

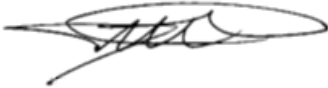
DISTRICT COURT, LARIMER (FT COLLINS) COUNTY, COLORADO	
Court Address: 201 Laporte Avenue, Suite 100, Fort Collins, CO, 80521	
Petitioner(s) ADAM WIEMOLD	DATE FILED: December 19, 2019 9:52 AM CASE NUMBER: 2019CV30889
v.	
Respondent(s) PEOPLE OF THE STATE OF COLORADO	
△ COURT USE ONLY △	
Case Number: 2019CV30889 Division: 5A Courtroom:	
Order: Response to Order to Show Cause	

The motion/proposed order attached hereto: REVIEWED.

The Court has reviewed the Response to the Order to Show Cause and finds that Petitioner/Appellant has diligently undertaken his obligations regarding securing the record in this case.

The Court will not dismiss the appeal, and directs Petitioner/Appellant to file an updated status report within 35 days of the date of this Order in the event that the record (including the transcript) has not been filed by that time.

Issue Date: 12/19/2019



JULIE KUNCE FIELD
District Court Judge

LARIMER COUNTY DISTRICT COURT 201 LAPORTE AVENUE, SUITE 100 FORT COLLINS, COLORADO 80521	
Appeal from the Fort Collins Municipal Court The Honorable Judge Kathleen M. Lane Case No. 2018-0240752-MD	
Defendant-Appellant: ADAM WIEMOLD v. Plaintiff-Appellee: PEOPLE OF THE STATE OF COLORADO	COURT USE ONLY
Adam Frank FRANK AND SALAHUDDIN LLC 1741 High Street, Denver, CO 80218 adam@fas-law.com Phone: 303-974-1084 Fax: 303-974-1085 Attorney Registration Number: 38979 In cooperation with the ACLU of Colorado	Case Number: 2019CV30889
RESPONSE TO ORDER TO SHOW CAUSE	

Mr. Wiemold, through counsel, hereby shows cause why his appeal should not be dismissed:

1. Mr. Wiemold paid the advance costs of preparing the transcripts and the additional record on October 7, 2019.

Date	Account Number	Serial Number	Amount
10/24/2019	[REDACTED]	[REDACTED]	\$335.00

FRANK AND SALAHUDDIN LLC
1741 HIGH ST
DENVER, CO 80218

DATE 10/7/19 23-320/1020

PAY TO THE ORDER OF Fort Collins Municipal Court \$ 335.00

Three Hundred Thirty Five and 00/100 DOLLARS

FOR Wiemold - past due interest fees and costs plus \$200 deposit for creating record on appeal

Adam Wiemold

2. Mr. Wiemold has also been in contact with the court reporter who is responsible for preparing the transcripts necessary for this appeal. First, on November 18, 2019, Mr. Wiemold learned that the court reporter needed two additional weeks to complete the transcript.

From: no_reply@fcgov.com
To: [Adam Frank](#)
Subject: 2018-0240752-MD- Wiemold, Adam Case Update
Date: Monday, November 18, 2019 1:28:38 PM

Good afternoon,

Because of the length of this case and her workload, Tracy McBride from Blue Bird Transcripts is requesting additional time to properly complete this transcript. She is requesting an additional couple of weeks. Judge Lane is inclined to grant her request. If you have any objections, please file a motion by noon on Wednesday, November 20th. Thank you.

Best Regards,

Patty Netherton
Court Administrator

3. Then, on December 11, 2019, Mr. Wiemold learned that the court reporter was almost finished preparing the necessary transcripts but had suffered a death in her family as well as other issues that would delay the completion of the transcripts.

Patty Netherton

From: Tracy McBride Lapp <bluebirdtranscripts@gmail.com>
Sent: Wednesday, December 11, 2019 5:36 AM
To: Patty Netherton
Subject: Re: Appeal

Patty - we had a death in my family and my daughter in-law's mother committed suicide on Monday. I am so sorry, but I have not finished proofreading the transcript. I am out the rest of the week. I will finish it this weekend. I apologize. Thank you for understanding

Tracy

On Mon, Dec 9, 2019, 10:00 AM Patty Netherton <PNetherton@fcgov.com> wrote:

Awesome! Thanks!

Patty

From: Tracy McBride Lapp <bluebirdtranscripts@gmail.com>
Sent: Monday, December 09, 2019 9:02 AM
To: Patty Netherton <PNetherton@fcgov.com>
Subject: Re: Appeal

Hi Patty. I am proofreading, so should have it to you by the middle of the week. Thank you!

Regards,

4. In sum, Mr. Wiemold has fulfilled the statutory requirements that were the subject of this Court's show cause order and has diligently stayed on top of the preparation of the record. The delay in preparing the record so that the appeal can move forward is not due to any fault of Mr. Wiemold's. He asks that this Court find that he has shown cause as to why this Court should not dismiss his pending appeal for failure to prosecute.

Dated: December 18, 2019



Adam Frank, #38979
FRANK & SALAHUDDIN LLC
In Cooperation with the ACLU of Colorado

Attachment to Order 2019CV330889

Certificate of Service

I hereby certify that on December 18, 2019, I served a true and correct copy of the foregoing electronically via the CCE e-filing system upon the trial court, as well as the following individuals, either directly through CCE or via email:

Jill Heuser
For Collins City Attorney
jhueser@fcgov.com

Fort Collins Municipal Court Clerk
court@fcgov.com



Adam Frank
FRANK AND SALAHUDDIN LLC
Attorney for Defendant-Appellant

Attachment to Order 2019CV3308829