

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: <b>04C1779</b>  Division B
Plaintiff, Pro se: <b>Steve Douglas Gartin</b> <b>2363 ½ South Decatur Street</b> <b>Denver, Colorado 80219</b>	CourtRoom:
<b>MOTION FOR SUMMARY JUDGMENT</b>	

**Comes now, Steve Gartin**, the Plaintiff, pro se, and moves the Honorable Court to enter judgment in favor of the Plaintiff, and as grounds therefore, states as follows:

1. Defendant, Thomas C. Miller, received service of Summons and Complaint on 12 May, 2004 at 6:38 P.M. at his home address 1026 Lincoln Place in the City of Boulder and County of Boulder. [See attachment A]
2. Thomas C. Miller has failed, or neglected to make a dispository reply to this Complaint.
3. There is no genuine issue as to any material fact and that the Plaintiff is entitled to a judgment as a matter of law.
4. The Complaint requests judgment pursuant to **Rule 56**, for direct cash damages of \$7705 and Punitive damages; Exemplary damages; Interest as allowed by law; Costs of suit; and Such other and further relief as this court may deem just and proper.
5. *The function of this rule authorizing summary judgments is to avoid the expense and delay of trials when all facts are admitted or when a party is unable to support by any competent evidence a contention of fact.* Norton v. Dartmouth Skis, Inc., 147 Colo. 436, 364 P.2d 866 (1961).

Wherefore, the Plaintiff, prays for summary judgment against the Defendant by this Honorable Court and a sum certain judgment of \$7705 and any such further relief as the Honorable Court may provide, be entered due to Defendant's default.

Respectfully submitted in good faith,

**Wednesday, May 26, 2004**

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Steve Douglas Gartin – Pro-Se  
720-404-1812

<b>Boulder County Court</b> <b>Boulder County Justice Center</b> <b>P.O. Box 4249</b> <b>1777 Sixth Street</b> <b>Boulder, Colorado 80306-4249</b>	<b>▲ Court Use Only ▲</b>
Steve Gartin - Plaintiff  v.  Thomas C. Miller - Defendant	Case Number: <b>04C1779</b>  Division B  CourtRoom:
<b>ORDER</b>	

This matter comes before the Court on Plaintiff's Motion for Summary Judgment, *dated May 26, 2004*.

The Court finds that it has jurisdiction and hereby orders that Summary Judgment be

\_\_\_\_\_.

SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

BY THE COURT:

\_\_\_\_\_  
County Court Judge

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**CERTIFICATE OF SERVICE BY UNITED STATES POSTAL SERVICE**

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I, Steve D. Gartin, undersigned, do hereby certify that a true and correct copy of the foregoing, Motion for Summary Judgment was personally deposited in the U.S. Postal Service on Wednesday, May 26, 2004 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  
1026 Lincoln Place  
Boulder, Colorado 80302

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Steve Gartin