

Boulder County Court Boulder County Justice Center P.O. Box 4249 1777 Sixth Street Boulder, Colorado 80306-4249	▲ Court Use Only ▲
Steve Douglas Gartin - Plaintiff v. Thomas C. Miller - Defendant	Case Number: 04C1779 Division 8
Plaintiff, Pro se: Steve Douglas Gartin P.O. Box 70185 Albuquerque, NM 87197 720-404-1812 sheriffsteve@justice.com	
MOTION TO DISMISS WITHOUT PREJUDICE AND NOTICE OF REMOVAL	

Steve Gartin, the Plaintiff, pro se, hereby notifies all Parties of a timely intent to dismiss the above captioned County Court matter without prejudice and due to newly discovered evidence and diversity of citizenship. Plaintiff intends to re-file in Federal District Court with added charges resulting from Attorney Massaro's pleadings dated 26 May and 16 August 2004 pursuant to 18 U.S.C.A §§ 1962, 1964, 1001, 972, 1513, 1514, 1514A, 1592, 1621, 1622; R.C. § 1979 and 42 U.S.C.A. §§ 1986, 1985 & 1983, 1988 in addition to the Title VII labor dispute and breach of contract embodied in the original complaint.

Attorney Massaro's pleadings have been forwarded to me VIA e-mail. Please correct the record to reflect Plaintiff's current correct address, (encaptioned above) and note Plaintiff's preference of receiving correspondence by time-stamped e-mail, in order to expedite long-distance proceedings.

Additional defendants will be included pursuant to Defendant's Attorney Massaro's reply dated: 16 August 2004 paragraph #4, 5, 6, 9, 11, 12 & 13. None of those defendants reside in Boulder County.

Damages exceed \$150,000 and no plain remedy is available in State courts.

Plaintiff has been denied any option of negotiation with Defendant or his attorney by Colorado State Attorney General Special Prosecutions Unit operative and co-conspirator, Marleen Langfield, see Defendant's Motion, noted above, paragraphs 4, 5, & 6.

Plaintiff has been forced to leave the State of Colorado as a direct result of and due to the Breach of Contract and poverty deliberately induced by the direct acts of the Defendant in the above captioned matter and can not pursue this matter in State courts.

Therefore, Plaintiff moves the Honorable Court to Dismiss the above enumerated county State action without prejudice in the interest of substantial justice. Plaintiff will file an updated action in the Federal District Court for the 10th Judicial District and provide all parties with notice thereof within 20 days.

Respectfully submitted in good faith,



CERTIFICATE OF SERVICE BY UNITED STATES POSTAL SERVICE

I, Steve Douglas Gartin, undersigned, do hereby certify that a true and correct copy of the foregoing, Motion to Dismiss without Prejudice and Notice of Removal was personally deposited in the U.S. Postal Service on Friday, January 21, 2005 with sufficient postage attached and addressed to the following parties:

Boulder County Court
Boulder County Justice Center
P.O. Box 4249
1777 Sixth Street
Boulder, Colorado 80306-4249

Thomas C. Miller, Esq.
C/O Kevin Massaro, Esq.
Englewood Law Building
3780 South Broadway, Suite 111
Englewood, CO 80113



Steve Gartin