

FILED IN COMBINED COURTS
LARIMER COUNTY COLORADO

2018 NOV 16 PM 4:30
DATE FILED: November 16, 2018
CASE NUMBER: 2018CV149

**8th DISTRICT COURT
LARIMER COUNTY JUSTICE CENTER**

Court Address: 201 Laporte Avenue
Fort Collins, CO 80521
Phone (970) 494-3500

Plaintiff: Eric Sutherland, *pro se*

v.

Defendants : THE CITY OF FORT COLLINS, a home rule municipality in the state of Colorado; STEVE MILLER, in his capacity as the Larimer County Assessor and all successors to this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office;

And

Indispensable Parties: THE TIMNATH DEVELOPMENT AUTHORITY, an Urban Renewal Authority; and COMPASS MORTGAGE CORPORATION, an Alabama company doing business in Colorado.

▲ COURT USE ONLY ▲

Party without attorney:
Eric Sutherland, *pro se*
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Case #: 2018CV149
Division:

**NOTICE OF REQUEST TO VACATE ASSIGNMENT OF JUDGE ROBERT LOWENBACH AND
INTENT TO AMEND NOTICE OF APPEAL**

Exhibit 1 of this Notice is a letter written to the Office of the State Court Administrator requesting that the assignment of Judge Robert Lowenbach to this case be vacated.

Exhibit 2 of this Notice is a combined document containing exhibits numbered 1 through 19 to support the letter in Exhibit 1.

This case has been *coram non judice* since June 23, 2018 as described in the letter. The judicial official who has overseen this case, Judge Gregory Lammons, may not be deemed to have served as a *de facto* judge.

Pursuant to authority cited in the letter, Judge Lowenbach is the only judicial official with authority in this case.

A motion for leave to amend the Notice of Appeal in case no 2018CA1993 will be filed with the Court of Appeals to add the *coram non judice* issue to the existing grounds for the appeal.


Eric Sutherland

Dated November 14, 2018

I hereby certify that on this 16th Day of Nov. , 2018, a true and correct copy of the foregoing *Notice of Request to Vacate Assignment of Judge Robert Lowenbach and Intent to Amend Notice of Appeal* was filed with the Court. Also, a true and correct copy of the foregoing will be served via email to the following no later than Nov. 16 th, 2018.

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By 