMAR)

Other Party - EUGENE PAUL RICHARDSON

DEFENDANT INFORMATION

Defendant Name: PAUL KENNETH CROMAR

Offense Tracking Number: 60760691

Date of Birth: May 05, 1959

Jail Booking Number: 398468

Law Enforcement Agency: UTAH COUNTY SHERIFF

LEA Case Number: 20UC08708

Officer Name: ROBERT WEIDLEIN

Prosecuting Agency: UTAH COUNTY

Agency Case Number: 20B-2321

Arrest Date: September 24, 2020

Violation Date: 04-23-2020

ACCOUNT SUMMARY

Total Revenue Amount Due:	573.20
Amount Paid:	573.20

Amount Credit:	0.00
Balance:	0.00
Paper Bond Totals Posted:	15,020.00
Forfeited:	0.00
Exonerated:	0.00
Balance:	15,020.00

NONMONETARY BOND DETAIL - TYPE: Surety

Posted By: BEEHIVE BAIL BONDS (#3156)	
Posted:	15,020.00
Forfeited:	0.00
Exonerated:	0.00
Balance:	15,020.00

REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	5.00
Amended Amount Due:	5.00
Amount Paid:	5.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	21.50
Amended Amount Due:	21.50
Amount Paid:	21.50
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	20.00
Amended Amount Due:	20.00
Amount Paid:	20.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COPY FEE

Original Amount Due:	6.75
Amended Amount Due:	6.75
Amount Paid:	6.75

Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	5.00
Amended Amount Due:	5.00
Amount Paid:	5.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Fee Waiver Status - Government	
Original Amount Due:	15.00
Amended Amount Due:	0.00
Amount Paid:	0.00
Amount Credit:	0.00
Balance:	0.00

Account Adjustments Sum To Date	Amount Reason
2021-05-03	-15.00 Government filer

## REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	26.50
Amended Amount Due:	26.50
Amount Paid:	26.50
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	16.00
Amended Amount Due:	16.00
Amount Paid:	16.00

Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	14.00
Amended Amount Due:	14.00
Amount Paid:	14.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: COPY FEE

Original Amount Due:	4.75
Amended Amount Due:	4.75
Amount Paid:	4.75
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	8.00
Amended Amount Due:	8.00
Amount Paid:	8.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	0.50
Amended Amount Due:	0.50
Amount Paid:	0.50
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: POSTAGE-COPIES

Original Amount Due:	0.58
Amended Amount Due:	0.58
Amount Paid:	0.58
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	15.00
Amended Amount Due:	30.00
Amount Paid:	30.00
Amount Credit:	0.00
Balance:	0.00

Account Adjustments Sum To Date	Amount Reason
2022-01-03	15.00 Corrected amount to be collected for audio request

REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	19.50
Amended Amount Due:	19.50
Amount Paid:	19.50
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: TELEPHONE/FAX/EMAIL

Original Amount Due:	19.50
Amended Amount Due:	19.50
Amount Paid:	19.50
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: POSTAGE-COPIES

Original Amount Due:	5.12
Amended Amount Due:	5.12
Amount Paid:	5.12
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	15.00
Amended Amount Due:	15.00
Amount Paid:	15.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: COPY FEE

Original Amount Due:	22.50
Amended Amount Due:	22.50
Amount Paid:	22.50
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: COPY FEE

Original Amount Due:	10.00
Amended Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00

## REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Original Amount Due:	150.00
Amended Amount Due:	150.00
Amount Paid:	150.00
Amount Credit:	0.00
Balance:	0.00

PROCEEDINGS

09-25-2020 Filed: INFORMATION  
09-25-2020 Case filed by efiler  
09-25-2020 Filed: From an Information  
09-25-2020 Judge CHRISTINE JOHNSON assigned.  
09-25-2020 INITIAL APPEARANCE scheduled on September 28, 2020 at 03:00 PM  
in 8th Fl, Courtroom 8A with Judge LYNN W DAVIS  
09-25-2020 Filed: Probable Cause Affidavit  
09-25-2020 Filed: Order to Hold With Bail  
09-25-2020 Filed: Public Safety Assessment (PC: 276900)  
09-25-2020 Filed: Affidavit In Support of Warrant of Arrest (Officer Quinn  
Adamson)  
09-25-2020 Filed: Return of Electronic Notification  
09-25-2020 Filed: Return of Electronic Notification  
09-25-2020 Filed: (Proposed) ORDER FOR WARRANT OF ARREST  
09-25-2020 Filed: Return of Electronic Notification  
09-25-2020 Filed order: ORDER FOR WARRANT OF ARREST  
Judge ANTHONY HOWELL  
Signed September 25, 2020  
09-25-2020 Filed: Return of Electronic Notification  
09-27-2020 Filed: Affidavit/Declaration AFFIDAVIT IN SUPPORT OF ORDER FOR  
RELEASE  
09-27-2020 Filed: Return of Electronic Notification  
09-27-2020 Filed: Order (Proposed) (PROPOSED) ORDER FOR RELEASE  
09-27-2020 Filed: Return of Electronic Notification  
09-27-2020 Filed: Affidavit/Declaration CORRECTED AFFIDAVIT IN SUPPORT OF  
ORDER FOR RELEASE  
09-27-2020 Filed: Return of Electronic Notification  
09-28-2020 Bond Account created Total Due: 15,020.00  
09-28-2020 Bond Posted Non-Monetary Bond: 15,020.00  
09-28-2020 Filed: BEEHIVE BAIL BONDS 15020.00  
09-28-2020 Filed: Promise To Appear (INA 9/28/20 @ 3:00 pm)  
09-28-2020 Filed: Amended Information  
09-28-2020 Fee Account created Total Due: 5.00  
09-28-2020 TELEPHONE/FAX/EMAIL Payment Received: 5.00  
Note: TELEPHONE/FAX/EMAIL  
09-28-2020 Filed: Return of Electronic Notification  
09-28-2020 WARRANT for Case 201402860 ID 21210215  
Judge: CHRISTINE JOHNSON  
To any Peace Officer in the State of Utah:  
You are commanded to arrest and deliver the defendant to  
the Utah County Jail.  
A juvenile may not be confined in an adult facility.  
Defendant may be transported within the state.  
The defendant must appear in Court before Judge CHRISTINE  
JOHNSON on the next available court date.  
Based on the probable cause statement  
Court orders a non-bailable warrant to issue.  
No pre-trial service release.  
This warrant may be served any time, day or night.

Note: The Court hereby ORDERS Mr. Cromar be remanded back into the custody of the Utah County Jail and held without bail until such time as he can be brought before a Judge and the Defendant s pretrial release can be addressed.

Issued: September 28, 2020

Law Enforcement Agency: UTAH COUNTY SHERIFF

End Of Order - Signature at the Top of the First Page

Defendant Details:

PAUL KENNETH CROMAR

9870 N MEADOW DR

Driver License No: xxx3131

CEDAR HILLS UT 84062

Citation No:

Date of Birth: 05-05-1959

Social Security No: xxx-xx-9932

Home Phone: 801-785-5900

Vehicle License:

Warrant Number: 985702802

Surety Information: BEEHIVE BAIL BONDS Phone: (801)328-3329

ATTN: GARY / NANCY WALTON

268 E 500 S

SALT LAKE CITY, UT 84111

mrw@beehivebailbonds.com

09-28-2020 WARRANT: CROMAR, PAUL KENNETH Case 20140

Judge: CHRISTINE JOHNSON

To any Peace Officer in the State of Utah:

You are commanded to arrest and deliver the defendant to the Utah County Jail.

A juvenile may not be confined in an adult facility.

Defendant may be transported within the state.

The defendant must appear in Court before Judge CHRISTINE JOHNSON on the next available court date.

Based on the probable cause statement

Court orders a non-bailable warrant to issue.

No pre-trial service release.

This warrant may be served any time, day or night.

Note: The Court hereby ORDERS Mr. Cromar be remanded back into the custody of the Utah County Jail and held without bail until such time as he can be brought before a Judge and the Defendant s pretrial release can be addressed.

Issued: September 28, 2020

Law Enforcement Agency: UTAH COUNTY SHERIFF

End Of Order - Signature at the Top of the First Page

Defendant Details:

PAUL KENNETH CROMAR

9870 N MEADOW DR

Driver License No: xxx3131

CEDAR HILLS UT 84062

Citation No:

Date of Birth: 05-05-1959

Social Security No: xxx-xx-9932

Home Phone: 801-785-5900

Vehicle License:

Warrant Number: 985702802

Surety Information: BEEHIVE BAIL BONDS Phone: (801)328-3329

ATTN: GARY / NANCY WALTON

268 E 500 S

SALT LAKE CITY, UT 84111

mrw@beehivebailbonds.com

09-28-2020 Warrant Ordered on: September 28, 2020 Warrant Num: 985702802  
No Bail

09-28-2020 Filed order: WARRANT ISSUED For Case 201402860  
Judge CHRISTINE JOHNSON  
Signed September 28, 2020

09-28-2020 Warrant Issued on: September 28, 2020 Warrant Num: 985702802 No  
Bail  
Judge CHRISTINE JOHNSON  
Issue Reason: Based on the probable cause statement

09-28-2020 Filed order: Order for Immediate Release of Defendant on  
Previously Posted Bail  
Judge ANTHONY HOWELL  
Signed September 27, 2020

09-28-2020 INITIAL APPEARANCE scheduled on September 29, 2020 at 03:00 PM  
in 8th Fl, Courtroom 8B with Judge DAROLD MCDADE

09-28-2020 Minute Entry - INITIAL APPEARANCE - CONTINUANCE  
Judge: LYNN W DAVIS  
PRESENT  
Clerk: kristenr  
Prosecutor: HOLLAN, CARL  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio  
Tape Number: 8A-Webex Tape Count: 3:19 - 3:21

HEARING  
This matter comes before the court for Initial Appearance.  
Judge Davis notes that he has a conflict with Mr. Cromar  
and recuses from this hearing.  
  
The State gives notice to defendant's of intention to  
address bail at next hearing.  
  
This matter is continued for Initial Appearance tomorrow.  
INITIAL APPEARANCE is scheduled.  
Date: 09/29/2020  
Time: 03:00 p.m.  
Location: 8th Fl, Courtroom 8B  
FOURTH DISTRICT COURT  
137 N FREEDOM BLVD  
PROVO, UT 84601  
Before Judge: DAROLD MCDADE

CUSTODY  
The defendant is not in custody.

09-28-2020 Filed: Promise To Appear (INA 9/28/20 @ 3:00pm, non-monetary  
bond by Beehive Bail Bonds)

09-28-2020 Filed: Return of Electronic Notification

09-29-2020 Filed: Motion to Recall Arrest Warrant  
Filed by: STATE OF UTAH

09-29-2020 Filed: Order (Proposed) to Recall Arrest Warrant

09-29-2020 Filed: Request/Notice to Submit

09-29-2020 Filed: Return of Electronic Notification

09-29-2020 Filed order: ORDER FOR RELEASE AND RECALL OF WARRANT

Judge CHRISTINE JOHNSON

Signed September 29, 2020

09-29-2020 Warrant Recalled on : September 29, 2020 Warrant Num: 985702802  
No Bail

Recall Reason: Court ordered recall

09-29-2020 Filed: Return of Electronic Notification

09-29-2020 BAIL / WAIVER HEARING scheduled on October 01, 2020 at 01:30 PM  
in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

09-29-2020 Minute Entry - INITIAL APPEARANCE

Judge: DAROLD MCDADE

PRESENT

Clerk: kristenr

Prosecutor: POMEROY, ADAM

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: 8A-Webex

INITIAL APPEARANCE

A copy of the Information is given to the defendant.

The Information is read.

Advised of charges and penalties.

The defendant is advised of right to counsel.

HEARING

The defendant wishes to represent himself.

The defendant updates his address to c/o 9870 N Meadow Dr  
Cedar Hills, UT 84062. Mr. Pomeroy objects to the address  
as it is listed as an address the defendant is prohibited  
to be within 1000 feet of.

Mr. Pomeroy requests to address bail today. Mr. Cromar  
objects. The court will not take evidence regarding bail  
and release conditions today, however, allows Mr. Pomeroy  
to briefly summarize the testimony / evidence that will be  
addressed on Thursday so the Cromar's will be better  
prepared to respond accordingly.

BAIL / WAIVER HEARING is scheduled.

Date: 10/01/2020

Time: 01:30 p.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

CUSTODY

The defendant is not in custody.

09-30-2020 Filed: Return of Electronic Notification

09-30-2020 Filed order: Order to Recall Arrest Warrant

Judge CHRISTINE JOHNSON

Signed September 30, 2020

09-30-2020 Filed: Return of Electronic Notification

09-30-2020 NOTICE for Case 201402860 ID 21218461

Judge: CHRISTINE JOHNSON

BAIL / WAIVER HEARING.

Date: 10/02/2020

Time: 09:00 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

The reason for the change is Court Ordered

Judge Johnson did not approve a special set on the 10/1/2020 criminal calendar. Due to scheduling conflicts this matter is now set for 10/2/2020 at 9:00 a.m. This hearing will take place electronically via WebEx. WebEx link was sent in a separate email

09-30-2020 BAIL / WAIVER HEARING scheduled on October 02, 2020 at 09:00 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

09-30-2020 Filed: Notice for Case 201402860 FS: Judge CHRISTINE JOHNSON

09-30-2020 Fee Account created Total Due: 21.50

09-30-2020 TELEPHONE/FAX/EMAIL Payment Received: 21.50

Note: TELEPHONE/FAX/EMAIL

09-30-2020 Note: Notice and webex also manually emailed to the alternate email of KENCROMAR@BLUEMOONPROD.COM

09-30-2020 Filed: Return of Electronic Notification

10-01-2020 Filed: Public Notice, Declarations, Mandates, and Lawful Protest - The Law Does Not Permit Impossibilities

10-02-2020 Filed: Sheriff Mack: Character Letter

10-02-2020 Filed: Request for Rebuttal Testimony

10-02-2020 Filed: TRANSCRIPT for Hearing of 09-28-2020

10-02-2020 Filed: TRANSCRIPT for Hearing of 09-29-2020

10-02-2020 Filed: Final Exhibit List

10-02-2020 WAIVER scheduled on October 08, 2020 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

10-02-2020 Minute Entry - BAIL/WAIVER HEARING

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: kelseyc

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Audio

Tape Number: 5A Tape Count: 9:03-1:58

HEARING

9:03 This matter comes before the court for a bail and waiver hearing. The parties appear via WebEx. Mr. Perkins makes a request to the court regarding bail. Opening by Mr. Perkins.

9:14 Opening by Mr. Cromar. Ms. Cromar indicates her husband will be addressing the court mainly today, with her permission.

9:30 Quinn Adamson and Robert Weidlein are sworn by the clerk.

9:32 Sergeant Weidlein is questioned on direct by Mr. Perkins. Exhibits are discussed.

9:46 The court notes the objection(s) by defendant.

9:58 Discovery is clarified. The defendant requests a continuance. The continuance request is denied.

10:00 Objection(s) by defendant. The court notes the objection(s) and overrules.

10:01 State's Exhibit 1, a photo of a house/signage, is marked, identified, offered and received. State's Exhibit 2, a photo of a pink signage, is marked, identified, offered and received. Objection(s) by defendant. The objections are overruled. State's Exhibit 3, a photo of a house, is marked, identified, offered and received. State's Exhibit 4, a photo of a green signage, is marked, identified, offered and received. State's Exhibit 5, a photo of people, is marked, identified, offered and received. State's Exhibit 6, a photo of a text/post, is marked, identified, offered and received.

State's Exhibit 7, a photo of a post/text, is marked, identified and offered. Objection(s) by defendant. State's Exhibit 8, a photo of a person, is marked, identified and offered. State's Exhibit 9, a photo, is marked, identified and offered. State's Exhibit 10, a photo, is marked, identified and offered. State's Exhibit 11, a photo of a person with a horn, is marked, identified and offered. The court notes the objections by defendant. The court reserves ruling on State's Exhibits 7-11.

State's Exhibit 23, a trumpet/horn video is marked, identified, offered and received. Objection(s) by defendant are noted and overruled. The video is played in open court via WebEx. State's Exhibit 24, a audio file, is marked, identified, and offered. The court reserves ruling on State's Exhibit 24. The audio is played in open court via WebEx.

Mr. Perkins re-offers State's Exhibits 7,8,9,10, and 11.  
The court still reserves ruling on State's Exhibits 7-11.

11:03 Mr. Perkins continues on direct.

11:08 Objection(s) by defendant is overruled.

11:09 State's Exhibit 22, a probable cause statement, is  
marked, identified, offered and received.

11:18 The court notes objection(s) by defendant on Exhibit  
22. The court overrules the noted objection(s). Cross-  
examination by defendant.

11:33 Jeffery Jones, a deputy/lieutenant, is sworn and  
questioned by Mr. Perkins.

11:41 State's Exhibit 12, a photo of a room, is marked,  
identified, offered and received. The court notes the  
objection(s) by defendant and overrules. State's Exhibit  
13, a photo, is marked, identified, offered and received.  
State's Exhibit 14, a photo, is marked, identified, offered  
and received. State's Exhibit 15, a photo, is marked,  
identified, offered and received. State's Exhibit 16, a  
photo, is marked, identified, offered and received. State's  
Exhibit 17, a photo, is marked, identified, offered and  
received. State's Exhibit 18, a photo, is marked,  
identified, offered and received. State's Exhibit 19, a  
photo, is marked, identified, offered and received. State's  
Exhibit 20, a photo, is marked, identified, offered and  
received. State's Exhibit 21, a photo, is marked,  
identified, offered and received.

12:04 Cross-examination by defendant.

12:10 Re-direct by Mr. Perkins.

12:15 Re-cross-examination by defendant.

12:18 Quinn Adamson is sworn and questioned by Mr. Perkins.

12:32 Cross-examination by defendant.

12:47 Re-direct by Mr. Perkins.

12:52 Re-cross-examination by defendant. Objection(s)  
sustained.

12:57 Mr. Perkins re-offers State's exhibits 7-11 and 24. The court notes the objection(s) by defendant receives all remaining exhibits. The State rests.

1:00 Mr. Cromar makes a witness request. The court denies the request. Mr. Cromar seeks to read a letter aloud. Objection by the State. The court grants the request, and allows Mr. Cromar to read the letter aloud.

1:05 Defendant(s) rest. Mr. Perkins gives closing. Defendant(s) give closing.

1:15 Final closing by Mr. Perkins.

1:28 The court states the findings for the record. The court states it cannot rule on a past order or jurisdiction, but that the court has to respect and enforce a current order. The court adopts the condition that defendant cannot have indirect, or direct, contact with the current property occupants. Defendant cannot go near or on the property. Defendant cannot direct others to go on or near the specified property. The court orders that giving directions to others is prohibited, and the court clarifies this includes no direct or indirect contact with the occupants via email, text, facebook or any such way.

The court states additional findings for the record and orders the defendant to have no contact with any potential witnesses effective immediately. The following immediate no contact is for the following people: Tyson Holyoak, Jared Green, Ryan Bundy, Brand Thorton and a person that goes by cowboy hat.

The court orders defendant to have no contact with Wendy Kay, commencing in 72 hours from 2:00 p.m. today (October 2, 2020).

The court orders GPS electronic monitoring with geofencing of 500 feet around the specified residence/property. The GPS with geofencing is to be installed within 14 days from today. If the jail can provide the GPS with geofencing that is allowed, otherwise it will need to be a private provider. The GPS with geofencing is to be at the expense of defendant. Proof of the GPS with geofencing installation is to be provided to the State within 14 days from today (October 2, 2020).

The court grants the request as to a gag order in this case. The gag order applies to both the defendants and the State. Both parties are to not speak or write to the news, media, TV, radio, post to Facebook- or any other means/methods.

The court grants the request, and the defendant is to have no weapons.

The court instructs Mr. Perkins to prepare an order consistent with today's findings.

1:46 The court clarifies that defendant is to have no contact with Wendy Kay, commencing in 72 hours from 2:00 p.m. today (October 2, 2020).

The defendant addresses his computer and other items he/she would like back. Discussion ensues. Mr. Perkins is to look into the items to see what can and cannot be returned to the defendant(s).

The court strikes any other court dates previously given in this matter. The court advises the defendant to retain counsel.

1:56 Defendant provides her/his email to the court. The court notes the next hearing is set for October 8, 2020 at 8:30 a.m. however, it is best that defendant call in around 10:00 a.m. as that day has a full calendar.

1:58 The defendant acknowledges understanding of the orders from today.

WAIVER is scheduled.

Date: 10/08/2020

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

10-02-2020 Filed order: BAIL/WAIVER HEARING

Judge CHRISTINE JOHNSON

Signed October 02, 2020

10-02-2020 Filed: Return of Electronic Notification

10-05-2020 Filed: Order (Proposed) of Pretrial Status

10-05-2020 Filed: Return of Electronic Notification

10-05-2020 Final Exhibit List

10-05-2020 Filed order: Order of Pretrial Status

Judge CHRISTINE JOHNSON

Signed October 05, 2020

10-05-2020 Filed: Return of Electronic Notification

10-08-2020 WAIVER HEARING (2ND) scheduled on October 15, 2020 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

10-08-2020 WAIVER HEARING (2ND) Modified

Reason:

10-08-2020 WAIVER HEARING (3RD) scheduled on October 15, 2020 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

10-08-2020 Minute Entry - CONTINUANCE/WAIVER HEARING

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancynb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Tape Number: WebEx/5A Tape Count: 9:54-10:10

CONTINUANCE

Whose Motion:

The Prosecutor Jared Perkins.

Reason for continuance:

Motion of Plaintiff

The motion is granted.

HEARING

Defendant states intent to file a summary judgment. The court advises the defendant to retain private counsel.

Discovery has not yet been provided. This matter is continued. Defendant requests to suspend the court order to install GPS electronic monitoring with geofencing. The State requests to reserve the ruling on suspending the GPS. The State's request is granted. The request is noted on the record and the ruling is reserved until the next hearing.

The State provides an update on defendant's laptop. Defendant responds.

WAIVER HEARING (3RD) is scheduled.

Date: 10/15/2020

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

10-08-2020 Filed: Return of Electronic Notification

10-15-2020 Minute Entry - CONTINUANCE WAIVER HEARING (3RD)

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: ambere

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: 5A/WebEx Tape Count: 9:53-10:18

CONTINUANCE

Whose Motion:

The Prosecutor DAVID LEAVITT.

Reason for continuance:

Counsel's request.

The motion is granted.

HEARING

This matter comes before the court for a waiver hearing. Mr. Perkins addresses the status of the GPS monitoring. He needs to speak with the American Fork Police Department but he requests an extension for the GPS requirement.

Mr. Cromar addresses the court. Mr. Perkins responds. Reply by Mr. Cromar. Discussion. Counsel agrees to communicate with the Cromars regarding their requests.

The court grants the extension for the previous order requiring the Cromar's to get the GPS installed by October 16, 2020, until the next hearing date.

WAIVER HEARING (4TH) is scheduled.

Date: 11/05/2020

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

10-16-2020 Filed: Request for Copy of Audio Record (10/15/20 hearing, Judge Johnson)

10-16-2020 Filed: Request for Copy of Audio Record (10/8/20 hearing, Judge Johnson)

10-16-2020 Filed: Request for Copy of Audio Record (10/2/20 hearing, Judge Johnson)

10-16-2020 Note: Request for audio forwarded to AE for processing

10-19-2020 WAIVER HEARING (4TH) scheduled on November 05, 2020 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

10-20-2020 Filed: Return of Electronic Notification

10-20-2020 Fee Account created Total Due: 20.00

10-20-2020 Filed order: CONTINUANCE WAIVER HEARING (3RD)  
Judge CHRISTINE JOHNSON  
Signed October 20, 2020

10-20-2020 Filed: Return of Electronic Notification

10-22-2020 AUDIO TAPE COPY Payment Received: 20.00

10-23-2020 Filed: Order (Proposed) Criminal Protective Order

10-23-2020 Filed: Return of Electronic Notification

10-26-2020 Filed: Public Notice, Declarations, Mandates, and Lawful Protest filed by Paul-Kenneth: Cromar. Barbara-Ann: Cromar.

10-27-2020 Filed: Completed Request for Audio Record for Paul-Kenneth: Cromar

10-27-2020 Filed: Completed Request for Audio Record for Paul-Kenneth: Cromar

10-27-2020 Filed: Completed Request for Audio Record for Paul-Kenneth: Cromar

10-29-2020 Filed: TRANSCRIPT for Hearing of 10-08-2020

10-29-2020 Filed: TRANSCRIPT for Hearing of 10-15-2020

10-29-2020 Filed: Return of Electronic Notification

10-30-2020 Note: Same exhibits in one envelope for case 201402869 and 201402868

10-30-2020 Filed: Return of Electronic Notification

11-05-2020 Filed: Other - Not Signed Order (Proposed) Criminal Protective Order

11-05-2020 Filed: Return of Electronic Notification

11-05-2020 Minute Entry - CONTINUANCE/WAIVER HEARING (4TH)  
Judge: CHRISTINE JOHNSON  
PRESENT

Clerk: nancyhb  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Tape Number: WebEx/5A Tape Count: 10:15-10:37

CONTINUANCE

Whose Motion:  
The Prosecutor Jared Perkins.

Reason for continuance:

Counsel's request.  
The motion is granted.

HEARING

The state is willing to stipulate to the defendant's request of removing the GPS ankle monitor if the defendant stipulates to the pre-trial protective order. Mr. Cromar makes a record regarding a KSL article, sanctioning law enforcement, the pre-trial protective order and his/her laptop. The state stipulates to stay the execution of the pre-trial protective order until the conditions are acceptable by all parties. The state reminds the record that the laptop was not taken by law enforcement and rejects law enforcement having any responsibility. Mr. Cromar responds. The court stays the pre-trial protective order.

WAIVER HEARING (5TH) is scheduled.

Date: 12/03/2020  
Time: 08:30 a.m.  
Location: 5th Fl, Courtroom 5A  
FOURTH DISTRICT COURT  
137 N FREEDOM BLVD  
PROVO, UT 84601  
Before Judge: CHRISTINE JOHNSON

11-05-2020 Filed: Request for Copy of Audio Record (11/5/20 hearing, Judge Johnson)  
11-05-2020 Filed: Return of Electronic Notification  
11-12-2020 Fee Account created Total Due: 15.00  
11-12-2020 ELEC STORAGE MEDIUM Payment Received: 15.00  
11-12-2020 WAIVER HEARING (5TH) scheduled on December 03, 2020 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
11-16-2020 Filed: Request for Copy of Audio Record - 11/5/20 hearing (Completed)  
11-18-2020 Filed: Return of Electronic Notification  
12-02-2020 Filed: Mandate for Summary Judgment and Dismissal with Prejudice  
Filed by: PAUL KENNETH CROMAR  
12-02-2020 Filed: Return of Electronic Notification  
12-03-2020 Filed: Courtesy Notice to Submit for Review  
12-03-2020 Filed: Request for Copy of Audio Record (12/3/20 w/ Judge Johnson)  
12-03-2020 Minute Entry - CONTINUED WAIVER HEARING (5TH)  
Judge: CHRISTINE JOHNSON

PRESENT

Clerk: ambere  
Prosecutor: PERKINS, M JARED  
Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: 5A/WebEx Tape Count: 12:06-12:37

HEARING

This matter comes before the court for a waiver hearing. Mr. Perkins addresses the court regarding the protective order. Discussion. The Cromars object to the protective order. Mr. Perkins reminds the court and Mr. Cromar that the protective order is in lieu of the GPS.

Counsel is to submit a protective order with the discussed modifications for the court to review.

Discussion on the recently filed mandate for summary judgment. The request to submit is premature because the state has to have the opportunity to respond.

The court orders the temporary orders that are in place extended until the next hearing.

WAIVER HEARING (6TH) is scheduled.

Date: 01/07/2021

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

12-04-2020 Filed: Return of Electronic Notification  
12-06-2020 Filed: TRANSCRIPT for Hearing of 11-05-2020  
12-07-2020 Filed: Return of Electronic Notification  
12-09-2020 WAIVER HEARING (6TH) scheduled on January 07, 2021 at 08:30 AM  
in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
12-09-2020 Fee Account created Total Due: 15.00  
12-09-2020 Filed: Notice of Default, Acceptance of your Agreement, and  
Intent to Collect  
12-09-2020 Filed: Return of Electronic Notification  
12-11-2020 Ruling Entry - RULING AND ORDER

Judge: CHRISTINE JOHNSON

This matter comes before the court for review upon receipt of a Courtesy Notice to Submit for Review filed on December 3, 2020. As previously discussed on record at the December 3, 2020 hearing, the court cannot review this request at this time as it was prematurely filed. The party has leave to resubmit once the appropriate time has passed.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

EMAIL: PAUL KENNETH CROMAR kencromar5@gmail.com

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

EMAIL: PAUL CROMAR kencromar@bluemoonprod.com

12/11/20

/s/

KELSEY CAPUTO DE SOUSA

Date: \_\_\_\_\_

Signature  
12-11-2020 Filed order: RULING AND ORDER  
Judge CHRISTINE JOHNSON  
Signed December 11, 2020  
12-11-2020 ELEC STORAGE MEDIUM Payment Received: 15.00  
12-11-2020 Filed: Copy of Video/Audio Record (12/3/20 Hearing completed)  
12-11-2020 Filed: Return of Electronic Notification  
12-31-2020 Filed: Judicial Notice: Notice of Lis Pendens, Land Patent, and  
the Administrative Procedure Act  
12-31-2020 Filed: Judicial Notice: Exhibits A, B, C  
01-01-2021 Filed: Corrected Certificate of Service regarding Judicial  
Notice  
01-03-2021 Filed: TRANSCRIPT for Hearing of 12-03-2020  
01-04-2021 Filed: CORRECTED Judicial Notice: Notice of Lis Pendens, Land  
Patent, and the Administrative Procedure Act  
01-04-2021 Filed: Return of Electronic Notification  
01-05-2021 Filed: Motion to Strike Defendants Notice of Lis Pendens, Land  
Patent, and Administrative Procedures Act  
Filed by: PAUL KENNETH CROMAR  
01-05-2021 Filed: Return of Electronic Notification  
01-06-2021 Filed: Motion to Strike Defendants Mandate for Summary Judgment  
and Dismissal with Prejudice  
Filed by: PAUL KENNETH CROMAR  
01-06-2021 Filed: Return of Electronic Notification  
01-06-2021 Filed: Order (Proposed) Criminal Protective Order  
01-06-2021 Filed: Return of Electronic Notification  
01-07-2021 Filed: Return of Electronic Notification  
01-07-2021 Filed order: Order Criminal Protective Order  
Judge CHRISTINE JOHNSON  
Signed January 07, 2021  
01-07-2021 Filed: Return of Electronic Notification  
01-07-2021 Minute Entry - WAIVER HEARING (6TH)  
Judge: CHRISTINE JOHNSON  
PRESENT  
Clerk: ambere  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio  
Tape Number: 5A/WebEx Tape Count: 11:31/11:49  
HEARING

11:31-11:36 This matter comes before the court for a waiver hearing. Mr. Perkins addresses the court regarding the proposed protective order. The defendants appear to be having audio issues. The court will return to this matter.

11:49-12:10 Mr. Cromar addresses the court. Mr. Perkins responds. Reply by Mr. Cromar.

The court addresses the proposed protective orders. Discussion. The court grants the proposed protective orders and signs them in eFiling in open court. The defendant's object and don't understand. The court gives further clarification.

The court orders that the GPS requirement is removed.

Mr. Cromar requests that he be provided with the video from the hearing. The court states that she does not have an issue with it but does not know if that is something that can be provided.

A special setting for Oral Arguments is scheduled. All briefed motions will be heard.

Mr. Cromar questions the court regarding the court operations and Mr. Perkins oath of office. The court notifies Mr. Cromar to file a motion if he would like responses because the issues will not be argued today.

Mr. Cromar states that he does object.

SPECIAL SET ORAL ARGUMENT is scheduled.

Date: 02/16/2021

Time: 09:00 a.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

- 01-07-2021 Filed: Request for Copy of Audio Record (1/7/2021 with Judge Johnson)
- 01-12-2021 Filed: Return of Electronic Notification
- 01-18-2021 Filed: TRANSCRIPT for Hearing of 01-07-2021
- 01-18-2021 Filed: Return of Electronic Notification
- 01-20-2021 Filed: Completed Audio Request
- 01-22-2021 SPECIAL SET ORAL ARGUMENT scheduled on February 16, 2021 at 09:00 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON
- 01-22-2021 Filed protective order: Pre-Trial Protective Order  
Judge CHRISTINE JOHNSON  
Signed January 22, 2021
- 01-22-2021 Filed order: WAIVER HEARING (6TH)  
Judge CHRISTINE JOHNSON  
Signed January 22, 2021
- 01-22-2021 Filed: Return of Electronic Notification
- 02-03-2021 Filed: Second Judicial Notice God, Family and Country, Law and Public Notices as Exhibits in Fact (Unscannable Items - 2 DVDs)
- 02-03-2021 Filed: Motion to Order Plaintiff et al. To Produce All Discovery, and Motion to Continue Hearings Until After Discovery Provided  
Filed by: PAUL KENNETH CROMAR
- 02-03-2021 Filed: Objection to Plaintiff Motion to Strike Defendants' Mandate for Summary Judgment and Dismissal with Prejudice

02-03-2021 Filed: Objection to Plaintiff Motion to Strike Judicial Notice: Notice of Lis Pendens, Land Patent, and the Administrative Procedure Act

02-03-2021 Filed: Second Judicial Notice God, Family and Country, Law and Public Notices as Exhibits in Fact

02-03-2021 Filed: Return of Electronic Notification

02-04-2021 Filed: Return of Electronic Notification

02-10-2021 Fee Account created Total Due: 6.75

02-10-2021 COPY FEE Payment Received: 6.75

02-10-2021 Filed: Motion to Submit for Review and Decision- Summary Judgment  
Filed by: PAUL CROMAR

02-10-2021 Filed: Motion to Submit for Review and Decision- Order Plaintiff to Provide Discovery, and Motion to Continue Hearings Until After Discovery Provided  
Filed by: PAUL CROMAR

02-11-2021 Filed: Return of Electronic Notification

02-12-2021 Filed: Notice to Submit- Motion to Order Plaintiff to Provide Discovery and to Continue Hearings Until After Discovery

02-12-2021 Filed: Notice to Submit- Mandate for Summary Judgment

02-12-2021 Filed: Return of Electronic Notification

02-16-2021 Filed: Notice to Submit- Public Notice, Declarations, Mandates, and Lawful Protest

02-16-2021 Filed: Order (Proposed) Re: Defendants Motion to Order Plaintiff et al. to Produce All Discovery, and Motion to Continue Hearings Until After Discovery Provided

02-16-2021 Filed: Order (Proposed) Striking Defendants Mandate for Summary Judgment and Dismissal With Prejudice

02-16-2021 Filed: Order (Proposed) Striking Defendants Notice of Lis Pendens, Land Patent, and Administrative Procedures Act

02-16-2021 Filed: Order (Proposed) Striking Defendants Public Notice, Declarations, Mandates, and Lawful Protest and Associated Documents

02-16-2021 Filed: Return of Electronic Notification

02-16-2021 Filed: Request for Copy of Audio Record (2/16/21 hearing, Judge Johnson)

02-16-2021 Minute Entry - SPECIAL SET ORAL ARGUMENTS  
Judge: CHRISTINE JOHNSON  
PRESENT  
Clerk: nancyhb  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio  
Tape Number: WebEx/5A Tape Count: 9:16-10:45  
HEARING

9:22 Mr. Perkins argues defendant's mandate for summary judgment and dismissal with prejudice.

9:28 Mr. Cromar argues.

9:32 Mr. Perkins gives final word.

9:33 The court states the findings on the record and grants the motion to strike defendant's mandate for summary judgment and dismissal with prejudice.

9:38 Mr. Perkins argues the notice of lis pendens, land patent, and administrative procedures act.

9:42 Mr. Cromar argues.

9:54 Mr. Perkins gives final word.

9:56 The court states the findings on the record and grants the motion to strike the notice of lis pendens, land patent, and administrative procedures act.

10:03 Mr. Cromar argues the public notice, declarations, mandates and lawful protest.

10:09 Mr. Perkins argues.

10:15 The court states the findings on the record and grants the motion to strike the public notice, declarations, mandates and lawful protest.

10:15 Mr. Perkins argues the defendant's motion to produce all discovery.

10:20 Mr. Cromar argues.

10:28 Mr. Perkins responds.

10:32 Mr. Cromar replies.

10:39 The court directs the state to continue to turn over the affidavits and photos that are already on the way and directs Mr. and Ms. Cromar to file a rule 16 motion to narrow down specific issues.

Mr. Perkins is to prepare an order consistent with today's findings.

This matter is set for a waiver hearing.

WAIVER HEARING (7TH) is scheduled.

Date: 03/25/2021

Time: 08:30 a.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

02-16-2021 Filed: Return of Electronic Notification

02-17-2021 Note: Audio request from Mr Cromar forwarded to AE.

02-18-2021 Filed: Return of Electronic Notification

02-18-2021 Filed order: Order Striking Defendants Mandate for Summary Judgment and Dismissal With Prejudice

Judge CHRISTINE JOHNSON

Signed February 18, 2021

02-18-2021 Filed: Return of Electronic Notification

CASE NUMBER: 201402860 State Felony

02-18-2021 Filed order: Order Striking Defendants Notice of Lis Pendens, Land Patent, and Administrative Procedures Act  
Judge CHRISTINE JOHNSON  
Signed February 18, 2021

02-18-2021 Filed order: Order Re: Defendants Motion to Order Plaintiff et al. to Produce All Discovery, and Motion to Continue Hearings Until After Discovery Provided  
Judge CHRISTINE JOHNSON  
Signed February 18, 2021

02-18-2021 Filed: Return of Electronic Notification

02-18-2021 Filed: Return of Electronic Notification

02-18-2021 Filed order: Order Striking Defendants Public Notice, Declarations, Mandates, and Lawful Protest and Associated Documents  
Judge CHRISTINE JOHNSON  
Signed February 18, 2021

02-18-2021 Filed: Return of Electronic Notification

02-19-2021 Fee Account created Total Due: 5.00

02-19-2021 TELEPHONE/FAX/EMAIL Payment Received: 5.00  
Note: TELEPHONE/FAX/EMAIL

02-22-2021 Filed: TRANSCRIPT for Hearing of 02-16-2021

02-23-2021 Filed: Return of Electronic Notification

02-24-2021 WAIVER HEARING (7TH) scheduled on March 25, 2021 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

02-24-2021 Filed: Return of Electronic Notification

02-26-2021 Fee Account created Total Due: 15.00

03-03-2021 ELEC STORAGE MEDIUM Payment Received: 15.00

03-04-2021 Filed: Motion to Dismiss for Lack of In Personam Jurisdiction  
Filed by: PAUL CROMAR

03-04-2021 Filed: Return of Electronic Notification

03-10-2021 Filed: Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void & Vacate  
Filed by: PAUL CROMAR

03-10-2021 Filed: Copy of Video/Audio Record (completed - copy for Paul-Kenneth Cromar)

03-12-2021 Filed: Motion for Plaintiff to Produce Admissions Discovery  
Filed by: PAUL CROMAR

03-12-2021 Filed: Motion to Compel Plaintiff to Produce All Requested Discovery  
Filed by: PAUL CROMAR

03-13-2021 Filed: Return of Electronic Notification

03-17-2021 Filed: Return of Electronic Notification

03-17-2021 Filed: Memorandum Opposing Defendants Motion to Dismiss, in Part, and Motion to Strike Defendants Motion to Dismiss, in Part

03-17-2021 Filed: Return of Electronic Notification

03-25-2021 Filed: Request for Copy of Audio Record (3/25/21 hearing, Judge Johnson)

03-25-2021 Minute Entry - WAIVER HEARING (7TH)  
Judge: CHRISTINE JOHNSON  
PRESENT  
Clerk: nancyhb  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody

Defendant pro se

Audio

Tape Number: WebEx/5A Tape Count: 9:49-9:59

HEARING

The state provides an update. This matter is set for special set oral arguments. A request to submit is to be filed.

SPECIAL SET ORAL ARGUMENTS is scheduled.

Date: 04/19/2021

Time: 09:00 a.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

03-26-2021 Filed: Return of Electronic Notification  
03-29-2021 Filed: Memorandum in Opposition to Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void and Vacate  
03-29-2021 Filed: Return of Electronic Notification  
03-29-2021 SPECIAL SET ORAL ARGUMENTS scheduled on April 19, 2021 at 09:00 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
03-29-2021 Filed: TRANSCRIPT for Hearing of 03-25-2021  
03-30-2021 Filed: Return of Electronic Notification  
03-30-2021 Filed: State's Objection to Defendants' Motion for Plaintiff to Produce Admissions Discovery  
03-30-2021 Filed: Return of Electronic Notification  
03-31-2021 Fee Account created Total Due: 15.00  
04-06-2021 ELEC STORAGE MEDIUM Payment Received: 15.00  
04-06-2021 Filed: Motion for Vexatious Litigant Order Against the Defendants  
Filed by: PAUL KENNETH CROMAR  
04-06-2021 Filed: Return of Electronic Notification  
04-07-2021 Filed: Copy of Video/Audio Record (completed)  
04-12-2021 Filed: Notice to Strike for Hearsay and For Want of Jurisdiction  
Filed by: PAUL CROMAR  
04-12-2021 Filed: Exhibit A  
04-12-2021 Filed: Return of Electronic Notification  
04-19-2021 Filed: Third Judicial Notice: Certified Land Patent, Memorandums of Law, Law and Public Notices as Exhibits in Facts  
04-19-2021 Filed: Exhibit A  
04-19-2021 Filed: Response to Plaintiff's Objection to Motion to Dismiss, for Lack of in Personam Jurisdiction  
04-19-2021 Filed: Memorandum of Law Court of Record  
04-19-2021 Filed: Notice to Submit: Motion to Dismiss, for Lack of In Personam Jurisdiction  
04-19-2021 Filed: Exhibit A through I  
04-19-2021 Filed: Request for Copy of Audio Record (4/19/21 Hearing)  
04-19-2021 Minute Entry - SPECIAL SET ORAL ARGUMENTS

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: WebEx/5A Tape Count: 9:02-10:33

HEARING

This matter is set for oral argument on the request to submit filed on April 19, 2021.

9:10 Mr. Cromar opens argument.

9:19 Mr. Perkins responds.

9:25 Mr. Cromar gives final words.

9:35 The court states the findings on the record and denies the Motion to Dismiss.

9:43 Mr. Cromar objects. Discussion ensues.

9:56 Mr. Perkins gives an update on discovery. Discussion ensues.

10:24 The court denies the Motion to Compel Plaintiff to Produce All Requested Discovery and the Motion for Plaintiff to Produce Admissions Discovery. Mr. Perkins is to prepare an order consistent with today's findings.

This matter is set for Oral Arguments on the Motion for Vexatious Litigant Order Against the Defendants and on Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void and Vacate.

ORAL ARGUMENTS is scheduled.

Date: 05/11/2021

Time: 01:30 p.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-19-2021 Filed: Return of Electronic Notification  
04-20-2021 Fee Account created Total Due: 15.00  
04-20-2021 ELEC STORAGE MEDIUM Payment Received: 15.00  
04-21-2021 Filed: Return of Electronic Notification  
04-21-2021 Filed: Return of Electronic Notification  
04-23-2021 Filed: Copy of Video/Audio Record (completed 4/19/21 for Paul-Kenneth Cromar)  
04-23-2021 ORAL ARGUMENTS scheduled on May 11, 2021 at 01:30 PM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
04-23-2021 Filed: Return of Electronic Notification  
04-27-2021 Filed: Return of Electronic Notification  
04-30-2021 Filed: Notice of Interest  
04-30-2021 Filed: Ten Day Demand for Surety Bonds on Distress  
05-01-2021 Filed: Return of Electronic Notification  
05-03-2021 Note: DEF is requesting that all service be done by USPS mail addressed to the address on file.  
05-03-2021 Filed: Request for Audio Recording

05-03-2021 Fee Account created Total Due: 15.00  
05-03-2021 Filed: Return of Electronic Notification  
05-04-2021 Filed: Copy of Video/Audio Record (completed 4/19/21 hearing for Utah County Attorney's Office)  
05-04-2021 Fee Account created Total Due: 26.50  
05-04-2021 Fee Account created Total Due: 16.00  
05-04-2021 CERTIFIED COPIES Payment Received: 26.50  
05-04-2021 CERTIFICATION Payment Received: 16.00  
05-04-2021 Filed: Notice of Interest  
05-04-2021 Filed: Ten Day Demand for Surety Bonds on Distress  
05-04-2021 Filed: Return of Electronic Notification  
05-05-2021 Filed: TRANSCRIPT for Hearing of 04-19-2021  
05-06-2021 Filed: Return of Electronic Notification  
05-11-2021 ORAL ARGUMENTS Cancelled  
Reason: Continued without date.  
05-11-2021 NOTICE for Case 201402860 ID 21809281  
Judge: CHRISTINE JOHNSON  
ORAL ARGUMENTS is scheduled.  
Date: 07/06/2021  
Time: 01:30 p.m.  
Before Judge: CHRISTINE JOHNSON  
Oral Arguments is set for one hour on the Motion for Vexatious Litigant Order Against the Defendants and on Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void and Vacate.  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic device to appear remotely, notify the court.  
05-11-2021 ORAL ARGUMENTS scheduled on July 06, 2021 at 01:30 PM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
05-11-2021 Filed: Notice for Case 201402860 FS: Judge CHRISTINE JOHNSON  
05-12-2021 Filed: Return of Electronic Notification  
05-14-2021 Filed: Notice of Conditional Acceptance  
05-18-2021 Filed: Return of Electronic Notification  
05-19-2021 Filed: Mail Returned: \*\* Temporarily Away \*\*  
05-21-2021 Filed: Return of Electronic Notification  
05-25-2021 Note: Mailed Notice of Oral Arguments to PO box in the file.  
06-10-2021 Filed: Writ of Quo Warranto  
06-10-2021 Filed: Return of Electronic Notification  
06-21-2021 Filed: Deed of Secondary Conveyance of Incorporeal Hereidataments an Authenticated Foreign Document - Hague Convention, 5 October 1961 Public Notices, Declarations, Mandates, and Lawful Protest  
06-23-2021 Filed: Return of Electronic Notification  
06-24-2021 Filed: Return of Electronic Notification  
06-25-2021 Filed: Return of Electronic Notification  
06-30-2021 Filed: Notice to Submit on Notice of Conditional Acceptance  
07-01-2021 Filed: Notice to Submit on Third Judicition Notice- Exhibits A, B, C  
07-01-2021 Filed: Notice to Submit on Notice to Strike for Hearsay and for want (Lack) of Jurisdiction  
07-03-2021 Filed: Return of Electronic Notification  
07-06-2021 Filed: United States Tax Court- Motion to Dismiss for Lack of Jurisdiction

07-06-2021 Filed: United States Tax Court- Signed Order  
07-06-2021 Filed: Land of Patent Notice  
07-06-2021 Filed: Declaration of Assignees Update of Patent  
07-06-2021 Filed: Birth Certificate (Paul Kenneth Cromar)  
07-06-2021 Filed: Affidavit for Search Warrant  
07-06-2021 Filed: Search Warrant  
07-06-2021 PRELIMINARY HEARING-WAIVE scheduled on August 19, 2021 at 08:30  
AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
07-06-2021 Minute Entry - ORAL ARGUMENTS

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: ambere

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: 5A/WebEx Tape Count: 1:46-3:13

HEARING

This matter comes before the court for oral arguments. The court states that the defendants have an objection to strike public notice and the state's motion for vexatious litigant order. Mr. Cromar responds that he did file a motion to strike for heresay. The court notifies Mr. Cromar that a motion is not an opposition. Mr. Perkins states this was addressed at the April 19, 2021, and agreed to accept the motion to strike for heresay as the opposition. Discussion. Mr. Cromar objects to today's proceedings and moves to strike. The court denies the request.

1:53 Mr. Cromar addresses docket number 142, objection to order to strike public notice for rule 12F violation and motion devoid or vacate.

2:04 Mr. Perkins responds.

2:11 Reply by Mr. Cromar.

2:28 Mr. Perkins reviews arguments regarding the second motion regarding Rule 83.

2:40 Mr. Cromar speaks in response.

2:59 Mr. Perkins has the final word.

2:59 Court enters it's findings and rulings on the arguments scheduled and heard today. Court asks Mr. Perkins to prepare the order from today's findings.

3:10 Mr. Cromar objects. Court responds.

The Court sets this matter for a further waiver hearing.

PRELIMINARY HEARING-WAIVE is scheduled.

Date: 08/19/2021

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

07-07-2021 Filed: Return of Electronic Notification

07-07-2021 Filed: Request for Copy of Audio Record (7/6/21 hearing, Judge Johnson)  
07-08-2021 Filed: Return of Electronic Notification  
07-08-2021 Filed: Order (Proposed) Denying Defendants Motion to Dismiss for Lack of In Personam Jurisdiction  
07-08-2021 Filed: Return of Electronic Notification  
07-12-2021 Filed: TRANSCRIPT for Hearing of 07-06-2021  
07-13-2021 Filed: Return of Electronic Notification  
07-14-2021 Filed: Other - Not Signed Order (Proposed) Denying Defendants Motion to Dismiss for Lack of In Personam Jurisdiction  
07-14-2021 Note: This needs a certificate of mailing.  
07-14-2021 Filed: Return of Electronic Notification  
07-14-2021 Fee Account created Total Due: 15.00  
07-14-2021 ELEC STORAGE MEDIUM Payment Received: 15.00  
07-17-2021 Filed: Return of Electronic Notification  
07-22-2021 Filed: \*Affidavit\*: We MOVE the Court to Acknowledge Our Constitutional Counsel  
07-26-2021 Note: GRAMA request received and given to Mark.  
07-28-2021 Filed: Return of Electronic Notification  
07-29-2021 Ruling Entry - MINUTE ENTRY

Judge: CHRISTINE JOHNSON

The Court is in receipt of Defendant's affidavit/motion seeking recognition of Eugene Paul Richardson as constitutional counsel. This motion is denied. Pursuant to Section 78A-9-103, it is prohibited for any individual to practice law without a license. Hence, any counsel entering an appearance on behalf of Defendants must be a licensed attorney.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942, PLEASANT GROVE CEDAR HILLS, UT 84062

MAIL: EUGENE PAUL RICHARDSON 10386 N 2800 E BERYL, UT 84714

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

07/29/21

/s/

AMBER EVANS

Date: \_\_\_\_\_

Signature

07-29-2021 Filed order: MINUTE ENTRY

Judge CHRISTINE JOHNSON

Signed July 29, 2021

07-29-2021 Filed: Rebuttal Affidavit Court Requested Motion for Recusals We the Executors Move the Court to Recuse Court Officers for Conflict of Interest

07-30-2021 Filed: Return of Electronic Notification

08-02-2021 Filed: Copy of Video/Audio Record (completed)

08-03-2021 Filed: Return of Electronic Notification

08-05-2021 Filed: Return of Electronic Notification

08-05-2021 Filed: Rebuttal Affidavit: We Move the Court to Keep it's Sworn Oath to Uphold the Constitution and Our Consistitutional Counsel of Choice

08-09-2021 Filed: Fourth Judicial Notice: Cromars 100% Vindicated by and Commissioner of I.R.S. and Constitutional Land Patent Contract, With support Exhibits in Fact A thru N

08-11-2021 Fee Account created Total Due: 14.00

08-11-2021 Fee Account created Total Due: 4.75

08-11-2021 Fee Account created Total Due: 8.00

08-11-2021 CERTIFIED COPIES Payment Received: 14.00

08-11-2021 COPY FEE Payment Received: 4.75

08-11-2021 CERTIFICATION Payment Received: 8.00

08-14-2021 Filed: Return of Electronic Notification

08-16-2021 Filed: Rebuttal \*Affidavit\*: We the Executors Move this Court to Dismiss This Case With Prejudice for Lack of Jurisdiction, Fraudulent Proceedings and Breach of Contract

08-17-2021 Filed: Fifth Judicial Notice: Lawful Claim of Title, Will, Execution of Will, Declaration of Status, Appointment of Trustees and Standing Orders for Same

08-17-2021 Filed: Order (Proposed) Declaring Defendants Vexatious Litigants

08-17-2021 Filed: Order (Proposed) Denying Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void Vacate

08-17-2021 Filed: Order (Proposed) Denying Defendants Motion for Plaintiff to Produce Admissions Discovery

08-17-2021 Filed: Order (Proposed) on Defendants Motion to Compel Plaintiff to Produce All Requested Discovery

08-17-2021 Filed: Return of Electronic Notification

08-19-2021 Minute Entry - PRELIMINARY HEARING-WAIVE

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: WebEx/5A Tape Count: 11:43-11:59

HEARING

This matter is set for a special set preliminary hearing.

SPECIAL SET PRELIMINARY HEARIN is scheduled.

Date: 09/17/2021

Time: 01:30 p.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

08-20-2021 Filed: Return of Electronic Notification

08-23-2021 SPECIAL SET PRELIMINARY HEARIN scheduled on September 17, 2021 at 01:30 PM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

08-24-2021 Filed: Return of Electronic Notification

08-24-2021 Fee Account created Total Due: 15.00

08-25-2021 ELEC STORAGE MEDIUM Payment Received: 15.00

08-25-2021 Filed: Other - Not Signed Order (Proposed) Denying Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void Vacate

08-25-2021 Note: This still needs a certificate of mailing.  
08-25-2021 Filed: Return of Electronic Notification  
08-25-2021 Filed: Other - Not Signed Order (Proposed) Declaring Defendants Vexatious Litigants  
08-25-2021 Note: This still needs a certificate of mailing.  
08-25-2021 Filed: Other - Not Signed Order (Proposed) on Defendants Motion to Compel Plaintiff to Produce All Requested Discovery  
08-25-2021 Note: This still needs a certificate of mailing.  
08-25-2021 Filed: Return of Electronic Notification  
08-25-2021 Filed: Return of Electronic Notification  
08-25-2021 Filed: Other - Not Signed Order (Proposed) Denying Defendants Motion for Plaintiff to Produce Admissions Discovery  
08-25-2021 Note: This still needs a certificate of mailing.  
08-25-2021 Filed: Return of Electronic Notification  
08-26-2021 Filed: TRANSCRIPT for Hearing of 08-19-2021  
08-27-2021 Filed: Return of Electronic Notification  
09-07-2021 Filed: Order (Proposed) Denying Defendants Motion to Dismiss for Lack of In Personam Jurisdiction  
09-07-2021 Filed: Order (Proposed) Declaring Defendants Vexatious Litigants  
09-07-2021 Filed: Order (Proposed) Denying Defendants Motion for Plaintiff to Produce Admissions Discovery  
09-07-2021 Filed: Order (Proposed) Denying Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void Vacate  
09-07-2021 Filed: Order (Proposed) on Defendants Motion to Compel Plaintiff to Produce All Requested Discovery  
09-07-2021 Filed: Return of Electronic Notification  
09-14-2021 Filed: Motion to Continue Preliminary Hearing  
Filed by: PAUL KENNETH CROMAR  
09-14-2021 Filed: Return of Electronic Notification  
09-17-2021 Filed: Request for Copy of Audio Record ( 9/17/21 hearing, Judge Johnson)  
09-17-2021 Minute Entry - CONTINUANCE OF SPECIAL SET PRELIMINARY H  
Judge: CHRISTINE JOHNSON  
PRESENT  
Clerk: nancyhb  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio  
Tape Number: WebEx/5A Tape Count: 1:32-1:41  
CONTINUANCE  
Whose Motion:  
The Prosecutor Jared Perkins.  
Reason for continuance:  
Witness unavailability  
The motion is granted.  
HEARING

1:33 Mr. Perkins addresses the motion to continue preliminary hearing.

1:34 Mr. Cromar responds.

1:37 The Court finds no objection has been made and grants the motion to continue preliminary hearing.

SPECIAL SET PRELIMINARY HEARIN is scheduled.

Date: 10/19/2021

Time: 02:00 p.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

09-20-2021 Fee Account created Total Due: 15.00

09-20-2021 SPECIAL SET PRELIMINARY HEARIN scheduled on October 19, 2021 at 02:00 PM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON

09-21-2021 Filed: Return of Electronic Notification

09-22-2021 Filed order: Order Denying Defendants Motion to Dismiss for Lack of In Personam Jurisdiction  
Judge CHRISTINE JOHNSON  
Signed September 22, 2021

09-22-2021 Filed order: Order Declaring Defendants Vexatious Litigants  
Judge CHRISTINE JOHNSON  
Signed September 22, 2021

09-22-2021 Filed order: Order Denying Defendants Motion for Plaintiff to Produce Admissions Discovery  
Judge CHRISTINE JOHNSON  
Signed September 22, 2021

09-22-2021 Filed order: Order Denying Defendants Objection to Order to Strike Public Notice for Rule 12(f) Violation and Motion to Void Vacate  
Judge CHRISTINE JOHNSON  
Signed September 22, 2021

09-22-2021 Filed order: Order on Defendants Motion to Compel Plaintiff to Produce All Requested Discovery  
Judge CHRISTINE JOHNSON  
Signed September 22, 2021

09-22-2021 Filed: Return of Electronic Notification

09-22-2021 Filed: Return of Electronic Notification

09-22-2021 Filed: Return of Electronic Notification

09-22-2021 Filed: Return of Electronic Notification

09-22-2021 Filed: Return of Electronic Notification

09-28-2021 Filed: Motion to Strike Defendants Post Vexatious Litigant Order Pleadings  
Filed by: PAUL KENNETH CROMAR

09-28-2021 Filed: Return of Electronic Notification

09-28-2021 Ruling Entry - NOTICE OF RETURNED DOCUMENTS  
Judge: CHRISTINE JOHNSON  
The court is in receipt of a document filed by Paul-Kenneth Cromar dated September 24, 2021, and received by the court September 27, 2021. The court is returning the document because the court is no longer accepting filings by Mr. Cromar as a pro se litigant. He may file documents through a state-licensed attorney.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

MAIL: PAUL KENNETH CROMAR PO BOX 942, PLEASANT GROVE, UT 84062

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

09/28/2021

/s/

AMBER EVANS

Date: \_\_\_\_\_

Signature

- 10-04-2021 AUDIO TAPE COPY Payment Received: 15.00
- 10-05-2021 Filed: Completed Audio Request (09/17/21) for Paul-Kenneth Cromar. Emailed as MP3.
- 10-05-2021 Filed: Affidavit - We the Executors MOVE this Court to Submit on ALL Our filings: particularly We the Executors MOVE this Court to DISMISS THIS CASE With Prejudice for LACK OF JURISDICTION, (Filing not permitted)
- 10-05-2021 Filed: Affidavit - REJECTION OF OFFER TO CONTRACT: UCC 2-602(a) REJECTION OF GOODS, and for LACK OF JURISDICTION, Fraudulent Proceedings and Breach of Contract (filing not permitted)
- 10-06-2021 Filed: Return of Electronic Notification
- 10-07-2021 Filed: Return of Electronic Notification
- 10-14-2021 Filed: Request/Notice to Submit on States Motion to Strike Defendants Post Vexatious Litigants Order Pleadings
- 10-14-2021 Filed: Return of Electronic Notification
- 10-15-2021 Filed: TRANSADMIN TRANSCRIPT for Hearing 09-17-2021
- 10-16-2021 Filed: Return of Electronic Notification
- 10-19-2021 Filed: Notice of Failure to Post Bond as Per Contractual Obligation
- 10-19-2021 Filed: Exhibit List
- 10-19-2021 ARRAIGNMENT scheduled on November 04, 2021 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON
- 10-19-2021 Minute Entry - PRELIMINARY HEARING

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: WebEx/5A Tape Count: 2:06-5:10

HEARING

2:08 Quinn Adamson, Sergeant Robert Weidlein and Brett Belliston are sworn in. Quinn Adamson is temporarily excused.

2:11 Mr. Cromar enters an appearance and makes an objection to Brett Belliston testifying. The objection is overruled.

2:17 Mr. Perkins offers PLA exhibit 1, Certified Copy of Order of Foreclosure and Judicial Sale dated 3-20-19. Mr. Cromar objects. Overruled.

2:20 Mr. Perkins questions Brett Belliston.

2:25 Mr. Perkins offers PLA exhibit 2, Certified Copy of Order and Judgment (No. 19-4075) dated 3-26-20 under Rule 902. Received.

2:27 Mr. Perkins offers PLA exhibit 3, Certified Copy of Order Confirming Sale and Distributing Proceeds under Rule 902. Received.

2:31 Mr. Perkins offers PLA exhibit 4, Deed to Real Property under Rule 902. Received.

2:39 Mr. Perkins offers PLA exhibit 5, Certified Copy of Order of Restitution dated 8-18-20 under Rule 902. Received.

2:44 The Court takes a brief recess.

2:48 The Court resumes. Mr. Perkins offers PLA exhibit 6, Certified Copy of Amended-Final Order to Vacate Premises dated 9-2-20 under Rule 902. Received.

2:58 Mr. Cromar cross-examines the witness.

3:13 The Court takes a brief recess.

3:14 The Court resumes.

3:29 No further questions. Mr. Cromar makes a record.

3:30 The Court appoints the Public Defender's office for the limited purpose of filing legal documents as appropriate since the defendant is prohibited from doing so.

3:31 No further questions. The witness is excused.

3:31 Sergeant Robert Weidlein is questioned by Mr. Perkins.

3:59 Mr. Cromar cross-examines the witness.

4:09 The Court takes a brief recess.

4:14 The Court resumes. Mr. Cromar offers Sergeant Weidlein's police report. The request is denied since a police report is hearsay and not admissible.

4:40 No further questions. Parties rest.

4:41 Mr. Perkins gives closing argument.

4:49 Mr. Cromar gives closing argument.

4:57 Mr. Perkins gives final word.

4:58 The Court finds probable cause and binds over count 1 and 2.

Arraignment is set.

APPOINTMENT OF COUNSEL

Court finds the defendant indigent and appoints DEFENDER PUBLIC to represent the defendant.

Appointed Counsel:

Name: DEFENDER PUBLIC

Address: 51 S UNIVERSITY AVE STE 206

City: PROVO UT 84601

Phone: (801)852-1070

APPOINTMENT OF COUNSEL NOTE

This appointment is for the limited purpose of filing legal documents.

ARRAIGNMENT is scheduled.

Date: 11/04/2021

Time: 08:30 a.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

10-19-2021 Filed: Return of Electronic Notification  
10-20-2021 Fee Account created Total Due: 15.00  
10-20-2021 Fee Account created Total Due: 0.50  
10-20-2021 Fee Account created Total Due: 4.00  
10-20-2021 Fee Account created Total Due: 0.58  
10-20-2021 CERTIFIED COPIES Payment Received: 0.50  
10-20-2021 CERTIFICATION Payment Received: 4.00  
10-20-2021 POSTAGE-COPIES Payment Received: 0.58  
Note: POSTAGE-COPIES  
10-20-2021 Note: 1 certified copy of Ruling Notice of Returned Documents mailed to Paul Cromar at PO Box 942 Pleasant Grove UT 84062.  
10-21-2021 AUDIO TAPE COPY Payment Received: 15.00  
10-22-2021 Filed: Completed Audio Request (10/19/21) for Ken Cromar. Emailed as MP3s/MP4.  
10-22-2021 Filed: Return of Electronic Notification  
10-26-2021 Filed: TRANSADMIN TRANSCRIPT for Hearing 10-19-2021  
10-27-2021 Filed: Return of Electronic Notification  
10-28-2021 Filed order: PRELIMINARY HEARING  
Judge CHRISTINE JOHNSON  
Signed October 28, 2021  
10-29-2021 Filed: Return of Electronic Notification  
11-04-2021 Filed: Return of Electronic Notification  
11-04-2021 Minute Entry - ARRAIGNMENT  
Judge: CHRISTINE JOHNSON  
PRESENT  
Clerk: malindag  
Prosecutor: PERKINS, M JARED  
Defendant Present  
The defendant is not in custody  
Defendant pro se  
Audio  
Tape Number: WebEx/5A Tape Count: 11:41-11:54  
HEARING

Paul Cromar appears and requests dismissal. Mr. Perkins is ready to proceed. Court receives a not guilty plea on each charge. Pretrial conference is set. Paul Cromar makes another record stating he is appealing the case.

PRETRIAL CONFERENCE is scheduled.

Date: 01/20/2022

Time: 08:30 a.m.

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

11-04-2021 Filed: Appearance of Counsel/Notice of Limited Appearance  
 11-04-2021 Filed: Request for Discovery  
 11-04-2021 Filed: Return of Electronic Notification  
 11-08-2021 PRETRIAL CONFERENCE scheduled on January 20, 2022 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
 11-09-2021 Filed: Return of Electronic Notification  
 11-12-2021 Filed: TRANSADMIN TRANSCRIPT for Hearing 11-04-2021  
 11-13-2021 Filed: Return of Electronic Notification  
 11-15-2021 Ruling Entry - NOTICE OF DECLINED FILINGS

Judge: CHRISTINE JOHNSON

The court is in receipt of several filings by the defendant, dated October 5, October 18, and October 29, 2021. The court is returning the documents because the court is not accepting filings by the defendant as a pro se litigant per a previous order issued by this court. The defendant may file documents through the public defender's office if he chooses.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942, PLEASANT GROVE CEDAR HILLS, UT 84062

EMAIL: PAUL-KENNETH CROMAR kencromar5@gmail.com

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

EMAIL: DEFENDER PUBLIC receptionist@utcpd.com

11/15/2021

/s/

AMBER EVANS

Date: \_\_\_\_\_

Signature

11-15-2021 Filed: Order (Proposed) Striking Defendants Post Vexatious Litigants Order Pleadings  
 06-04-2012 Filed: Return of Electronic Notification  
 11-15-2021 Fee Account created Total Due: 15.00  
 11-16-2021 Filed order: Order Striking Defendants Post Vexatious Litigants Order Pleadings  
 Judge CHRISTINE JOHNSON  
 Signed November 16, 2021  
 11-16-2021 Filed: Return of Electronic Notification  
 11-16-2021 AUDIO TAPE COPY Payment Received: 15.00

11-16-2021 Filed: Completed Audio Request (11/04/21) for Paul-Kenneth Cromar. Emailed as MP3.  
11-17-2021 Filed: Return of Electronic Notification  
01-03-2022 Filed: Request for Copy of Audio Record (10-2-20)  
01-03-2022 Fee Account created Total Due: 15.00  
01-03-2022 AUDIO TAPE COPY Account Adjustment Total Due: 30.00  
Reason: Corrected amount to be collected for audio request  
01-03-2022 Filed: Return of Electronic Notification  
01-04-2022 AUDIO TAPE COPY Payment Received: 30.00  
01-05-2022 Filed: Completed Audio Request (1/03/22) for Ken Cromar. Emailed as MP3s.  
01-07-2022 Filed: Return of Electronic Notification  
01-20-2022 Minute Entry - CONTINUANCE OF PRETRIAL CONFERENCE

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): ESTRADA, LISA MAXINE

Audio

Tape Number: Webex/5A Tape Count: 10:51-11:09

CONTINUANCE

Whose Motion:

The Prosecutor Jared Perkins.

Reason for continuance:

Counsel's request.

The motion is granted.

HEARING

This matter is being recorded via Webex.

Court instructs counsel and defendant to have jury instructions, voir dire, motions in limine, exhibit and witness lists, etc on file by the final pretrial conference date. Jury trial is set. Defendant states he/she has not entered a plea. Defendant is informed that the court is allowed to enter not guilty plea(s) on his/her behalf. Defendants objection is overruled.

Ms. Estrada is instructed to help with any filings but does not need to be present at trial.

FINAL PRETRIAL CONFERENCE is scheduled.

Date: 06/02/2022

Time: 08:30 a.m.

Before Judge: CHRISTINE JOHNSON

5-DAY JURY TRIAL (1ST PLACE) is scheduled.

Date: 06/27/2022

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

5-DAY JURY TRIAL (1ST PLACE).

Date: 06/28/2022

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

5-DAY JURY TRIAL (1ST PLACE).

Date: 06/29/2022

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

5-DAY JURY TRIAL (1ST PLACE).

Date: 06/30/2022

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

5-DAY JURY TRIAL (1ST PLACE).

Date: 07/01/2022

Time: 08:30 a.m.

Location: 5th Fl, Courtroom 5B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: CHRISTINE JOHNSON

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

01-20-2022 Filed: Request for Copy of Audio Record (01/20/22)  
01-25-2022 FINAL PRETRIAL CONFERENCE scheduled on June 02, 2022 at 08:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
01-25-2022 5-DAY JURY TRIAL (1ST PLACE) scheduled on June 27, 2022 at 08:30 AM in 5th Fl, Courtroom 5B with Judge CHRISTINE JOHNSON  
01-25-2022 5-DAY JURY TRIAL (1ST PLACE) scheduled on June 28, 2022 at 08:30 AM in 5th Fl, Courtroom 5B with Judge CHRISTINE JOHNSON  
01-25-2022 5-DAY JURY TRIAL (1ST PLACE) scheduled on June 29, 2022 at 08:30 AM in 5th Fl, Courtroom 5B with Judge CHRISTINE JOHNSON  
01-25-2022 5-DAY JURY TRIAL (1ST PLACE) scheduled on June 30, 2022 at 08:30 AM in 5th Fl, Courtroom 5B with Judge CHRISTINE JOHNSON  
01-25-2022 5-DAY JURY TRIAL (1ST PLACE) scheduled on July 01, 2022 at 08:30 AM in 5th Fl, Courtroom 5B with Judge CHRISTINE JOHNSON  
01-25-2022 Filed: Return of Electronic Notification  
01-27-2022 Filed: TRANSADMIN TRANSCRIPT for Hearing 10-02-2020  
01-28-2022 Filed: Return of Electronic Notification  
01-28-2022 Filed: TRANSADMIN TRANSCRIPT for Hearing 01-20-2022  
01-28-2022 Fee Account created Total Due: 15.00  
01-29-2022 Filed: Return of Electronic Notification  
02-01-2022 Filed: Return of Electronic Notification

02-08-2022 ELEC STORAGE MEDIUM Payment Received: 15.00  
02-09-2022 Filed: Completed Audio Request (01/20/22) for Paul Cromar.  
Emailed as MP3.  
02-10-2022 Filed: Return of Electronic Notification  
03-25-2022 Filed: Fourth and Final Notice via Competent Counsel Contract  
03-25-2022 Filed: Public Notice, Declarations, Mandates, and Lawful  
Protest  
03-31-2022 Filed: Return of Electronic Notification  
05-02-2022 Filed: Request for Discovery  
05-02-2022 Filed: Return of Electronic Notification  
05-02-2022 Filed: Motion in Limine for Collateral Estoppel of Re-  
Litigation of Property Foreclosure, and Exclusion of Such  
Evidence Under Rule of Evidence 403  
Filed by: PAUL KENNETH CROMAR  
05-02-2022 Filed: Return of Electronic Notification  
05-06-2022 Ruling Entry - NOTICE OF DOCUMENTS NOT RECEIVED BY THE  
Judge: CHRISTINE JOHNSON  
The court is in receipt of a filing from the defendant that  
was sent directly to Judge Johnson's clerk. The defendant  
filed a document on April 22, 2022 titled NOTICE of failure  
to Respond within 10 days RE: Three (3) GRAMA / FOIA  
requests.  
The court is not receiving these documents because the  
defendant has been appointed a public defender and should  
have all pleadings filed through the Utah County Public  
Defender's office.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to  
the following people for case 201402860 by the method and  
on the date specified.  
MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942,  
PLEASANT GROVE CEDAR HILLS, UTAH 84062  
EMAIL: DEFENDER PUBLIC receptionist@utcpd.com  
EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

05/06/22

/s/

NANCY BALDARRAGO

Date: \_\_\_\_\_

Signature

05-06-2022 Ruling Entry - NOTICE OF DOCUMENTS NOT RECEIVED BY THE  
Judge: JOHNSON, CHRISTINE  
The court is in receipt of a filing from the defendant via  
the Provo Filing email address and a hard copy was dropped  
off at the courthouse. The defendant filed a document on  
May 5, 2022 titled Rebuttal \*Affidavit\* Declaration - We do  
not understand nor do we consent to these proceedings of a  
jurisdiction established foreign to us, of self-VOIDED  
Juris, acting in denial of Constitutional due process.  
The court is not receiving these documents because the  
defendant has been appointed a public defender and should  
have all pleadings filed through the Utah County Public  
Defender's office.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to  
the following people for case 201402860 by the method and  
on the date specified.

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942,  
PLEASANT GROVE CEDAR HILLS, UTAH 84062  
EMAIL: DEFENDER PUBLIC receptionist@utcpd.com  
EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

05/06/22

/s/

NANCY BALDARRAGO

Date: \_\_\_\_\_

Signature

- 05-06-2022 Filed order: NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT  
Judge CHRISTINE JOHNSON  
Signed May 06, 2022
- 05-06-2022 Filed order: NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT  
Judge CHRISTINE JOHNSON  
Signed May 06, 2022
- 05-07-2022 Filed: Return of Electronic Notification
- 05-20-2022 Fee Account created Total Due: 4.00
- 05-20-2022 Fee Account created Total Due: 19.50
- 05-20-2022 Fee Account created Total Due: 19.50
- 05-20-2022 Fee Account created Total Due: 5.12
- 05-20-2022 CERTIFICATION Payment Received: 4.00
- 05-20-2022 CERTIFIED COPIES Payment Received: 19.50
- 05-20-2022 TELEPHONE/FAX/EMAIL Payment Received: 19.50
- 05-20-2022 POSTAGE-COPIES Payment Received: 5.12
- 05-24-2022 Filed: Request/Notice to Submit on States Motion in Limine for Collateral Estoppel of Property Foreclosure, and Exclusion of Such Evidence Under Utah Rule of Evidence 403
- 05-24-2022 Filed: Return of Electronic Notification
- 05-24-2022 Note: The State's motion (in the RTS) needs to be served on defendant's counsel.
- 05-31-2022 Filed: Jury Instructions (States Proposed)
- 05-31-2022 Filed: Return of Electronic Notification
- 06-01-2022 Ruling Entry - NOTICE OF DOCUMENTS NOT RECEIVED BY THE

Judge: JOHNSON, CHRISTINE

The court is in receipt of a filing from the defendant that was sent via the Provofiling email and by mail to the court. The document was received by email on May 20, 2022, and by mail on May 24, 2022, titled 'Rebuttal \*Affidavit\* Declaration:: We do not understand nor do we consent to these proceedings of a jurisdiction established on the record as foreign to us, of self-VOIDED juris, for action(s) in denial of Constitutional due process, and for Destruction of Evidence in Fraud and Swindle in Dishonor.'

The court is not receiving these documents because the defendant has been appointed a public defender and should have all pleadings filed through the Utah County Public Defender's office.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942,  
PLEASANT GROVE CEDAR HILLS, UTAH 84062  
EMAIL: DEFENDER PUBLIC receptionist@utcpd.com

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

EMAIL: PAUL KENNETH CROMAR kencromar5@gmail.com

06/01/22

/s/

AMBER EVANS

Date: \_\_\_\_\_

Signature

06-01-2022 Ruling Entry - NOTICE OF DOCUMENTS NOT RECEIVED BY THE

Judge: JOHNSON, CHRISTINE

The court is in receipt of a filing by Community Support Foundation, Filed in behalf of an ad hoc group of Americans by: Jeff Besendorfer and Michael Bronson. The document was received by the court on May 24, 2022, titled 'Motion To Be Admitted Brief Amicus Curiae Supporting Defendants as authorized by Amendment I to the Constitution'

The court declines to receive these documents as they have been filed by parties not licensed with the Utah State Bar. The defendant has been appointed a public defender and should have all pleadings filed through the Utah County Public Defender's office.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 201402860 by the method and on the date specified.

MAIL: PAUL KENNETH CROMAR 9870 N MEADOW DRIVE PO BOX 942, PLEASANT GROVE CEDAR HILLS, UTAH 84062

MAIL: COMMUNITY SUPPORT FOUNDATION JEFF BESENDORFER & MICHAEL BRONSON 1921 S CASPERVILLE ROAD HEBER, UTAH 84032

EMAIL: DEFENDER PUBLIC receptionist@utcpd.com

EMAIL: DAVID LEAVITT DCOURT@UTAHCOUNTY.GOV

EMAIL: PAUL KENNETH CROMAR kencromar5@gmail.com

06/01/22

/s/

AMBER EVANS

Date: \_\_\_\_\_

Signature

06-01-2022 Filed order: NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT

Judge CHRISTINE JOHNSON

Signed June 01, 2022

06-01-2022 Filed order: NOTICE OF DOCUMENTS NOT RECEIVED BY THE COURT

Judge CHRISTINE JOHNSON

Signed June 01, 2022

06-01-2022 Filed: Return of Electronic Notification

06-02-2022 Minute Entry - FINAL PRETRIAL CONFERENCE

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): ESTRADA, LISA MAXINE  
Audio

Tape Number: 5A Tape Count: 12:07-12:46

HEARING

This matter is being recorded via Webex and FTR.

12:08 Mr. Perkins provides a status report on discovery, trial, and ongoing motion.

12:12 Ms. Estrada states her concerns going forward with trial.

12:16 The defendant speaks on his/her own behalf regarding counsel and being a vexatious litigant.

12:23 The court reminds the defendant that everything is on the record and does not need to be repeated at each hearing. The defendant is advised of his/her right to represent themselves or hire a licensed attorney to represent them. Ms. Estrada has been appointed to help with filings. Voir dire, jury instructions, exhibit and witness lists are due by 5:00 p.m. tomorrow.

12:28 Ms. Estrada states her concerns going forward with trial.

12:30 Mr. Perkins responds.

12:31 Discussion continues.

12:34 Ms. Estrada may file a petition for competency.

12:35 The court goes over the schedule for trial and states there will be time limits imposed for direct and cross-examination. The defendant is admonished that rules of evidence apply.

12:40 The defendant objects to everything.

12:45 The objections are noted and overruled.

06-02-2022 Fee Account created Total Due: 15.00  
06-02-2022 Filed: Request for Copy of Audio Record  
06-02-2022 AUDIO TAPE COPY Payment Received: 15.00  
06-02-2022 Filed: Return of Electronic Notification  
06-03-2022 Filed: States Notice of Trial Witnesses and Exhibits  
06-03-2022 Filed: Return of Electronic Notification  
06-05-2022 Filed: TRANSADMIN TRANSCRIPT for Hearing 06-02-2022  
06-06-2022 Filed: Utah Co. Public Defender Associations Opposition to Courts Appointment of Counsel  
06-06-2022 Filed: Return of Electronic Notification  
06-07-2022 Filed: Return of Electronic Notification  
06-13-2022 Filed: COMPLETED audio request for Cromar emailed on 6/8/22  
06-14-2022 Filed: Return of Electronic Notification  
06-14-2022 Filed: States Supplemental Notice of Trial Witnesses  
06-14-2022 Filed: Return of Electronic Notification  
06-15-2022 Filed: States Proposed Supplemental Jury Selection Questions  
06-15-2022 Filed: Return of Electronic Notification  
06-16-2022 Filed: Certificate of Service of States Motion in Limine for Collateral Estoppel of Re-litigation of Property Foreclosure, and Exclusion of Such Evidence Under Utah Rule of Evidence 403  
06-16-2022 Filed: Certificate of Service of Request to Submit on States Motion in Limine for Collateral Estoppel of Re-litigation of Property Foreclosure, and Exclusion of Such Evidence Under Utah Rule of Evidence 403

06-16-2022 Filed: Corrected: States Proposed Supplemental Jury Selection Questions

06-16-2022 Filed: Return of Electronic Notification

06-16-2022 Filed: Return of Electronic Notification

06-20-2022 Filed: Objection to Defense Witnesses

06-20-2022 Filed: Return of Electronic Notification

06-27-2022 Filed: Subpoena - Doug Gilmore

06-27-2022 Filed: Subpoena - Josianne Petit

06-27-2022 Filed: Subpoena - John O'Hara

06-27-2022 Filed: Subpoena - Nathan Eddington

06-27-2022 Filed: Subpoena - Ryan Bundy

06-27-2022 Filed: Subpoena - Shawna Cox

06-27-2022 Filed: Subpoena - Michael R. Eddington

06-27-2022 Filed: Subpoena - Richard Mack

06-27-2022 \*\*\*\* PRIVATE \*\*\*\* Filed: Juror Challenge Document

06-27-2022 Fee Account created Total Due: 22.50

06-27-2022 COPY FEE Payment Received: 22.50

06-27-2022 Minute Entry - JURY TRIAL - DAY 1 (JURY SELECTION)

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: ambere

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Defendant pro se

Audio

Tape Number: 5A Tape Count: 9:11-2:38

TRIAL

This matter comes before the court for day one of the jury trial. The matter is being recorded on FTR. Jurors 2, 21, and 44 did not appear today. The court authorizes an order to show cause to issue for the jurors that did not appear.

Jurors 10, 35, and 36 were excused.

Before beginning with the jurors, Mr. Cromar states that he filed a Writ of Habeas Corpus and this case should not be moving forward. He tries to provide a copy to the court. The court declines to accept the documents as Mr. and Mrs. Cromar have been provided access to a public defender to eFile documents. This wasn't filed through their office therefore the court will not accept it.

9:20 The court welcomes the jurors and gives opening and introductions.

9:32 The court leaves jury selection and has a discussion with Mr. Cromar.

9:33 The court resumes with the first 20 jurors. The court continues with voir dire questions.

9:55 The court is in a separate room for jury selection with Mr. Perkins and Mr. Cromar and the court goes through the first group of jurors to see who can be agreed upon to be released and who needs to be questioned. The jurors are brought in individually for questioning.

11:21 The jury clerk notifies the court that juror 21 was a few minutes late but the clerk forgot to notify the court. The court strikes the juror order to show cause for juror number 21.

Counsel previously reserved addressing juror number 3 and requests to strike him for cause. The court overrules the request and juror number 3 is passed.

11:23 The next group of jurors are brought in for voir dire, number 17 is included with this group because he had audio issues.

11:46 Individual voir dire is conducted.

12:42 The court reaches 16 jurors which is the number needed if no alternate is used. Mr. Perkins agrees to proceed without an alternate. The court resumes with all the jurors. Peremptory challenges are conducted. It is noted that Mr. Cromar was provided the challenge document each time after Mr. Perkins marked his peremptory but he declined to make any markings on the document. The first 8 jurors will be selected.

12:58 Juror 21 requests to speak with the court again and states that he has a scheduling conflict with Friday. The court recesses from the jurors and discusses the matter with Mr. Perkins and the Cromars. The parties agree to strike juror 21 for cause and just move to the next juror to be selected.

The court goes through the list of selected jurors. Mr. Perkins states he incorrectly put his first peremptory challenge on the wrong line and it should have been juror number 3 instead of juror number 2. The court makes the correction to the juror challenge document and verifies the jurors that are selected.

The jurors selected are jurors 4, 5, 12, 16, 20, 22, 25, 26. The remaining jurors are thanked and excused.

The clerk swears in the the jurors.

Juror 16 is having audio issues and he missed the oath. He provides his email address to the jury clerk. The clerk will email him the information for tomorrow so that he knows when to appear and where.

The court will have the oath administered again tomorrow. The jurors are excused.

1:09 Mr. Cromar addresses the court again regarding his emergency Writ of Habeas Corpus. The court has been in contact with the presiding judge who has been in contact with general counsel at the Administrative Office of the Courts and she has been told she may proceed. Mr. Cromar states other objections on the record.

1:12 Mr. Cromar addresses that he was not allowed to have his subpoenas issued when he came into the court on June 16, 2022. The clerk denied to accept and issue the subpoenas. Mr. Cromar states that he does not understand and they do not consent to these proceedings. Further discussion.

Reply by Mr. Perkins. He has the list of witnesses that the Cromars wanted to have subpoenaed. Discussion regarding the list of witnesses.

Charles Rettig, Commissioner of the IRS. The state objects and Mr. Perkins gives his reason.

1:28 Reply by Mr. Cromar.

1:33 The court sustains the state's objections.

Eugene Paul Richardson is the next witness and the state's objection is also sustained. Further discussion on this issue. The court sustains the state's objection.

1:36 Ammon Bundy is the next witness that the state objects to. Mr. Perkins states his objections to Mr. Bundy testifying.

1:39 Reply by Mr. Cromar.

1:40 The court agrees with Mr. Perkins and sustains his objection. Discussion.

Ryan Bundy is the next witness on Mr. Cromar's list of witnesses. Mr. Perkins responds. The court will allow Mr. Bundy as a fact witness only. Further discussion. He can appear remotely if he chooses.

1:44 Sheriff Richard Mack is the next witness. Mr. Perkins addresses his objection.

1:48 Response by Mr. Cromar.

1:50 Reply by Mr. Perkins.

1:51 The court responds. The objection is sustained.

1:52 Ron Gibson is the next witness objected to by the state. Mr. Perkins states his objection

1:53 The court addresses Re Judicada. Mr. Perkins responds.

1:54 Reply by Mr. Cromar. Further discussion and argument.

1:57 Reply by Mr. Perkins.

1:59 The court believes that Res Judicada and the 702 objection covers this issue.

2:00 Mr. Cromar continues to argue and the court denies the request for Mr. Gibson to testify.

The next witness objected to by the state is Joe Bannister. Mr. Perkins responds.

2:02 Response by Mr. Cromar.

2:04 The court believes this is another Res Judicada issue.

David Straight is the next witness.

2:05 Mr. Perkins responds.

2:07 Reply by Mr. Cromar.

2:10 The objection is sustained.

The next witness is Hevia Junca Cromar, the defendant's mother.

2:11 Mr. Cromar addresses this witness. The court states that the county is conceding that Mr. Cromar is her son. Further discussion.

2:14 Jeff Besendorfer and Thomas Fairbanks are the next two witnesses objected to by the state. Mr. Perkins addresses the objection.

2:16 Reply by Mr. Cromar.

2:18 The objection is sustained. Mr. Besendorfer can testify as a fact witness if he was present when the incident took place. Mr. Cromar withdraws his request to have Mr. Besendorfer testify.

Nancy Phillips is the next witness objected to by the state. Mr. Cromar addresses this witness. The court sustains the objection.

2:22 David Leavitt is the next witness. Mr. Cromar addresses the relevance of the witness. The court sustains the state's objection to this witness.

2:23 Rosemary Cundiff and Brad Sears are the next witnesses. Mr. Cromar addresses these witnesses. The court sustains the state's objection to these witnesses.

Gary Chapman and Ryan Watson are the next witnesses. The court states these witnesses fall under Res Judicata and sustains the objection.

Discussion regarding the balance of the witnesses.

The court approves subpoenas issuing for John Earl Sullivan, Josianne Pettit, Shawna Cox, Nathan Eddington, Michael Eddington, Brett Belliston, Tyler Belliston, Doug Gilmore, William D'Angelo, Danielle D'Angelo, James Call, John O'Hara with the state having the ability to object depending on where their testimony is going.

Mr. Cromar can bring his subpoenas to the court for the clerk to issue.

Discussion regarding additional witnesses. The court will allow these additional subpoenas to issue but the state may object depending on where the questioning is going.

2:37 Mr. Perkins addresses the Res Judicata issue. The court grants the motion. This court won't allow what was handled in the other court to be addressed in this court.

Mr. Cromar addresses the petition for habeas corpus. The court states it has been stated on the record several times.

2:38 The court is in recess for the day.

06-28-2022 Filed: Preliminary Jury Instructions

06-28-2022 Minute Entry - 5-DAY JURY TRIAL

Judge: CHRISTINE JOHNSON

PRESENT

Clerk: nancyhb

Prosecutor: PERKINS, M JARED

Defendant Present

The defendant is not in custody

Audio

Tape Number: 5A Tape Count: 9:05-5:12

HEARING

This matter is being recorded on Webex and FTR.

9:05 Court reviews the COVID-19 screening questionnaires.

9:07 Mr. Perkins invokes the exclusionary rule with victims being the exception. Mr. Cromar objects. Overruled.

9:08 Court reiterates objections need to be legal objections and outbursts will not be allowed.

9:12 Jurors are seated.

9:13 Jurors are sworn in.

9:14 Court reads the jury preliminary instructions.

9:24 Mr. Perkins gives opening statement.

9:44 Mr. Cromar gives opening statement.

9:49 Ms. Cromar gives opening statement.

9:53 Mr. Cromar continues his opening statement.

10:03 Mr. Perkins offers PLA exhibit 1 and 2. No objection, received.

10:13 James Brett Belliston is sworn in and questioned by Mr. Perkins.

10:19 Mr. Perkins offers PLA exhibit 3. No objection, received.

10:24 Mr. Perkins offers PLA exhibit 4. No objection, received.

10:37 Jurors are excused. Court takes a recess.

10:51 Court resumes. Jurors are seated.

10:53 Mr. Cromar cross-examines the witness.

10:59 Mr. Cromar offers DEF exhibit 230. Mr. Perkins objects. The objection is sustained. The witness may use the document to refresh his/her recollection only.

11:20 No further questions for the witness but is subject to recall. The witness gets down from the stand.

11:21 Tyler Belliston is sworn in and questioned by Mr. Perkins.

11:26 Mr. Cromar cross-examines the witness.

11:34 Mr. Perkins redirects the witness.

11:35 No further questions for the witness but is subject to recall. The witness gets down from the stand.

11:36 Adam Ellison is sworn in and questioned by Mr. Perkins.

11:45 Mr. Perkins offers PLA exhibit 5. No objection, received.

11:46 Mr. Cromar cross-examines the witness.

11:58 Mr. Perkins redirects the witness.

11:20 Mr. Cromar cross-examines the witness.

12:03 No further questions. The witness is excused. The

jurors are excused. Court takes a recess.

1:09 Court resumes. Jurors are seated.

1:11 Caleb Kinnaman is sworn in and questioned by Mr. Perkins.

1:20 Mr. Perkins offers PLA exhibit 6-8. No objection, received.

1:27 Jurors are excused. Court takes a recess.

1:31 Court resumes. Jurors are seated. Mr. Perkins continues his redirect.

1:53 Mr. Perkins offers PLA exhibit 9-12. No objection, received.

1:57 Mr. Cromar cross-examines the witness.

2:00 No further questions for the witness but is subject to recall. The witness gets down from the stand.

2:02 Nathan Dorius is sworn in and questioned by Mr. Perkins.

2:14 Mr. Perkins offers PLA exhibit 13. No objection, received.

2:18 Mr. Cromar voir dres the witness.

2:22 Mr. Perkins continues his redirect.

2:30 Mr. Perkins offers PLA exhibit 14. No objection, received.

2:36 Mr. Perkins offers PLA exhibit 15. No objection, received.

2:41 Mr. Perkins offers PLA exhibit 16. No objection, received.

2:46 Mr. Cromar cross-examines the witness.

3:08 Mr. Perkins redirects the witness.

3:15 Mr. Cromar cross-examines the witness.

3:19 No further questions for the witness but is subject to recall. The witness gets down from the stand.

3:19 Jurors are excused. Court takes a recess.

3:43 Court resumes. Jurors are seated.

3:44 Joshua Christensen is sworn in and questioned by Mr. Perkins.

4:04 Mr. Cromar cross-examines the witness.

4:23 Mr. Perkins redirects the witness.

4:33 Mr. Cromar cross-examines the witness.

4:35 Mr. Perkins redirects the witness.

4:37 No further questions. The witness is excused.

4:38 Sgt. Robert Weidlein is sworn in and questioned by Mr. Perkins.

4:48 Mr. Perkins offers PLA exhibit 17-20. No objection,

received.

4:57 Mr. Perkins offers PLA exhibit 21. Mr. Cromar objects.  
The objection is overruled and the exhibit is received.

5:06 Jurors are excused. Housekeeping is addressed.

5:12 Court takes a recess for the day.

06-29-2022 Filed: Objection to Subpoena - Nathan Eddington  
06-29-2022 Filed: Objection to Subpoena - Michael Eddington  
06-29-2022 Filed: Subpoena - Michael Harrington  
06-29-2022 Filed: Subpoena - Shawn Robison  
06-29-2022 Filed: Subpoena - Wendy Kay Leatham  
06-30-2022 Filed: Return of Electronic Notification  
06-30-2022 Filed: Jury Instructions - States Proposed Curative Instruction  
06-30-2022 Filed: Return of Electronic Notification  
07-01-2022 Charge 1 Disposition is Guilty  
07-01-2022 Charge 2 Disposition is Guilty  
07-01-2022 IN-PERSON SPECIAL SET SENTENCI scheduled on August 19, 2022 at  
10:30 AM in 5th Fl, Courtroom 5A with Judge CHRISTINE JOHNSON  
07-01-2022 Fee Account created Total Due: 10.00  
07-01-2022 COPY FEE Payment Received: 10.00  
07-01-2022 Filed: Supplementary Jury Instructions  
07-01-2022 Filed: Verdict Form  
07-05-2022 Filed: Request for Copy of Audio Record (June 27-July 1 Jury  
Trial with Judge Johnson)  
07-06-2022 Filed: Return of Electronic Notification  
07-06-2022 Fee Account created Total Due: 150.00  
07-07-2022 ELEC STORAGE MEDIUM Payment Received: 150.00  
07-09-2022 Filed: Return of Electronic Notification

# Addendum C

The Order of the Court is stated below:

Dated: September 22, 2021  
10:38:35 AM

/s/ CHRISTINE JOHNSON  
District Court Judge



DAVID O. LEAVITT #5990  
Utah County Attorney  
JARED PERKINS #11246  
Deputy County Attorney  
100 East Center, Suite 2100  
Provo, Utah 84606  
Email: ucadm.dcourt@state.ut.us  
Telephone: (801) 851-8026  
Facsimile: (801) 851-8051

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**IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR UTAH COUNTY**  
**STATE OF UTAH**

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THE STATE OF UTAH,

Plaintiff,

vs.

PAUL KENNETH CROMAR  
a.k.a. Paul-Kenneth: Cromar, and

BARBARA ANN CROMAR  
a.k.a. Barbara-Ann: Cromar,

Defendants.

**ORDER DECLARING DEFENDANTS  
VEXATIOUS LITIGANTS**

Case Nos. 201402860  
201402868

Judge Christine Johnson

---

The prosecution filed its Motion for Vexatious Litigants Order Against Defendants on April 6, 2021 (docket #158<sup>1</sup>). The defendants responded with a pleading, improperly captioned as Notice to Strike for Hearsay and for Want of Jurisdiction (docket #160) along with their Exhibit A (docket #161) on April 12, 2021. The court heard the parties' oral arguments on this motion (among others) on July 6, 2021.

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<sup>1</sup> For convenience and clarity, docket numbers refer to the docket in 201402860.

## FINDINGS OF FACT & CONCLUSIONS OF LAW

The court adopts the procedural history set forth in the prosecution's motion and finds:

1. That Utah Rule of Civil Procedure 83 applies to these criminal cases through rule 81(e);
2. That the facts of these cases, as well as the facts in Fourth District case 200400972, show that the defendants have filed numerous (well in excess of three in each case) unmeritorious papers;
3. That the defendants' pleadings are redundant, making and re-making arguments that have been rejected time and again in both state and federal courts;
4. That the defendants have both provided and requested disproportionate discovery;
5. That these practices by the defendants have caused delays in the proceeding of the case;
6. That there is no time in the court's calendar, especially during a time when the court is trying to recover from a back-log of criminal proceedings caused by precautions taken against the COVID-19 pandemic, to hear frivolous arguments over and over again;
7. That these facts establish beyond clear and convincing evidence that the defendants are vexatious, satisfying the requirement of rule 83(c)(1)(A);
8. That there is no reasonable probability that the defendants will prevail on their claims, satisfying the requirement of rule 83(c)(1)(B);
9. That under Allen v. Friel, 2008 UT 56, ¶ 11, the court's indulgences for self-represented parties is not unlimited, but confined to what is reasonable, that such indulgences do not included entertaining redundant arguments, receiving whatever pleading a pro se defendant chooses to

file, or interrupting proceedings to explain or help someone who is not trained in the law, and that self-represented parties are held to the same legal standards as any other party; and

10. That the defendants may have access to the court through either an attorney of their choosing or the public defender.

#### RULING

Therefore, the court orders:

1. That the defendants are no longer allowed to file redundant pleadings;
2. That the defendants must be represented by qualified legal counsel, either of their choosing or through appointment of the public defender;
3. The defendants are given until August 19, 2021 to find and hire qualified legal counsel of their choosing, otherwise the public defender will be appointed; and
4. The defendants may not file any more pleadings with the court except through qualified legal counsel.

This order becomes effective once the Court's seal and signature are affixed to the top, right-hand corner of page 1.

END OF ORDER.

#### 1 CERTIFICATE OF DELIVERY

I hereby certify that the foregoing document was e-filed on the 7th day of September, 2021 and sent by U.S. Mail and thereby delivered to:

Paul Kenneth Cromar  
Barbara Ann Cromar  
Defendants  
9870 N. Meadow Drive  
Cedar Hills, UT 84062

/s/ Rickie Liddiard  
Legal Assistant



DAVID O. LEAVITT #5990  
Utah County Attorney  
JARED PERKINS #11246  
Deputy County Attorney  
100 East Center, Suite 2100  
Provo, Utah 84606  
Email: ucadm.dcourt@state.ut.us  
Telephone: (801) 851-8026

IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR UTAH COUNTY

STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

vs.

PAUL KENNETH CROMAR  
a.k.a. Paul-Kenneth: Cromar, and

BARBARA ANN CROMAR  
a.k.a. Barbara-Ann: Cromar,

Defendants.

**ORDER STRIKING DEFENDANTS'  
POST VEXATIOUS LITIGANTS ORDER  
PLEADINGS**

Case Nos. 201402860  
201402868

Judge Christine Johnson

FINDINGS OF FACT AND CONCLUSIONS OF LAW

THE COURT finds that:

1. During oral arguments on July 6, 2021, the court declared the defendants vexatious litigants under rule 83, Utah Rules of Civil Procedure, and ordered them not to file any more pleadings except through qualified, licensed legal counsel;
2. This order was memorialized in a written order issued on September 22, 2021;

3. The defendants' filing of "**\*Affidavit\***: We MOVE the Court to Acknowledge *Our* Constitutional Counsel" on July 22, 2021 violates the vexatious litigants order;
4. The defendants' filing of "**Rebuttal \*Affidavit\***: COURT REQUESTED "MOTION FOR RECUSALS", We the Executors MOVE the Court to Recuse Court Officers for CONFLICT OF INTEREST" on July 29, 2021 violates the vexatious litigant order;
5. The defendants' filing of "**Rebuttal \*Affidavit\***: We MOVE the Court to Keep it's Sworn Oath to Uphold the Constitution and *Our* Constitutional Counsel of Choice" on August 5, 2021 violates the vexatious litigants order;
6. The defendants' filing of "**FOURTH JUDICIAL NOTICE**: Cromars 100% Vindicated by and Commissioner of I.R.S. and Constitutional Land Patent Contract, with support *Exhibits* in Fact *A thru N*" on August 9, 2021 violates the vexatious litigants order;
7. The defendants' filing of "**Rebuttal \*Affidavit\***: We the Executors MOVE this Court to DISMISS THIS CASE With Prejudice for LACK OF JURISDICTION, Fraudulent Proceedings and Breech [*sic*] of Contract" on August 16, 2021 violates the vexatious litigant order;
8. The defendants' filing of "**Fifth Judicial Notice**: Lawful Claim of Title, Will, Execution of Will, Declaration of Status, Appointment of Trustees and Standing Orders for Same" on August 17, 2021, violates the vexatious litigants order.

#### ORDERS

THE COURT therefore grants the State's Motion to Strike Defendants' Post Vexatious Litigants Order Pleadings of September 28, 2021, and orders that:

1. The defendants' pleadings identified above are all stricken, pursuant to the good cause articulated in the prosecution's motion and the vexatious litigants order;

2. Any papers filed by the defendants pro se and not through qualified, licensed legal counsel since the prosecution's motion on September 28, 2021 are stricken pursuant to the vexatious litigants order;

3. Any future papers filed by the defendants pro se and not through qualified, licensed legal counsel will be stricken without further motion from the prosecution.

This order becomes effective once the Court's seal and signature are affixed to the top, right-hand corner of page 1.

END OF ORDER.

# Addendum D

IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR UTAH  
COUNTY STATE OF UTAH

**STATE OF UTAH,**

Plaintiff,

vs.

**PAUL KENNETH CROMAR**  
**a.k.a. Paul-Kenneth: Cromar,**

Defendant.

**VERDICT FORM**

Case No. 201402860

Judge Christine Johnson

We, the jury impaneled in the matter of the State of Utah versus Paul Kenneth Cromar, find the defendant (check one box only):

As to count 1: BURGLARY:

☒

Guilty

☐

Not guilty.

As to count 2: WRONGFUL APPROPRIATION:

☒

Guilty

☐

Not guilty.

DATED this 12 day of July, 20 22.

Priscilla Coloma  
JURY FOREPERSON

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IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR UTAH  
COUNTY STATE OF UTAH

---

**STATE OF UTAH,**

Plaintiff,

vs.

**BARBARA ANN CROMAR**  
**a.k.a. Barbara-Ann: Cromar,**

Defendant.

**VERDICT FORM**

Case No. 201402868

Judge Christine Johnson

---

We, the jury impaneled in the matter of the State of Utah versus Barbara Ann Cromar, find the defendant (check one box only):

As to count 1: BURGLARY:

☒ Guilty

☐ Not guilty.

As to count 2: WRONGFUL APPROPRIATION:

☒ Guilty

☐ Not guilty.

DATED this 1<sup>st</sup> day of July, 20 22.

Angela L. Cochran  
JURY FOREPERSON