

Case 160400655 — Narrative for Federal Auditors (color tags for your filing: [GREEN] lawful, [YELLOW] settlement, [RED] post-settlement violations)

At the outset, the matter was procedurally ordinary: **Alicia Koehler** (through attorney **Albert Pranno**) proceeded against **Mark Allen** (through attorney **Wesley Hutchins**) in Utah district court—[GREEN] a lawful posture and forum. If later enforcement was needed, Utah law provides a defined pathway (now styled **Motion to Enforce Order**, which since **May 1, 2021** replaced the older “Order to Show Cause” mechanism).

On **2016-08-04**, the parties marked the matter “**settled.**” [YELLOW] That milestone controls everything that follows. From a contracts lens, when **agreement terms are unsigned or ambiguous, they’re construed against the drafter** (the **contra proferentem** canon); and when later criminal or quasi-criminal consequences are floated from the same nucleus of facts, ambiguity is resolved in favor of the accused (the **rule of lenity**). These long-standing doctrines reinforce that, absent a clear, memorialized settlement, **no new jurisdiction** should be inferred downstream from an unclear or unexecuted bargain.

According to the record you supplied, [RED] **post-settlement** activity broke from those guardrails. In **2019**, a state witness acknowledged attorney **Pranno** failed to lodge the memorialized settlement; prosecutor **Randy Kennard** identified the matter as **lacking jurisdiction**; nevertheless, later filings and prosecutions—**171402280 (Provo City)**, **191400132**, and **211401656**—asserted authority that, on this fact pattern, had been extinguished by the 2016 settlement. In that framing, the re-prosecutions functioned not as lawful continuation but as **civil-rights exposure** compounding over time.

The funding overlay heightens audit risk. VOCA is a **federal victim-assistance program** funded by federal criminal fines (not tax receipts) and governed by **allowable-cost rules** and **subrecipient monitoring**; DOJ’s **Office of the Inspector General (OIG)** routinely audits VOCA subgrants for compliance. Your materials place **VOCA-funded personnel** in the monthly/quarterly timeline of **191400132** and **211401656**—precisely the period you characterize as unsupported. For auditors, the test is mechanical: **trace time/effort records, service logs, and reimbursement packets** against the corresponding **docket activity** and underlying legal posture. Where case posture is void or non-jurisdictional, any billed “victim services” are at risk of being **unallowable**.

If the record shows charges were **inflated, prolonged, or serially re-filed** to sustain grant-supported activity, that pattern raises **federal-program fraud** concerns under **18 U.S.C. § 666** (theft or bribery concerning programs receiving federal funds), alongside false-statement theories tied to certifications. That statute’s scope reaches **state and local agencies that receive federal assistance**, which is why VOCA subrecipients and their governmental partners fall within its ambit. A U.S. Treasury or DOJ OIG team would therefore (1) reconcile **every VOCA/cash-match claim** against case status in those months, (2) sample **case files vs. service deliverables**, and (3) review **certifications and supervisory approvals** for omissions about jurisdiction, Brady disclosures, or case disposition.

Put simply: [GREEN] the case began lawfully; [YELLOW] it was **settled on 2016-08-04**; [RED] everything after that date—failed memorialization, acknowledged lack of jurisdiction, and renewed filings that drew on VOCA-supported activity—presents a cohesive **civil-rights and federal-funding risk theory** appropriate for referral to the relevant OIGs for records testing and recovery.

FOURTH JUDICIAL DISTRICT - PROVO DISTRICT COURT
UTAH COUNTY, STATE OF UTAH

ALICIA W KOEHLER vs. MARK STEWART ALLEN

CASE NUMBER 160400655 Civil Stalking

**** PRIVATE ****

CURRENT ASSIGNED JUDGE
SHAWN R HOWELL

PARTIES

Petitioner - ALICIA W KOEHLER
Represented by: ALBERT PRANNO

Respondent - MARK STEWART ALLEN
Accepts URCP Rule 5 service via MyCase

**Exparte Temporary Injunction
Originally granted by Judge Fred Howard
Issued May 2, 2016
Service May 20 2016
Hearing requested May 26th 2016
*[Note} Former Clerk to Judge Howard
was Lance Bastian, he will show up in a
subsequent case tied to Federal Funding
and Stacking unfounded charges**

ACCOUNT SUMMARY

Total Revenue Amount Due:	361.75
Amount Paid:	361.75
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: AUDIO TAPE COPY	
Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: COPY FEE	
Amount Due:	2.00
Amount Paid:	2.00
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: AUDIO TAPE COPY	
Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: COPY FEE	
Amount Due:	32.25
Amount Paid:	32.25
Amount Credit:	0.00
Balance:	0.00
REVENUE DETAIL - TYPE: AUDIO TAPE COPY	
Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due:	6.25
Amount Paid:	6.25
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: APPEAL

Amount Due:	225.00
Amount Paid:	225.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Amount Due:	30.00
Amount Paid:	30.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: MISCELLANEOUS FEE

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

REVENUE DETAIL - TYPE: COPY FEE

Amount Due:	6.00
Amount Paid:	6.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COPY FEE

Amount Due:	15.25
Amount Paid:	15.25
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

04-28-2016 **** PRIVATE **** Filed: Petition
04-28-2016 Judge FRED D HOWARD assigned.
04-28-2016 **** PRIVATE **** Filed: Request for Civil Stalking Injunction
05-02-2016 Case Disposition is Granted

Disposition Judge is JAMES BRADY
05-02-2016 Filed order: Temporary Civil Stalking Injunction
Judge FRED D HOWARD
Signed May 02, 2016

05-02-2016 Filed protective order: Temporary Civil Stalking Injunction
Judge FRED D HOWARD
Signed May 02, 2016

05-02-2016 Case Disposition is Granted
Disposition Judge is JAMES BRADY

05-02-2016 **** PRIVATE **** Filed: [proposed] Civil Stalking Injunction
[unsigned]

05-02-2016 **** PRIVATE **** Filed: [proposed] Request for Hearing
[unsigned]

05-02-2016 **** PRIVATE **** Filed: Service Assistance Form

05-02-2016 Case Disposition is Judgment
Disposition Judge is JAMES BRADY

05-13-2016 Note: Temporary Civil Stalking Injunction Service Date : 05-13-
2016 10:00:00

05-20-2016 **** PRIVATE **** Filed return: Return: Temporary Stalking
Injunction

05-26-2016 **** PRIVATE **** Filed: Appearance of Counsel/Notice of
Limited Appearance (For Respondent Mark Stewart Allen)

05-26-2016 **** PRIVATE **** Filed: Return of Electronic Notification

05-26-2016 **** PRIVATE **** Filed: Request for Hearing and Request for
Rule 16(a) Scheduling Conference

05-26-2016 **** PRIVATE **** Filed: Return of Electronic Notification

05-27-2016 NOTICE for Case 160400655 ID 17476910
Judge: FRED D HOWARD
PRETRIAL CONFERENCE is scheduled.
Date: 06/20/2016
Time: 09:00 a.m.
Location: Fourth floor, Rm 401
Before Judge: FRED D HOWARD
FOURTH DISTRICT COURT
125 N 100 W
PROVO, UT 84601
The Court has set aside 15 minutes to hear this matter.
All parties and/or their counsel are required to attend.
Failure to appear may result in a default being entered and
judgment being granted.

05-27-2016 PRETRIAL CONFERENCE scheduled on June 20, 2016 at 09:00 AM with
Judge FRED D HOWARD

05-27-2016 Filed: Notice for Case 160400655 ID 17476910

06-20-2016 Cancelled: STALKING INJUNCTION TRIAL scheduled on August 05,
2016 at 09:00 AM with Judge FRED D HOWARD

06-20-2016 Minute Entry - PRETRIAL CONFERENCE
Judge: FRED D HOWARD
Clerk: miket
PRESENT
Petitioner(s): ALICIA W KOEHLER
Attorney for the Respondent: WESLEY D HUTCHINS
Audio
Tape Number: 401 Tape Count: 9:03-9:15
HEARING

The parties address the Court as to the status of the case.
The Court sets this matter for a one-day bench trial.

STALKING INJUNCTION TRIAL is scheduled.

Date: 08/05/2016

Time: 09:00 a.m.

Location: Fourth floor, Rm 401

Before Judge: FRED D HOWARD

FOURTH DISTRICT COURT

125 N 100 W

PROVO, UT 84601

SETTLED MEANS
IT'S OVER

- 06-20-2016 Fee Account created Total Due: 10.00
- 06-20-2016 AUDIO TAPE COPY Payment Received: 10.00
- 06-27-2016 **** PRIVATE **** Filed: Request for Copy of Video/Audio Record [completed and picked up]
- 07-27-2016 **** PRIVATE **** Filed: Appearance of Counsel/Notice of Limited Appearance
- 07-27-2016 **** PRIVATE **** Filed: Return of Electronic Notification
- 07-27-2016 **** PRIVATE **** Filed: Exhibit A, Part 1 (pages 1 to 3)
- 07-27-2016 **** PRIVATE **** Filed: Exhibit A, Part 2 (pages 4 to 7)
- 07-27-2016 **** PRIVATE **** Filed: Exhibits B through D to Verified Response
- 07-27-2016 **** PRIVATE **** Filed: Verified Response to Petitioners Request for Civil Stalking Injunction, and Motion to Continue 8/5/2016 Hearing to Conduct First-Party and Third-Party Discovery
- 07-27-2016 **** PRIVATE **** Filed: Notice of Filing Background Information on Petitioners Ex-Husband, Russell Reed Koehler (Notice and Part 1)
- 07-27-2016 **** PRIVATE **** Filed: Notice of Filing Background Information on Petitioners Ex-Husband, Russell Reed Koehler (Part 2)
- 07-27-2016 **** PRIVATE **** Filed: Notice of Filing Background Information on Petitioners Ex-Husband, Russell Reed Koehler (Part 3)
- 07-27-2016 **** PRIVATE **** Filed: Return of Electronic Notification
- 07-27-2016 **** PRIVATE **** Filed: Return of Electronic Notification
- 08-03-2016 **** PRIVATE **** Filed: Response to Motion to Continue
- 08-03-2016 **** PRIVATE **** Filed: Return of Electronic Notification
- 08-04-2016 Cancelled: STALKING INJUNCTION TRIAL scheduled on August 05, 2016 at 09:00 AM with Judge FRED D HOWARD
Reason: Case Settled.
- 08-04-2016 **** PRIVATE **** Filed: Reply to Response to Request for Stalking Injunction
- 08-04-2016 **** PRIVATE **** Filed: Return of Electronic Notification
- 12-31-2016 Judge JAMES BRADY assigned.
- 07-20-2017 Fee Account created Total Due: 2.00
- 07-20-2017 COPY FEE Payment Received: 2.00
- 01-22-2019 **** PRIVATE **** Filed: Motion Order to Show Cause
- 01-22-2019 **** PRIVATE **** Filed: Order to Show Cause (Proposed)
- 01-22-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 01-23-2019 Fee Account created Total Due: 10.00
- 01-23-2019 Fee Account created Total Due: 32.25
- 01-23-2019 AUDIO TAPE COPY Payment Received: 10.00
- 01-23-2019 COPY FEE Payment Received: 32.25
- 01-24-2019 * Cancelled: ORDER TO SHOW CAUSE scheduled on March 11, 2019 at 02:00 PM in 7th Fl, Courtroom 7B with Judge JAMES BRADY

**Double Jeopardy
Civil Rights Violations**
begin
2017
2018
2019
2020
2021
2022
2023
2024
2025

01-24-2019 **** PRIVATE **** Filed: Request for Copy of Audio Record - completed and emailed

01-24-2019 Issued: Order to Show Cause
Clerk MIKE TRONIER

01-24-2019 **** PRIVATE **** Filed: Return of Electronic Notification

02-12-2019 **** PRIVATE **** Filed return: Return of Service OSC

02-12-2019 **** PRIVATE **** Filed: Return of Electronic Notification

02-25-2019 **** PRIVATE **** Filed: Appearance of Counsel/Notice of Limited Appearance

02-25-2019 **** PRIVATE **** Filed: Return of Electronic Notification

03-01-2019 **** PRIVATE **** Filed: Request for Audio Recording: Request for Audio Recording

03-01-2019 Fee Account created Total Due: 10.00

03-01-2019 AUDIO TAPE COPY Payment Received: 10.00

03-01-2019 **** PRIVATE **** Filed: Return of Electronic Notification

03-04-2019 **** PRIVATE **** Filed: Request for Copy of Audio Record - completed and emailed

03-04-2019 NOTICE for Case 160400655 ID 19842103
Judge: JAMES BRADY
ORDER TO SHOW CAUSE.
Date: 03/29/2019
Time: 01:00 p.m.
Location: 7th Fl, Courtroom 7B
Before Judge: JAMES BRADY
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
The reason for the change is Conflict in Judge Schedule
The order to show cause in the above-entitled case is continued from March 21 at 2:00 p.m. to March 29, 2019 at 1:00 p.m. due to a conflict in the judge's schedule.

03-04-2019 Rescheduled: ORDER TO SHOW CAUSE rescheduled to March 29, 2019 at 01:00 PM in 7th Fl, Courtroom 7B with Judge JAMES BRADY

03-04-2019 Filed: Notice for Case 160400655 SK: Judge JAMES BRADY

03-05-2019 Note: RES Address changed from 941 E 300 N LINDON UT 84042

03-05-2019 Note: RES Address changed to 1672 W 630 N LINDON UT 84042

03-05-2019 Fee Account created Total Due: 6.25

03-05-2019 COPY FEE Payment Received: 6.25

03-15-2019 **** PRIVATE **** Filed: Motion to for evidentiary hearing and ruling on Petition

03-15-2019 **** PRIVATE **** Filed: Return of Electronic Notification

03-20-2019 **** PRIVATE **** Filed: : Return of Service Subpoena Duces Tecum Hutchins

03-20-2019 **** PRIVATE **** Filed: : Return of Service Subpoena to Appear Hutchins

03-20-2019 **** PRIVATE **** Filed: : Subpoena to Appear Hutchins

03-20-2019 **** PRIVATE **** Filed: Return of Electronic Notification

03-26-2019 **** PRIVATE **** Filed: Affidavit/Declaration Declaration of Transcription - Oct 26 2017 Hearing, Case No. 171402280: Provo City v. Mark Stewart Allen

03-26-2019 **** PRIVATE **** Filed: Return of Electronic Notification

03-29-2019 ORDER TO SHOW CAUSE scheduled on April 10, 2019 at 08:30 AM in 7th Fl, Courtroom 7B with Judge JAMES BRADY

03-29-2019 Minute Entry - ORDER TO SHOW CAUSE
Judge: JAMES BRADY
Clerk: miket

PRESENT

Petitioner's Attorney: ALBERT N PRANNO
Attorney for the Respondent: SCOTT N WEIGHT
Respondent(s): MARK STEWART ALLEN
Audio

Tape Number: 7B Tape Count: 1:06-1:29

HEARING

Petitioner is not present. Respondent moves to strike the order to show cause because Petitioner has failed to appear or, in the alternative, to continue this hearing. The Court continues this hearing and orders Petitioner to appear at the next hearing. Petitioner will participate from a sequestered room.

ORDER TO SHOW CAUSE.

Date: 04/10/2019
Time: 08:30 a.m.
Location: 7th Fl, Courtroom 7B
Before Judge: JAMES BRADY
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601

- 04-01-2019 **** PRIVATE **** Filed: Response and Objection to Respondents Motions
- 04-01-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 04-08-2019 **** PRIVATE **** Filed: Reply to Response of Petitioner docket 51
- 04-08-2019 **** PRIVATE **** Filed: Request/Notice to Submit
- 04-08-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 04-08-2019 **** PRIVATE **** Filed: Request/Notice to Submit
- 04-08-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 04-09-2019 **** PRIVATE **** Filed: : Subpoena to Appear Officer Malmgren
- 04-09-2019 **** PRIVATE **** Filed: : Return of Service Subpoena to Appear Office Malmgren
- 04-09-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 04-10-2019 **** PRIVATE **** Filed: : Return of Service-Subpoena to Appear-Officer Southwick
- 04-10-2019 **** PRIVATE **** Filed: Return of Electronic Notification
- 04-10-2019 Final Exhibit List
- 04-10-2019 Minute Entry - ORDER TO SHOW CAUSE
Judge: JAMES BRADY
Clerk: miket

PRESENT

Petitioner's Attorney: ALBERT N PRANNO
Petitioner(s): ALICIA W KOEHLER
Attorney for the Respondent: SCOTT N WEIGHT
Respondent(s): MARK STEWART ALLEN
Audio

Tape Number: 7B Tape Count: 8:30-10:40

HEARING

**UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

8:30 a.m.

Petitioner calls Respondent Mark Allen to testify. The Court receives exhibit 1.

9:25 a.m.

Petitioner Alicia Koehler testifies. Petitioner rests.

9:29 a.m.

Respondent calls Dr. Jeffrey Johnson to testify.

9:45 a.m.

Respondent calls Bradley Frost to testify.

9:53 a.m.

Respondent calls Petitioner Alicia Koehler to testify. Respondent rests.

10:17 a.m.

Counsel give closing arguments.

10:36 a.m.

The Court takes this matter under advisement and will issue a written ruling.

04-10-2019 **** PRIVATE **** Filed: Exhibit List [exhibits are attached]

04-11-2019 Ruling Entry - RULING ON ORDER TO SHOW CAUSE

Judge: BRADY, JAMES

**UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

Following an evidentiary hearing, the Court made the following findings in court by clear and convincing evidence:

- 1. Mr. Allen knew he was subject to a stalking injunction on December 21, 2018.
- 2. Mr. Allen was able to comply with the stalking injunction.

The issue of whether Mr. Allen intentionally failed to comply was taken under advisement. The court has considered the issue of Mr. Allen's use of Trazadone as prescribed, combined with his use of Unisom, and whether those uses are a defense to the element of intent. If Mr. Allen sent the email when he was involuntary intoxicated or incapacitated by the proper use of medication, it may be a defense. It is not clear that Mr. Allen was mentally impaired when he sent the email to Ms. Koehler. The content of the email, the proper spelling, sentence structure, use of punctuation are all indications of a person whose mind is not confused or stuporous. The time the email was sent is not when most people would be taking medicines to help them sleep. However it is not necessary to determine if he was impaired by his medicines when he sent the email as his decision to combine over-the-counter medication (Unisom) with his prescription medication (Trazadone) was not the proper use of medication, and was a voluntary act on his part. Even if he was not capable of intentionally sending the email as a result of confusion, stupor or intoxication caused by the medicines, since the medicines were voluntarily combined by Mr. Allen, his intoxication was voluntary and therefore not a defense. See, State v Gardner, 870 P.2d 900 (Utah 1993).

The Court finds Mr. Allen acted intentionally, or that he was voluntarily intoxicated when he sent the email in question to Ms. Koehler.

Defendant is in contempt of the court's Stalking Injunction. The Court imposes sanctions on Mr. Allen, including a jail term of 10 days and a fine of \$300. These sanctions are stayed to allow Mr. Allen an opportunity to purge his contempt. Mr. Allen may purge his contempt by having no further contact directly or indirectly, in person, in writing, by email text, electronic posting to social media or in any other manner with Ms. Koehler for a period of two years. If he successfully purges his contempt, the sanctions will be lifted.

Ms. Koehler is awarded her reasonable attorney fees associated with bringing this Order to Show Cause which may be established by Ms. Koehler and subject to objection as provide by the rules.

04-11-2019 Filed order: RULING ON ORDER TO SHOW CAUSE
 Judge JAMES BRADY
 Signed April 11, 2019

04-17-2019 **** PRIVATE **** Filed: Notice of Withdrawal - Robert J. Brennan

04-17-2019 **** PRIVATE **** Filed: Return of Electronic Notification

04-24-2019 Fee Account created, Total Fees: 10.00

04-24-2019 AUDIO TAPE COPY Payment Received: 10.00

04-24-2019 Note: MARK STEWART ALLEN requested to

04-25-2019 **** PRIVATE **** Filed: Request for Copy of Audio Record - completed and emailed

05-07-2019 **** PRIVATE **** Filed: Affidavit/Declaration/Declaration of Attorneys Fees and Costs

05-07-2019 **** PRIVATE **** Filed: Return of Electronic Notification

UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS

05-10-2019 **** PRIVATE **** Filed: Notice of Appeal - Civil (not Interlocutory) - Civil (not Interlocutory)

05-10-2019 Fee Account created Total Due: 225.00

05-10-2019 APPEAL Payment Received: 225.00

05-10-2019 **** PRIVATE **** Filed: Return of Electronic Notification

05-10-2019 Note: Notice of Appeal is emailed to the Utah Court of Appeals.

05-13-2019 **** PRIVATE **** Filed: Notice of Appeal

05-13-2019 **** PRIVATE **** Filed: Utah Supreme Court - Order

05-14-2019 **** PRIVATE **** Filed: Utah Court of Appeals - Notice

05-15-2019 **** PRIVATE **** Filed: Order from Supreme Court of Utah: Case is transferred to the Utah Court of Appeals

05-15-2019 **** PRIVATE **** Filed: Objection to affidavit of attorney fees

05-15-2019 **** PRIVATE **** Filed: Return of Electronic Notification

06-06-2019 **** PRIVATE **** Filed: TRANSCRIPT for Hearing of 04-10-2019

07-02-2019 **** PRIVATE **** Filed: Judgment Roll and Index and Clerk's Certificate

07-02-2019* Note: Emailed judgment roll and index and clerk's certificate to the Court of Appeals. Also informed the court that the record had been uploaded into Google under 4th District.

10-21-2019 **** PRIVATE **** Filed: GRAMA Request #1 *

10-21-2019 **** PRIVATE **** Filed: GRAMA Request #2 * **SEE GRAMA**

10-21-2019 **** PRIVATE **** Filed: GRAMA Request #3 *

10-23-2019 **** PRIVATE **** Filed: Response to GRAMA Requests

01-27-2020 **** PRIVATE **** Filed: Order [from Utah Court of Appeals]: District court is to enter an order awarding attorney's fees

01-27-2020 **** PRIVATE **** Filed: Return of Electronic Notification

01-28-2020 **** PRIVATE **** Filed: Reply to Objection to Declaration of Attorneys Fees and attachments

01-28-2020 **** PRIVATE **** Filed: Return of Electronic Notification

01-28-2020 **** PRIVATE **** Filed: Judgment (Proposed Judgment and Order on Attorneys Fees from April 11, 2019 Ruling)

01-28-2020 **** PRIVATE **** Filed: Return of Electronic Notification

01-29-2020 **** PRIVATE **** Filed: Request/Notice to submit PSD - Judgement and Order for Attorneys Fees from April 11, 2019 Order

01-29-2020 **** PRIVATE **** Filed: Return of Electronic Notification

01-30-2020 Filed judgment: Judgment and Order on Attorneys Fees from April 11, 2019 Ruling

Judge JAMES BRADY

Signed January 30, 2020

01-30-2020 Judgment # 1 Entered 5,516.75 jmbrady

Creditor : ALICIA W. WOLHLER

Debtor : MARK STEWART ALLEN

5,516.75 Principal

5,516.75 Judgment Grand Total

01-30-2020 **** PRIVATE **** Filed: Return of Electronic Notification

02-11-2020* **** PRIVATE **** Filed: Judgment Roll and Index and Clerk's Certificate

02-11-2020* Note: Supplemental record prepared and uploaded into Google under 4th District. Also, emailed first supplemental judgment roll and index to the Court of Appeals.

02-11-2020 **** PRIVATE **** Filed: Return of Electronic Notification

05-07-2020 **** PRIVATE **** Filed: Opinion [from Utah Court of Appeals]

05-07-2020 **** PRIVATE **** Filed: Return of Electronic Notification

07-22-2020 Filed order: Amended Findings and Judgment on Remand
Judge JAMES BRADY
Signed July 22, 2020

07-22-2020 **** PRIVATE **** Filed: Return of Electronic Notification

07-23-2020 **** PRIVATE **** Filed: Opinion from Utah Court of Appeals
[remanded in part]

07-23-2020 **** PRIVATE **** Filed: Remittitur from Utah Court of Appeals

07-23-2020 **** PRIVATE **** Filed: Return of Electronic Notification

05-25-2021 Note: RES Email Address changed from

05-25-2021 Note: RES Email Address changed to markstewartallen@gmail.com

05-25-2021 Fee Account created Total Due: 30.00

05-25-2021 AUDIO TAPE COPY Payment Received: 30.00

05-26-2021 Note: The clerk emailed copies of the audio records for
3/29/2019 and 4/10/2019 to Mark Allen.

09-21-2021 Fee Account created Total Due: 5.00

09-21-2021 MISCELLANEOUS FEE Payment Received: 5.00

10-27-2021 **** PRIVATE **** Filed: Motion to Stay Expungement Hearing
Until After Resolution of Attorney Pranno Bench Trial
11/17/2021 Verdict - Motion for Order to Show Cause - Motion to
Compel Discovery Prosecution Withheld Exculpatory Evidence
Favoring Defendant from Disco

10-28-2021 **** PRIVATE **** Filed: Return of Electronic Notification

11-03-2021 **** PRIVATE **** Filed: Notice of Withdrawal of Counsel

11-03-2021 **** PRIVATE **** Filed: Return of Electronic Notification

02-08-2023 **** PRIVATE **** Filed: Motion to Remove Link Between Personal
Identifying Information and Dismissed Criminal Case or Denied
Request for Civil Protective Order or Civil Stalking Injunction

02-08-2023 **** PRIVATE **** Filed: Return of Electronic Notification

02-21-2023 **** PRIVATE **** Filed: Request to Submit for Decision

02-22-2023 **** PRIVATE **** Filed: [Proposed] Order on Motion to Remove
Link Between Personal Identifying Information and Dismissed
Criminal Case or Denied Request for Civil Protective Order or
Civil Stalking Injunction

02-23-2023 **** PRIVATE **** Filed: Return of Electronic Notification

02-23-2023 Ruling Entry - NOTICE OF INSUFFICIENT NOTICE TO PLAINTIFF
Judge: BRADY, JAMES
This case was initiated by Alicia M. Koehler as the
plaintiff. Mr. Mark Allen as the defendant filed a recent
motion on February 8, 2023, where he erroneously listed
Provo City as the plaintiff. Mr. Allen indicated that he
delivered and emailed a copy of the motion to an attorney
for Provo City. However, as noted, Provo City is not a
party to this case. There is no indication that the
defendant notified the plaintiff, Ms. Koehler, of his
motion. Before the court can consider Mr. Allen's motion,
he must serve a copy of the motion on Ms. Koehler so she
has an opportunity to respond.

02-23-2023 Filed order: NOTICE OF INSUFFICIENT NOTICE TO PLAINTIFF
Judge JAMES BRADY
Signed February 23, 2023

02-23-2023 **** PRIVATE **** Filed: Return of Electronic Notification

02-24-2023 **** PRIVATE **** Filed: Respondent Mark Allen Memorandum to
the Court

02-24-2023 **** PRIVATE **** Filed: Return of Electronic Notification

03-01-2023 **** PRIVATE **** Filed: Request to Submit for Decision

03-01-2023 **** PRIVATE **** Filed: [Proposed] Order on Motion to Remove
Link Between Personal Identifying Information and Dismissed
Criminal Case or Denied Request for Civil Protective Order or
Civil Stalking Injunction

03-02-2023 **** PRIVATE **** Filed: Return of Electronic Notification
03-07-2023 **** PRIVATE **** Filed: Request to Submit for Decision
03-07-2023 **** PRIVATE **** Filed: [Proposed] Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stalking Injunction
03-09-2023 **** PRIVATE **** Filed: Return of Electronic Notification
03-10-2023 Filed order: Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stalking Injunction [denied]
Judge JAMES BRADY
Signed March 10, 2023
03-10-2023 **** PRIVATE **** Filed: Return of Electronic Notification
08-17-2023 Fee Account created Total Due: 6.00
08-17-2023 COPY FEE Payment Received: 6.00
08-17-2023 Note: RES Address changed from 1672 W 630 N LINDON UT 84042
08-17-2023 Note: RES Address changed to 444 E 90 N OREM UT 84042
08-18-2023 **** PRIVATE **** Filed: Request to Submit
08-18-2023 Note: Notice of Case Activity sent to parties with a MyCase account.
08-18-2023 **** PRIVATE **** Filed: Return of Electronic Notification
11-07-2023 **** PRIVATE **** Filed: Motion for Attorney Fees, Lost Wages, Compensatory Damages Due to Deceit of States Witness and Hiding of Brady Evidence by Prosecutors
11-07-2023 **** PRIVATE **** Filed: Certificate of Service - Motion for Attorney Fees, Compensatory Damages
11-07-2023 **** PRIVATE **** Filed: (Proposed) Order Attorney Fees, Lost Wages, Compensatory Damages Due to Deception of States Witness Hiding of Brady Evidence by Prosecutors
11-07-2023 **** PRIVATE **** Filed: Certificate of Service - Proposed Order for Compensatory Damages, Attorney Fees
11-07-2023 **** PRIVATE **** Filed: Memorandum in Support of Delinking Identifying Information
11-07-2023 **** PRIVATE **** Filed: Certificate of Service - Memorandum in Support of Delinking
11-09-2023 Note: Notice of Case Activity sent to parties with a MyCase account.
11-09-2023 **** PRIVATE **** Filed: Return of Electronic Notification
11-17-2023 **** PRIVATE **** Filed: (Proposed) Default Certificate
11-17-2023 **** PRIVATE **** Filed: Motion for Default Certificate Plaintiff Failure to Respond to Motion to Delink Identifying Information Motion to Delink Identifying Information Aging and Ready for Default Ordering Delinking
11-17-2023 Filed order: ORDER ON MOTION FOR ATTORNEY FEES
Judge JAMES BRADY
Signed November 17, 2023
11-17-2023 Ruling Entry - ORDER ON MOTION FOR ATTORNEY FEES
Judge: BRADY, JAMES

**UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

Case 171402280 — Provo City (summary to attach under 160400655)

[YELLOW] On 2016-08-04, the underlying district-court matter 160400655 was marked "case settled."

We have learned a court clerk erased an audio recording and that Attorney Pranno never memorialized the contract and that Randy Kennard analysis in 2019, incorrectly had typos identifying some of the events being in 2018 instead of 2016. Were these errors intentional as Provo City had by then participated in Double Jeopardy Prosecution. The Judgement Index is clear on dates, but it left out the "Trial Cancelled:Case Settled" entry found in Xchange Docket. Metadata Analysis is needed. Court Clerk Treena Hansen asserted a note in Xchange is not a record and that a voice recording is not a record. GRAMA says both are records. Mark Ury admits the audio recording was destroyed. Mike Tronier noted the "Trial Cancelled:Case Settled" and no Settlement Agreement was attached.

[RED] Despite that settlement, **Provo City** initiated 171402280, treating the controversy as if jurisdiction **persisted**. Under Utah's double-jeopardy framework (constitutional and statutory), a person may not be tried twice for the same offense, and prosecutors must join offenses arising from a **single criminal episode** rather than serially refile them; on your fact pattern, every post-settlement entry in 171402280 is therefore alleged to be **double jeopardy** stemming from a matter already resolved by 160400655. [Utah Legislature+2Utah Legislature+2](#)

[GREEN] Provo's Justice Court is the municipal forum for **Class B/C misdemeanors** and related prosecutions, which explains how the city handled the case administratively. But the earlier settlement should have governed downstream jurisdictional posture unless a clear, memorialized agreement authorized further proceedings—which, per the record, was never properly lodged.

[RED] Because **victim-services personnel** may have been involved during 171402280's lifespan, there is potential use of **VOCA** (Victims of Crime Act) funds. VOCA dollars are federally regulated and limited to **allowable costs** directly tied to victim services (with documentation like time/effort records and service logs).

Since 171402280 proceeded after a settled parent matter, any VOCA-supported activity during overlapping months creates a **federal-program risk** that merits a **targeted audit**. A reconciliation should compare each VOCA (or local **cash-match**) reimbursement month against the docket/record to confirm that claimed services were allowable and tied to a valid, jurisdictionally sound case status.

Audit hooks (what Treasury/DOJ OIG should pull):

(1) MyCase/XChange **docket extracts** for 160400655 and 171402280 to confirm the "trial cancelled : case settle" entry and all later filings; including all metadata and backdating of altering of records.

(2) VOCA and match **reimbursement packets** (ledgers, certifications, time/effort, service notes) for the same months;

Spillman altered logs and or CAD notes attached to 17PR17168 as the Body camera footage evidence contradicts the official police report which cites violation of a criminal protective order which never existed and which the accuer never applied for, and which no hearing was ever heard.

A "Ghost Document" is seen on body camera footage that is inculpatory to Provo Police officers and the final police report 17PR17168

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

PROVO CITY vs. MARK STEWART ALLEN

CASE NUMBER 171402280 Other Misdemeanor

CHARGES

Charge 1 - 76-5-106.5(3) - VIOLATION OF STALKING INJUNCTION - Class A Misdemeanor
Offense Date: June 30, 2017
Location: 3306 N CANYON RD
Plea: October 26, 2017 No Contest
Disposition: October 26, 2017 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE

JAMES BRADY

**DOUBLE JEOPARDY # 1
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

PARTIES

Plaintiff - PROVO CITY
Represented by: STEPHEN SCHREINER

Defendant - MARK STEWART ALLEN
Represented by: DALLAS YOUNG

DEFENDANT INFORMATION

Defendant Name: MARK STEWART ALLEN
Offense Tracking Number: 43798685
Date of Birth: January 29, 1962
Law Enforcement Agency: PROVO CITY POLICE
LEA Case Number: 17PR17168
Prosecuting Agency: PROVO CITY
Arrest Date: June 30, 2017
Violation Date: 06-30-2017

ACCOUNT SUMMARY

Total Revenue Amount Due:	604.50
Amount Paid:	604.50
Amount Credit:	0.00
Balance:	0.00

Time Pay: 40.00 monthly on the 10th.
Most Recent Payment: November 02, 2017
Final Payment: October 10, 2018

REVENUE DETAIL - TYPE: PLEA IN ABEYANCE MIS

Original Amount Due:	443.00
Amended Amount Due:	443.00
Amount Paid:	443.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COPY FEE

Original Amount Due: 1.50
Amended Amount Due: 1.50
Amount Paid: 1.50
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due: 10.00
Amended Amount Due: 10.00
Amount Paid: 10.00
Amount Credit: 0.00
Balance: 0.00

REVENUE DETAIL - TYPE: EXPUNGEMENT PETN

Original Amount Due: 150.00
Amended Amount Due: 150.00
Amount Paid: 150.00
Amount Credit: 0.00
Balance: 0.00

**DOUBLE JEOPARDY # 1
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
* EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

CASE NOTE

PROCEEDINGS

07-13-2017 Filed: INFORMATION
07-13-2017 Filed: SUMMONS - TO ISSUE (PROPOSED)
07-13-2017 Case filed by efiler
07-13-2017 Filed: From an Information
07-14-2017 INITIAL APPEARANCE scheduled on August 31, 2017 at 08:30 AM in
Check Daily Calendar with Judge JENNIFER A BROWN
07-14-2017 Judge JENNIFER A BROWN assigned.
07-14-2017 Issued: Summons Issued
Clerk TERI STUCKY
07-14-2017 Filed: Return of Electronic Notification
08-01-2017 Filed: Appearance of Counsel/Notice of Limited Appearance
08-01-2017 Filed: Request for Discovery *
08-01-2017 Filed: Return of Electronic Notification
08-01-2017 Filed: Motion Stipulated Motion to Continue Initial Appearance
Filed by: MARK STEWART ALLEN
08-01-2017 Filed: Order (Proposed) to Continue Initial Appearance
08-01-2017 Filed: Return of Electronic Notification
08-08-2017 INITIAL APPEARANCE rescheduled on September 07, 2017 at 08:30
AM
Reason: Counsel's request.
08-08-2017 Filed order: Order to Continue Initial Appearance
Judge JENNIFER A BROWN
Signed August 08, 2017
08-08-2017 Filed: Return of Electronic Notification
08-31-2017 Filed return: Return of Service
Party Served: MARK STEWART ALLEN
Service Type: Personal

In Utah attorney fees may be awarded only if provided for by contract or by statute. Mr. Allen failed to identify either a contract or statute that provides for attorney fees in this case.

Additionally, this case contains only one petition, a petition for a Stalking Injunction. A Temporary Stalking Injunction was issued, and expired by its terms in May, 2019. Although an OSC was filed prior to its expiration, the issues on appeal were addressed, and resolved. There remains no issues viable in this case due to the passage of time. This case is ordered closed.

**AUGUST 4 2016 *
CASE SETTLED**

- 11-17-2023 Note: Notice of Case Activity sent to parties with a MyCase account.
- 11-17-2023 **** PRIVATE **** Filed: Return of Electronic Notification
- 11-20-2023 Fee Account created Total Due: 15.25
- 11-20-2023 COPY FEE Payment Received: 15.25
Note: 16.00 cash tendered. 0.75 change given.
- 11-21-2023 Note: This is a stalking injunction case. The stalking injunction was issued and has expired. The order to show cause for violating the stalking injunction was resolved, appealed, and resolved following appeal.
- 11-21-2023 Ruling Entry - RULING ON DEFENDANT'S MOTIONS 11-17-2023
Judge: BRADY, JAMES
The pleadings in this case establish that it is a stalking injunction case. The injunction was issued. It has expired and the issues raised in this case are now moot. No counterclaim or third party complaint was timely filed and served before judgment was entered. There are no remaining pleadings against either party in this case. The time to appeal the trial court's decision has run and the court lack jurisdiction to consider motions except for Defendants motion to delinking his identifying information from this case.

Defendant motion for default certificate is denied but the court notes that no objection to Defendant's motion to delink his identifying information was filed.

Defendants various claims against Ms. Koehler and her attorney may not be raised raised by motion in a moot case.

Defendant's motion to delink his identifying information in this case is granted. Defendant may submit an appropriate order delinking his identifying information for review and signature by the court.
- 11-22-2023 Filed order: RULING ON DEFENDANT'S MOTIONS 11-17-2023
Judge JAMES BRADY
Signed November 22, 2023
- 11-22-2023 Filed order: Ruling on Defendant's Motion 11-17-2023 (Certificate of Notification included)
Judge JAMES BRADY
Signed November 22, 2023
- 11-22-2023 Note: Notice of Case Activity sent to parties with a MyCase account.
- 11-22-2023 **** PRIVATE **** Filed: Return of Electronic Notification
- 12-20-2023 **** PRIVATE **** Filed: Request to Submit
- 12-20-2023 **** PRIVATE **** Filed: GRAMA Records Request
- 12-20-2023 **** PRIVATE **** Filed: Response to GRAMA Records Request
- 12-20-2023 Note: Notice of Case Activity sent to parties with a MyCase account.
- 12-20-2023 **** PRIVATE **** Filed: Return of Electronic Notification
- 05-28-2024 **** PRIVATE **** Filed: Memorandum of Unethical Conduct by

UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BY ATTORNEY PRANNO
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS

Attorney David Leavitt, Attorney Lance Bastian, Attorney Albert Pranno, Attorney Wesley Hutchins and Wrongful Prosecution, Civil Rights Violations (With Exhibits) - Part 1

05-28-2024 **** PRIVATE **** Filed: Memorandum of Unethical Conduct by Attorney David Leavitt, Attorney Lance Bastian, Attorney Albert Pranno, Attorney Wesley Hutchins and Wrongful Prosecution, Civil Rights Violations (With Exhibits) - Part 2

05-28-2024 **** PRIVATE **** Filed: (Proposed) Motion and Order to Remove Link Between Personal Identifying Information and Dismissed Criminal Protective Order of Civil Stalking Injunction (With Exhibits)

05-30-2024 **** PRIVATE **** Filed: Notice to Submit for Decision - Certificate of Service - Motion and Order to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stalking Injunction

05-30-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

05-30-2024 **** PRIVATE **** Filed: Return of Electronic Notification

07-02-2024 Ruling Entry - Order to Remove Link Between Defendant's Judge: JAMES BRADY

The court granted Mr. Allen's motion in its ruling on November 21, 2023. Petitioner submitted documents on Mary 28, 2024 through which it appears he attempted to submit an order to remove the link between his personal identifying information and the stalking injunction previously issued herein. Because the documents submitted were confusing and not in the form of an order, the Court prepares this order.

It is hereby ordered that the Clerk of the Court shall remove the link between Mr. Allen's personal identifying information and the stalking injunction previously issued herein

07-02-2024 Filed order: Order to Remove Link Between Defendant's Personal Identifying Information and Stalking Injunction

Judge JAMES BRADY

Signed July 02, 2024

07-02-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

07-02-2024 **** PRIVATE **** Filed: Return of Electronic Notification

10-04-2024 **** PRIVATE **** Filed: Request for Expunged Case History, Expungement Order, or Both

10-04-2024 **** PRIVATE **** Filed: Request for Expunged Case History, Expungement Order, or Both

10-07-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

10-07-2024 **** PRIVATE **** Filed: Return of Electronic Notification

11-01-2024 Judge SHAWN R HOWELL assigned.

05-22-2025 **** PRIVATE **** Filed: Proposed Order to Waive Fees Submit for Decision

05-22-2025 **** PRIVATE **** Filed: Notice to Submit for Decision - Motion for Writ of Mandamus to Correct and Audit Certified Court Records - Order to Correct the Record

05-22-2025 **** PRIVATE **** Filed: [Proposed] Order Granting Motion for Writ of Mandamus

05-22-2025 **** PRIVATE **** Filed: [Proposed] Order Granting Motion for Writ of Mandamus

05-22-2025 **** PRIVATE **** Filed: Motion for Writ of Mandamus to Correct and Audit Certified Court Records

05-22-2025 **** PRIVATE **** Filed: Proposed Motion and Order to Waive Fees

05-22-2025 Note: Notice of Case Activity sent to parties with a MyCase

account.

05-22-2025 **** PRIVATE **** Filed: Return of Electronic Notification
05-23-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
05-23-2025 **** PRIVATE **** Filed: Return of Electronic Notification
06-06-2025 **** PRIVATE **** Filed: GRAMA Request Petition and Order for Record Correction, Docketing Compliance, Record Preservation, and Historical Designation Pursuant to Utah Administrative Code, GRAMA 62G-2-403, Rule 4-201, Rule 4-202, Rule 4-202.09, and Rule 4-203
06-06-2025 **** PRIVATE **** Filed: Request for a Record [First Page Only]
06-06-2025 **** PRIVATE **** Filed: Correspondence from Mark Allen
06-06-2025 **** PRIVATE **** Filed: Motion to Waive Fees and Proposed Order
06-10-2025 **** PRIVATE **** Filed: Request for Record [Second Page Only]
06-10-2025 **** PRIVATE **** Filed: (Proposed) Order to Waive Fees
06-10-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
06-10-2025 **** PRIVATE **** Filed: Return of Electronic Notification
06-18-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
06-18-2025 **** PRIVATE **** Filed: Return of Electronic Notification
08-04-2025 Ruling Entry - Order Denying Motion to Waive Fees
Judge: SHAWN R HOWELL
The court no longer has jurisdiction over this matter as the substance of the matter has resolved (that of issuing a civil stalking injunction which should be expired at this point). However, even if the court retains jurisdiction over the matter the movant has not provided the court with authority to grant his motion. The legal authority cited does not support his motion. For those reasons, the motion is denied.
*
08-04-2025 Filed order: Order Denying Motion to Waive Fees
Judge SHAWN R HOWELL
Signed August 04, 2025
08-04-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
08-04-2025 **** PRIVATE **** Filed: Return of Electronic Notification
08-05-2025 **** PRIVATE **** Filed: Petition to Correct Record and Certify Omitted Docket Entry
08-05-2025 * **** PRIVATE **** Filed: (Proposed) Order Granting Petition to Correct Certified Record
08-05-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
08-05-2025 **** PRIVATE **** Filed: Return of Electronic Notification

**UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS
DOUBLE JEOPARDY 1 OF 5**

Service Date: August 14, 2017

Garnishee:

08-31-2017 Filed: Return of Electronic Notification

09-07-2017 WAIVE PRELIM HEARING scheduled on October 26, 2017 at 08:31 AM in Check Daily Calendar with Judge JENNIFER A BROWN

09-07-2017 Minute Entry - INITIAL APPEARANCE

Judge: JENNIFER A BROWN
PRESENT

Clerk: terik

Prosecutor: POWELL, BUD I

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): STONEY, KEITH L

Audio

Tape Number: 202 Tape Count: 9:40

INITIAL APPEARANCE

A copy of the Information is given to the defendant.

Defendant waives reading of Information.

Advised of charges and penalties.

Defendant has retained private counsel.

WAIVE PRELIM HEARING is scheduled.

Date: 10/26/2017

Time: 08:31 a.m.

Location: Check daily calendar

FOURTH DISTRICT COURT

125 N 100 W

PROVO, UT 84601

Before Judge: JENNIFER A BROWN

CUSTODY

The defendant is not in custody.

09-11-2017 Filed: Request for Discovery Supplemental Discovery Request *

09-11-2017 Filed: Return of Electronic Notification

10-26-2017 Charge 1 Disposition is Plea in abeyanc

10-26-2017 Fee Account created Total Due: 443.00

10-26-2017 Note: Added to payment schedule 1060128733

10-26-2017 Minute Entry - ARRAIGNMENT

Judge: JENNIFER A BROWN

PRESENT

Clerk: terik

Prosecutor: GRIFFITHS, MATTHEW M

Defendant Present

Defendant's Attorney(s): STONEY, KEITH L

Audio

Tape Number: 402 Tape Count: 9:10

ARRAIGNMENT

Advised of rights and penalties.

Defendant waives his/her right to a Preliminary Hearing.
Court orders that defendant be held to answer to the charge(s) listed in the information on file.

Defendant is arraigned.

Defendant waives right to a trial by jury.

Defendant waives time for sentence.

PLEA IN ABEYANCE

**NO CONTEST PLEA
TO KEEP EVIDENCE OUT
OF RECORD. 33 MINUTE VIDEO
FOR REFERENCE WOULD
HAVE DECIMATED
THE LIFE OF ACCUSER
AND LIKELY WOULD
HAVE MEANT
CONSIDERABLE
JAIL TIME FOR HER**

**DOUBLE JEOPARDY # 1
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
* EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

Defendant's plea is held in abeyance.

Conditions of Agreement:

The defendant is placed on a plea in abeyance/diversion for a period of twelve months.

Defendant is to notify the Court of a current address at all times during the abeyance/diversion period.

Obey all laws and have no further violations during the abeyance/diversion period.

PLEA IN ABEYANCE ADDITIONAL CONDITIONS

Defendant is ordered to pay a plea in abeyance fee of \$400 plus a court security fee of \$43, due at the rate of at least \$40 per month beginning 12/10/17,

Defendant is ordered to have no contact with the victim in this case.

Tracking review date for Plea in Abeyance: 10/26/2018

SCHEDULED TIMEPAY

The following cases are on timepay 171402280.

The defendant is to pay \$40.00 monthly on the 10th.

The number of payments scheduled is 10 plus a final payment of \$43.00.

The first payment is due on 12/10/2017 the final payment of \$43.00 is due on 10/10/2018 . The final payment may vary based on interest.

- PLEA IN ABEYANCE MIS fee of \$443.00 assessed - Payor: ALLEN MARK STEWART.

10-26-2017 Charge 1 Disposition is Dismissed w/ Pr

11-02-2017 PLEA IN ABEYANCE MIS Payment Received: 443.00

11-28-2017 Filed: Motion to Withdraw
 Filed by: MARK STEWART ALLEN

11-28-2017 Filed: Order (Proposed) of Withdrawal of Counsel

11-28-2017 Filed: Return of Electronic Notification

12-01-2017 Filed order: Order of Withdrawal of Counsel
 Judge JENNIFER A BROWN
 Signed December 01, 2017

12-01-2017 Filed: Return of Electronic Notification

11-12-2018 Filed: Appearance of Counsel/Notice of Limited Appearance

11-12-2018 Filed: Motion to Dismiss
 Filed by: MARK STEWART ALLEN

DOUBLE JEOPARDY # 1
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS

11-12-2018 Filed: Order (Proposed): Order of Dismissal With Prejudice

11-12-2018 Filed: Return of Electronic Notification

11-13-2018 Judge JAMES BRADY assigned.

12-05-2018 Case Closed
 Disposition Judge is JENNIFER A BROWN

12-05-2018 Filed order: Order of Dismissal With Prejudice
 Judge JAMES BRADY
 Signed December 05, 2018

12-05-2018 Filed: Return of Electronic Notification

12-05-2018 Case Closed
 Disposition Judge is JENNIFER A BROWN

01-14-2019 Fee Account created Total Due: 1.50

01-14-2019 COPY FEE Payment Received: 1.50

03-25-2019 Filed: Request for Audio Recording 10/26/2017

03-25-2019 Fee Account created Total Due: 10.00

03-25-2019 AUDIO TAPE COPY Payment Received: 10.00

03-25-2019 Filed: Return of Electronic Notification

03-25-2019 Filed: Request for Copy of Audio Record [completed and emailed]
08-23-2021 Filed: Petition to Expunge Records (Dismissal or Acquittal)
08-23-2021 Fee Account created Total Due: 150.00
08-23-2021 EXPUNGEMENT PETN Payment Received: 150.00
Note: Code Description: EXPUNGEMENT PETN
08-23-2021 Filed: BCI Certificate of Expungement Eligibility
08-23-2021 Filed: Acceptance of Service - Expungement
08-23-2021 Filed: (Proposed) Order on Petition to Expunge Records

**DOUBLE JEOPARDY # 1
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS
BY PROSECUTORS**

Here's a tight narrative of **191400132**

After **171402280** was dismissed with prejudice and **160400655** had been marked settled, you sent an email (while medicated) begging **A. Koehler** to leave you and your family alone; prosecutors treated that message and related conduct as the trigger for **191400132**.

Prosecutor **Randy Kennard** initially declined to prosecute citing the 160400655 Settlement in August 2016, but someone in **David O. Leavitt's** office overrode the declination. The case was "triple jeopardy" from the start because it arose from the same nucleus of facts as the settled and dismissed matters; Utah's compulsory-joinder/double-jeopardy statutes make that a colorable legal argument if the episode is the same.

On funding, **VOCA**-supported personnel were active during 191400132—specifically **Katie Fox** (then directing victim services at the Utah County Attorney's Office) and **Lorie Hobbs** (Utah Crime Victims Legal Clinic). **VOCA** funds are restricted to direct victim-services costs but if the case was known faulty the payment to attorneys was fraudulent and the U.S. Treasury should investigate and audit similar to abuses in **CARES** funding.

Attorney. Pranno produced 2016 **settlement audio** in January 2019 but only to Utah County prosecutors, not to the defense, and that **Brady/Rule** material—including Kennard's analysis—was withheld until you forced disclosure via **GRAMA** requests and appeals in late November 2019 after the prosecutorial lawfare had done its damage.. Utah criminal discovery and Brady obligations, and **GRAMA's** access/preservation rules, support framing for an audit: if exculpatory items or agency records were withheld, that's discoverable-compliance risk and a documentation trail exists.

Koehler's **nsider connections** with deputy prosecutor **Lance Bastian** and that on **Aug. 1, 2019** deputy county attorney **Christine Scott** misled the court while the complainant gave false testimony, with prosecutors representing (incorrectly) that a protective order existed. Reporting says a **stalking injunction** issued in 2016 and that the case was dismissed in 2020, then refiled in 2021—facts an auditor should reconcile against the court docket which reporters failed to look at, as the docket entry was in one place but not in both databases. Why?

Audit takeaway:191400132 proceeded after a settled/dismissed parent matter and relied on **VOCA** resources, a U.S. DOJ/OIG or state administering-agency review should (1) pull **VOCA/cash-match** reimbursement packets for Utah County victim services and **UCVLC** (time/effort, service logs, certifications); (2) map those months to docket milestones to test allowability; (3) examine discovery logs for **Brady/Rule** compliance; and (4) test the "single criminal episode"/double-jeopardy theory against Utah Code **76-1-403**. That scope aligns with federal guidance on **VOCA** monitoring and Utah's records/discovery framework and would also surface whether similar charge-inflation or serial-refiling patterns affected **other** cases to secure grant funding.

Notes: Several pivotal claims (Aug. 1, 2019 hearing specifics; Kennard's declination memo; existence/absence of any protective order; the settlement audio's chain of custody) are best proven from **court transcripts, docket extracts (MyCase/XChange), and agency GRAMA productions**

Where public coverage diverges (e.g., it references a 2016 **stalking injunction**), the docket has been flagged the certified records and record corrections have been sought, clerks are slow walking and ignoring the clerical errors as they now realize the downstream quintuple double jeopardy violations. The auditors job is simple. Correct the date errors in the Kennard Analysis, update **CORIS** to align with the **XChange** entry. Certify Transcripts, Review **VOCA** funding after August 4th 2016. Ledgers have been obtained showing \$350k paid to Hobbs, Fox, Bethany Warr over the timespan of cases 191400132 and 211401656, both cases lacking jurisdiction.

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

STATE OF UTAH vs. MARK STEWART ALLEN

CASE NUMBER 191400132 State Felony

CHARGES

Charge 1 - 76-5-106.5 - STALKING - 3rd Degree Felony
Offense Date: December 21, 2018
Location: Utah County
Attributes: Domestic Violence.
Disposition: October 15, 2020 Dismissed (w/o prej)

CURRENT ASSIGNED JUDGE

JAMES BRADY

PARTIES

Plaintiff - STATE OF UTAH
Represented by: SANDI JOHNSON
Represented by: JEFFREY GRAY
DAVID LEAVITT
Defendant - MARK STEWART ALLEN

Other Party - ALICIA KOEHLER
Represented by: C BETHANY WARR

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

DEFENDANT INFORMATION

Defendant Name: MARK STEWART ALLEN
Offense Tracking Number: 58475104
Date of Birth: January 29, 1962
Law Enforcement Agency: PROVO CITY POLICE
LEA Case Number: 18PR32810
Prosecuting Agency: UTAH COUNTY
Agency Case Number: A19-29
Violation Date: 12-21-2018

ACCOUNT SUMMARY

Total Revenue Amount Due:	185.00
Amount Paid:	185.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: AUDIO TAPE COPY

Original Amount Due:	10.00
Amended Amount Due:	10.00
Amount Paid:	10.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: EXPUNGEMENT PETN

Original Amount Due:	150.00
Amended Amount Due:	150.00

Amount Paid: 150.00
 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:
 Amended Amount Due:
 Amount Paid:
 Amount Credit:
 Balance:

**DOUBLE JEOPARDY # 4
 REFER TO 160400655
 AUGUST 4, 2016 "CASE SETTLED"
 UNCONSTITUTIONAL
 NO JURISDICTION
 EXCULPATORY BRADY EVIDENCE
 WITHHELD BY ATTORNEY PRANNO
 FOR 3 YEARS BY PROSECUTORS
 FEDERALLY FUNDED DEPRIVATION OF RIGHTS
 18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

REVENUE DETAIL - TYPE: FINE

Amount Paid:
 Amount Credit:
 Balance:

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
 2022-03-17 -15.00 Government filer

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
 2022-03-28 -15.00 Government filer

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

2023-04-12

-15.00 Government filer

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

CASE NOTE

PROCEEDINGS

- 01-15-2019 Case filed by efiler
- 01-15-2019 Filed: From an Information
- 01-15-2019 Judge JAMES R TAYLOR assigned.
- 01-15-2019 Filed: INFORMATION
- 02-25-2019 Filed: Summons - To Issue (Proposed) Summons
- 02-25-2019 Filed: Return of Electronic Notification
- 03-04-2019 Filed order: Ruling on Request for Summons
Judge JAMES R TAYLOR
Signed February 28, 2019
- 03-04-2019 Cancelled: INITIAL APPEARANCE scheduled on April 04, 2019 at
01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 03-04-2019 Issued: Summons Issued Summons
Clerk MINDY IGE
- 03-04-2019 Filed: Return of Electronic Notification
- 03-11-2019 Filed: Appearance of Counsel/Notice of Limited Appearance
- 03-11-2019 Filed: Request for Discovery
- 03-11-2019 Filed: Return of Electronic Notification
- 03-11-2019 Filed: Motion to Continue
Filed by: MARK STEWART ALLEN
- 03-11-2019 Filed: Order (Proposed) to Continue
- 03-11-2019 Filed: Return of Electronic Notification
- 03-12-2019 Continued: INITIAL APPEARANCE scheduled on April 18, 2019 at
01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 03-12-2019 Note: Reason: Counsel's request. Defendant's counsel motion.
- 03-12-2019 Filed order: Order to Continue
Judge JAMES R TAYLOR
Signed March 12, 2019
- 03-12-2019 Filed: Return of Electronic Notification
- 04-18-2019 Cancelled: WAIVER HEARING scheduled on May 16, 2019 at 01:30 PM
in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 04-18-2019 Minute Entry - INITIAL APPEARANCE
Judge: JAMES R TAYLOR

PRESENT

Clerk: tracyb
Prosecutor: HOLLAN, CARL R
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): THOMAS, SPENCER A
Audio
Tape Number: 7A Tape Count: 1:43-1:44

INITIAL APPEARANCE

A copy of the Information is given to the defendant.
The Information is read.
Advised of charges and penalties.
WAIVER HEARING is scheduled.
Date: 05/16/2019

Time: 01:30 p.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
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FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

CUSTODY

The defendant is not in custody.

04-30-2019 Filed: Amended Information

04-30-2019 Filed: Return of Electronic Notification

05-01-2019 X Charge 76-5-106.5 Severity F3 was amended to 76-5-106.5 severity F3

05-01-2019 Note: Deleted Charge 76-5-108 Sequence 2

05-16-2019 Continued: WAIVER HEARING scheduled on June 13, 2019 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

05-16-2019 Minute Entry - CONTINUANCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: stephdc

Prosecutor: BASTIAN, LANCE E

Defendant Present

Defendant's Attorney(s): THOMAS, SPENCER A

Audio

Tape Number: 7A Tape Count: 1:30-1:30

CONTINUANCE

Whose Motion:

The Defendant's counsel SPENCER A THOMAS.

Reason for continuance:

Counsel's request.

The motion is granted.

WAIVER HEARING is scheduled.

Date: 06/13/2019

Time: 01:30 p.m.

Location: 7th Fl, Courtroom 7A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: JAMES R TAYLOR

06-13-2019 PRELIMINARY HEARING scheduled on August 01, 2019 at 10:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

06-13-2019 Minute Entry - INITIAL APPEARANCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: tracyb

Prosecutor: SCOTT, CHRISTINE G

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): THOMAS, SPENCER A

Audio

Tape Number: 7A Tape Count: 1:37-1:38

INITIAL APPEARANCE

The defendant requests a Preliminary Hearing.

Defendant is advised of rights.

PRELIMINARY HEARING is scheduled.

Date: 08/01/2019
Time: 10:00 a.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

CUSTODY

The defendant is not in custody.

08-01-2019 ARRAIGNMENT scheduled on September 05, 2019 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

08-01-2019 Minute Entry - PRELIMINARY HEARING
Judge: JAMES R TAYLOR

PRESENT

Clerk: mindyi
Prosecutor: SCOTT, CHRISTINE
Defendant Present
Defendant's Attorney(s): THOMAS, SPENCER
Audio

Tape Number: 7A Tape Count: 10:22-10:37

HEARING

This matter comes before the court for a preliminary hearing. The state calls Alicia Koehler to the stand. She is placed under oath and testifies on direct by Ms. Scott.

State's Exhibits 1-3 are marked, identified, offered and received.

10:27
Mr. Thomas cross examines Ms. Koehler.

10:33
The witness is excused.
State's Exhibit 4 is marked, identified, offered and received.
Side bar.

10:34
The state rests.
Mr. Thomas offers closing arguments.
Ms. Scott responds and offers closing argument.

The court finds that the state has met its burden of proof and the charges are bound over.

* The state moves to withdraw the exhibits in this case. The court grants the motion.

ARRAIGNMENT is scheduled.

Date: 09/05/2019
Time: 01:30 p.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

08-12-2019 Fee Account created Total Due: 10.00

08-12-2019 AUDIO TAPE COPY Payment Received: 10.00

08-13-2019 Filed: Completed Audio Request for Hearing Date 08/01/19 (Emailed to M. Allen)

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
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18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

On August 1, 2019, Christine Scott committed fraud upon the court by presenting and mischaracterizing a non-existent protective order as valid to sustain a prosecution without jurisdiction.

FRAUDULENT DOCUMENTS

09-05-2019 SCHEDULING CONFERENCE scheduled on October 03, 2019 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

09-05-2019 Charge 1 Plea is Not Guilty

09-05-2019 Minute Entry - ARRAIGNMENT

Judge: JAMES R TAYLOR

PRESENT

Clerk: tracyb

Prosecutor: BASTIAN, LANCE

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 7A Tape Count: 1:33-1:34

HEARING

This matter comes before the court for an arraignment.

Defendant enters not guilty pleas.

Court sets this matter for a scheduling conference.

SCHEDULING CONFERENCE is scheduled.

Date: 10/03/2019

Time: 01:30 p.m.

Location: 7th Fl, Courtroom 7A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: JAMES R TAYLOR

10-03-2019 Cancelled: FINAL PRETRIAL CONFERENCE scheduled on December 19, 2019 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

10-03-2019 Cancelled: 2 DAY JURY TRIAL scheduled on February 24, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

10-03-2019 Cancelled: 2 DAY JURY TRIAL scheduled on February 25, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

10-03-2019 Minute Entry - SCHEDULING CONFERENCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: tracyb

Prosecutor: HUNT, LAUREN

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 7A Tape Count: 1:35-1:38

HEARING

This matter comes before the Court for a scheduling hearing.

Counsel requests a 2-day jury trial be set. Counsel to exchange a complete list of witnesses and exhibits they intend to use as well as proposed jury instructions thirty days prior to trial. Counsel are further instructed to file any voir dire questions and a juror questionnaire, if necessary.

FINAL PRETRIAL CONFERENCE is scheduled.

Date: 12/19/2019

Time: 01:30 p.m.

DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986



Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

2 DAY JURY TRIAL is scheduled.

Date: 02/24/2020
Time: 09:00 a.m.

Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

2 DAY JURY TRIAL.

Date: 02/25/2020
Time: 09:00 a.m.

Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
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WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

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18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

- 12-13-2019 Filed: : Notice of Expert Witness
- 12-13-2019 Filed: Exhibit List: Defendants Witness/Exhibit List
- 12-13-2019 Filed: Jury Instructions: Defendants Jury Instructions
- 12-13-2019 Filed: Motion in Limine
- 12-13-2019 Filed: Return of Electronic Notification
- 12-19-2019 Minute Entry - CONTINUANCE

Judge: JAMES R TAYLOR
PRESENT
Clerk: chrislc
Prosecutor: POMEROY, AMY M
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): THOMAS, SPENCER
Audio
Tape Number: 7A Tape Count: 1:30-1:33

CONTINUANCE
Whose Motion:
The Court TAYLOR, JAMES R.
Whose Motion:
The Court t.
Reason for continuance:
Conflict in Court's schedule.
Conflict in Court's schedule.
The motion is granted.

HEARING
This matter comes before the court for a final pretrial conference. The trial in this case needs to be rescheduled due to another trial being calendared. New trial dates are set and the pretrial conference is continued.
JURY TRIAL DAY 1 is scheduled.
Date: 04/14/2020

Time: 09:00 a.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

JURY TRIAL DAY 1 is scheduled.

Date: 04/15/2020
Time: 09:00 a.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

FINAL PRETRIAL CONFERENCE is scheduled.

Date: 03/12/2020
Time: 01:30 p.m.
Location: 7th Fl, Courtroom 7A
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601
Before Judge: JAMES R TAYLOR

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

- 12-20-2019 Continued: JURY TRIAL DAY 1 scheduled on April 14, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 12-20-2019 Continued: JURY TRIAL DAY 1 scheduled on April 15, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 12-20-2019 FINAL PRETRIAL CONFERENCE scheduled on March 12, 2020 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 03-10-2020 Cancelled: JURY TRIAL DAY 1 scheduled on April 14, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
Reason: Correct calendar
- 03-10-2020 Modified: JURY TRIAL DAY 1 scheduled on April 15, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
Reason: Correct calendar
- 03-10-2020 Cancelled: JURY TRIAL scheduled on April 15, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
- 03-10-2020 Filed: Return of Electronic Notification
- 03-12-2020 Minute Entry - FINAL PRETRIAL CONFERENCE
Judge: JAMES R TAYLOR

PRESENT

Clerk: chrislc
Prosecutor: POMEROY, AMY M
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): THOMAS, SPENCER
Audio
Tape Number: 7A Tape Count: 1:35-1:36

HEARING

This matter comes before the court for a final pretrial conference. Counsel confirms the one-day jury. No questionnaires will be submitted.

- 03-16-2020 Filed: Notice of Trial Witnesses and Exhibit List
- 03-16-2020 Filed: Return of Electronic Notification
- 03-17-2020 Filed order: Order Striking Jury Trial

Judge JAMES R TAYLOR

Signed March 17, 2020

03-17-2020 Cancelled: JURY TRIAL scheduled on April 15, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR
Reason: Court Ordered

03-17-2020 Filed: Return of Electronic Notification

03-27-2020 Cancelled: 1-DAY JURY TRIAL scheduled on August 10, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

03-27-2020 Filed: Return of Electronic Notification

08-04-2020 Cancelled: SCHEDULING CONFERENCE scheduled on August 13, 2020 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

08-04-2020 Cancelled: 1-DAY JURY TRIAL scheduled on August 10, 2020 at 09:00 AM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

Reason: Counsel's request.

08-04-2020 Filed: Return of Electronic Notification

08-13-2020 Minute Entry - CONTINUANCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: tracyb

Prosecutor: POMEROY, AMY

Defendant Present

Defendant's Attorney(s): THOMAS, SPENCER

Tape Number: 7A - Webex Tape Count: 1:44-1:45

CONTINUANCE

Whose Motion:

The Defendant's counsel SPE

Reason for continuance:

Counsel's request.

The motion is granted.

SCHEDULING CONFERENCE is schedu

Date: 09/10/2020

Time: 01:30 p.m.

Location: 7th Fl, Courtroom

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: JAMES R TAYLOR

08-16-2020 Cancelled: SCHEDULING CONFERENCE scheduled on September 10, 2020 at 01:30 PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

08-17-2020 Filed: Return of Electronic Notification

09-10-2020 Minute Entry - CONTINUANCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: stephdc

Prosecutor: O'BRYANT, MARIANE

Defendant Present

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 7A FTR Tape Count: 1:55-1:56

CONTINUANCE

Whose Motion:

The Defendant's counsel SPENCER THOMAS.

Reason for continuance:

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

Counsel's request.
The motion is granted.

SCHEDULING CONFERENCE is scheduled
Date: 09/17/2020
Time: 01:30 p.m.
Location: 7th Fl, Courtroom
FOURTH DISTRICT COURT
137 N FREEDOM BLVD
PROVO, UT 84601

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

09-11-2020 Before Judge: JAMES R TAYLOR
SCHEDULING CONFERENCE scheduled
PM in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

09-11-2020 Filed: Return of Electronic Notification

09-17-2020 SCHEDULING CONFERENCE scheduled on October 15, 2020 at 01:30 PM
in 7th Fl, Courtroom 7A with Judge JAMES R TAYLOR

09-17-2020 Minute Entry - SCHEDULING CONFERENCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: stephdc

Prosecutor: POMEROY, AMY

Defendant Present

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 7A FTR Tape Count: 1:38-1:40

HEARING

This matter comes before the court for a scheduling
conference.

Ms. Pomeroy informs the court that the state requests the
case to continue. Mr. Thomas requests a jury trial.

SCHEDULING CONFERENCE.

Date: 10/15/2020

Time: 01:30 p.m.

Location: 7th Fl, Courtroom 7A

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: JAMES R TAYLOR

09-17-2020 Filed: Return of Electronic Notification

10-15-2020 Charge 1 Disposition is Dismissed (w/o

10-15-2020 Case Closed

Disposition Judge is JAMES R TAYLOR

10-15-2020 Minute Entry - SCHEDULING CONFERENCE

Judge: JAMES R TAYLOR

PRESENT

Clerk: chrislc

Prosecutor: LEAVITT, DAVID

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): THOMAS, SPENCER

Audio

Tape Number: 7A Webex Tape Count: 2:18-2:22

HEARING



This matter comes before the court for a scheduling conference. Mr. Leavitt addresses the court and states the parties have reached an agreement. The defendant states his agreement with the terms and agrees to waive the statute of limitations on this case. The state moves to dismiss the case without prejudice.

The court orders that the defendant is to have no contact, direct or indirect, with the victim. The defendant is ordered not to discuss the case nor the victim in any public forum be it digital or otherwise. The court orders that per the agreement of the parties, the statute of limitations in this case is waived and if the defendant violates the agreement the state may refile the case. The case is dismissed without prejudice and is closed.

- 10-21-2020 Note: Domestic violence charge 1 dismissal reason - Agreement both parties
- 01-02-2021 Judge ROBERT LUND assigned.
- 08-23-2021 Filed: Petition to Expunge Records (Dismissal or Acquittal)
- 08-23-2021 Fee Account created Total Due: 150.00
- 08-23-2021 Filed: BCI Certificate of Expungement Eligibility
- 08-23-2021 EXPUNGEMENT PETN Payment Received: 150.00
Note: Code Description: EXPUNGEMENT PETN
- 08-23-2021 Filed: Acceptance of Service - Expungement
- 08-23-2021 Filed: (Proposed) Order on Petition
- 09-01-2021 Fee Account created Total Due: 15.00
- 09-01-2021 AUDIO TAPE COPY Payment Received:
Note: AUDIO TAPE COPY
- 09-07-2021 Filed: Completed Audio Request (09/07/21)
Emailed as MP3.
- 09-21-2021 Filed: Prosecutor Statement
- 09-21-2021 Filed: Return of Electronic Notification
- 09-22-2021 NOTICE for Case 191400132 ID 221648
Judge: ROBERT LUND
EXPUNGEMENT HEARING is scheduled.
Date: 10/14/2021
Time: 10:00 a.m.
Before Judge: ROBERT LUND
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.
- 09-22-2021 Cancelled: EXPUNGEMENT HEARING scheduled on October 14, 2021 at 10:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND
- 09-22-2021 Filed: Notice for Case 191400132 FS: Judge ROBERT LUND
- 09-22-2021 Filed: Return of Electronic Notification
- 09-23-2021 Filed: Motion to Withdraw as Counsel for Defendant
Filed by: MARK STEWART ALLEN
- 09-23-2021 Filed: Order (Proposed) Granting Withdrawal of Counsel
- 09-23-2021 Filed: Return of Electronic Notification
- 09-23-2021 Filed order: Order Granting Withdrawal of Counsel
Judge ROBERT LUND
Signed September 23, 2021
- 09-23-2021 Filed: Return of Electronic Notification
- 10-12-2021 Filed: Notice of Judicial Assignment of a Senior Judge
- 10-12-2021 Filed: Motion for Continuance

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

Filed by: MARK STEWART ALLEN

10-12-2021 Note: Reason: Motion of Defense Defendant is a truck driver and will be out of cell phone range in the Sierra Nevadas at the time of the hearing. Defendant/Respondent motion.

10-12-2021 NOTICE for Case 191400132 ID 22213820

Judge: ROBERT LUND
EXPUNGEMENT HEARING is scheduled.

Date: 11/18/2021

Time: 10:00 a.m.

Before Judge: ROBERT LUND

This hearing will not take place and 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.

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

10-12-2021 Continued: EXPUNGEMENT HEARING scheduled at 10:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

10-12-2021 Filed: Notice for Case 191400132 FS: Judge ROBERT LUND

10-13-2021 Filed: Return of Electronic Notification

10-14-2021 Cancelled: EXPUNGEMENT scheduled on November 05, 2021 at 09:00 AM in 7th Fl, Courtroom 7B with Judge JAMES BRADY

10-14-2021 Minute Entry - HEARING

Judge: JAMES R TAYLOR

PRESENT

Clerk: chrislc

Prosecutor: SANDI JOHNSON

Defendant not present

Audio

Tape Number: 6B FTR/Webex Tape Count: 11:48-11:50

HEARING

This matter comes before the court at the request of Ms. Johnson. The expungement hearing was previously continued. Ms. Johnson motions the court to transfer this case to Judge Brady. The court orders that this case be transferred to Judge Brady and resets the expungement hearing so that both of defendant's cases may be heard together.

EXPUNGEMENT is scheduled.

Date: 11/05/2021

Time: 09:00 a.m.

Before Judge: JAMES BRADY

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.

10-14-2021 Filed order: HEARING

Judge JAMES R TAYLOR

Signed October 14, 2021

10-14-2021 Judge JAMES BRADY assigned.

10-14-2021 Cancelled: EXPUNGEMENT HEARING scheduled on November 18, 2021 at 10:00 AM in 6th Fl, Courtroom 6B with Judge ROBERT LUND

Reason: Court Ordered

10-14-2021 Filed: Return of Electronic Notification

10-15-2021 NOTICE for Case 191400132 ID 22223861

Judge: JAMES BRADY

EXPUNGEMENT is re-scheduled.

Date: 11/10/2021

Time: 10:00 a.m.

Before Judge: JAMES BRADY

The reason for the change is Conflict in attorney schedule.

This hearing is being continued from November 9, 2021 at 9:00 a.m. to November 10, 2021 at 10:00 a.m. in an attorney's schedule. This matter will be conducted by video via Webex. Webex invitations will be issued on a later date.

This hearing will not take place at the court. The hearing will be conducted remotely.

Contact the court to provide your current contact information.

If you do not have access to a phone or a computer, contact the court to arrange a device to appear remotely, notify the court of the date and time.

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

- 10-15-2021 Rescheduled: EXPUNGEMENT rescheduled to November 10, 2021 at 10:00 AM in 7th Fl, Courtroom 7B with Judge JAMES BRADY
- 10-15-2021 Filed: Notice for Case 191400132 FS: Judge JAMES BRADY
- 10-16-2021 Filed: Return of Electronic Notification
- 10-26-2021 Filed: Motion to Stay Expungement Hearing Until After Resolution of Attorney Pranno Bench Trial 11/17/2021 Verdict - Motion for Order to Show Cause - Motion to Compel Discovery Prosecution Withheld Exculpatory Evidence Favoring Derendant from Disco
Filed by: MARK STEWART ALLEN
- 10-26-2021 Filed: Supplement to the Court for Expungement Hearing - Letters of Character Reference for Expungement Hearing November 10th 2021 - Character Defamation Outline Filed by Attorney Wesley D. Hutchins from 2016 Against Petitioner - Motion to Stay Ca
- 10-28-2021 Filed: Return of Electronic Notification
- 10-28-2021 Filed: Motion to Compel Discovery and Document Production and Proposed Order to Compel Discovery and Exculpatory Evidence - Letters of Support Expungement hearing November 10th 2021
Filed by: MARK STEWART ALLEN
- 10-29-2021 Filed: Return of Electronic Notification
- 11-04-2021 Filed: Motion and Proposed Order to Stay Expungment Hearing Pending Office of Professional Conduct Investigation of Attorney Albert N. Pranno for Withholding Exculpatory Evidence from judge Brady, 3 Appellate Judges and Judge Taylor - Notice of Be
Filed by: MARK STEWART ALLEN
- 11-05-2021 Filed: Certificate of Service of Initial Request for Disclosures; Initial Disclosures; Answer to Victim's Statement of Opposition for Expungement; Witnesses for Expungement Hearing to Be Subpoenaes upon Hearing Rescheduled
- 11-05-2021 Filed: (1) Impeachment Evidence of Accuser Making False and Materially Inconsistent Statements, Examples of Libel and Defamation Exhibits; (2) Supplement for Expungement Hearing; (3) Motion and Proposed Order Cessation of Defamation . . .
- 11-05-2021 Filed: (1) Supplement to the Court Record Character Reference Letters for Defendant's Expungement Hearing; (2) Monetary Damgae to the Accused and Medical Costs: (3) Emails from Accuser that Controvert . . . PART 1
- 11-05-2021 Filed: (1) Supplement to the Court Record Character Reference Letters for Defendant's Expungement Hearing; (2) Monetary Damgae to the Accused and Medical Costs: (3) Emails from Accuser that Controvert . . . PART 2
- 11-05-2021 Filed: (1) Supplement to the Court Record Character Reference Letters for Defendant's Expungement Hearing; (2) Monetary Damgae to the Accused and Medical Costs: (3) Emails from Accuser that Controvert . . . PART 3
- 11-05-2021 Filed: (1) Supplement to the Court Record Character Reference

Letters for Defendant's Expungement Hearing; (2) Monetary Damage to the Accused and Medical Costs: (3) Emails from Accuser that Controvert . . . PART 4

- 11-05-2021 Filed: Notice to Submit for Decision
- 11-05-2021 Filed: Return of Electronic Notification
- 11-09-2021 Filed: Return of Electronic Notification
- 11-10-2021 Cancelled: EXPUNGEMENT HEARING scheduled on January 06, 2022 at 09:00 AM in 7th Fl, Courtroom 7B with Judge JAMES BRADY
- 11-10-2021 Minute Entry - EXPUNGEMENT HEARING

Judge: JAMES BRADY

PRESENT

Clerk: miket

Prosecutor: SANDI JOHNSON

Other Attorneys: C BETHANY WARR

Defendant Present

The defendant is not in custody

Audio

Tape Number: 7B Tape Count: 10:05-10:35

HEARING

The court notes that this case was dismissed without prejudice and, therefore, may not qualify for expungement. The court allows the defendant to brief the issue by November 19, 2021. The state may respond by December 3, 2021. Thereafter, the court will either rule on the defendant's Petition to Expunge Records or hear oral arguments.

EXPUNGEMENT HEARING.

Date: 01/06/2022

Time: 09:00 a.m.

Location: 7th Fl, Courtroom 7B

FOURTH DISTRICT COURT

137 N FREEDOM BLVD

PROVO, UT 84601

Before Judge: JAMES BRADY

- 11-11-2021 Filed: Return of Electronic Notification
- 11-17-2021 **** PRIVATE **** Filed: Memorandum in Support of Expungement
- 11-17-2021 Filed: (Proposed) Order on Peititon to Expunge Records [Dismissal or Acquittal]
- 11-18-2021 Filed: Return of Electronic Notification
- 12-02-2021 Filed: Objection to Defendants Memorandum in Support of Expungement
- 12-02-2021 Filed: Return of Electronic Notification
- 12-06-2021 **** PRIVATE **** Filed: [Second] Memorandum in Support of Expungement
- 12-06-2021 **** PRIVATE **** Filed: Exhibit A
- 12-06-2021 **** PRIVATE **** Filed: Exhibit B
- 12-06-2021 **** PRIVATE **** Filed: Exhibit C
- 12-06-2021 **** PRIVATE **** Filed: Exhibit D
- 12-06-2021 **** PRIVATE **** Filed: Exhibit E
- 12-06-2021 **** PRIVATE **** Filed: Exhibit F
- 12-06-2021 **** PRIVATE **** Filed: Exhibit G
- 12-06-2021 **** PRIVATE **** Filed: Exhibit H
- 12-06-2021 **** PRIVATE **** Filed: Exhibit I
- 12-06-2021 **** PRIVATE **** Filed: Exhibit J
- 12-06-2021 **** PRIVATE **** Filed: Exhibit K

FEDERAL DOLLARS FUNDED DEPRIVATION OF RIGHTS

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
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EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

12-06-2021 **** PRIVATE **** Filed: Exhibit L
12-06-2021 **** PRIVATE **** Filed: Exhibit M
12-06-2021 **** PRIVATE **** Filed: Exhibit N
12-06-2021 **** PRIVATE **** Filed: Exhibit O
12-06-2021 **** PRIVATE **** Filed: Exhibit P
12-06-2021 Filed: Request for Copy of Audio Record
12-06-2021 Filed: Return of Electronic Notification
12-08-2021 Filed order: Order on Petition to Expunge Records [denied]
Judge JAMES BRADY
Signed December 08, 2021
12-08-2021 Cancelled: EXPUNGEMENT HEARING scheduled on January 06, 2022 at
09:00 AM in 7th Fl, Courtroom 7B with Judge JAMES BRADY
Reason: Court Ordered
12-10-2021 Fee Account created Total Due: 10.
12-10-2021 Fine Account created Total Due: 0.
12-10-2021 AUDIO TAPE COPY Payment Received:
12-10-2021 Filed: Completed Audio Request (12
Emailed as MP3.
01-14-2022 Filed: Request for Audio
01-14-2022 Filed: Return of Electronic Notifi
01-20-2022 Filed: Completed Audio Request (01
Emailed as MP3.
03-17-2022 Filed: Request for Audio Recording
03-17-2022 Fee Account created Total Due: 15.
03-17-2022 Filed: Return of Electronic Notification
03-18-2022 Filed: Completed Copy of Audio Request (emailed to Tina B.)
03-28-2022 Filed: Request for Audio Recording
03-28-2022 Fee Account created Total Due: 15.00
03-28-2022 Filed: Return of Electronic Notification
04-05-2022 Filed: Completed audio request for Hobbs emailed on 4/5/22
05-17-2022 Filed: TRANSADMIN TRANSCRIPT for Hearing 11-10-2021
05-17-2022 Filed: TRANSADMIN TRANSCRIPT for Hearing 10-15-2020
09-12-2022 **** PRIVATE **** Filed: Request/Notice to Submit
09-12-2022 **** PRIVATE **** Filed: Motion to Classify Defendants
Expungement Memo
09-12-2022 **** PRIVATE **** Filed: Order (Proposed) To Seal Defendants
Expungement Memo
09-12-2022 Filed: Return of Electronic Notification
09-12-2022 Filed order: Order To Seal Defendants Expungement Memo
Judge JAMES BRADY
Signed September 12, 2022
09-12-2022 Filed: Return of Electronic Notification
02-06-2023 Filed: Motion to Remove Link Between Personal Identifying
Information and Dismissed Criminal Case or Denied Request for
Civil Protective Order or Civil Stalking Injunction
Filed by: MARK STEWART ALLEN
02-21-2023 Filed: (Proposed) Order on Motion to Remove link Between
Personal Identifying Information and Dismissed Criminal Case or
Denied Request for Civil Protective Order or Civil Stalking
Injunction
02-21-2023 Filed: Request to Submit for Decision
03-07-2023 Filed: Request to Submit for Decision
03-10-2023 Filed order: Order on Motion to Remove Link Between Personal
Identifying Information and Dismissed Criminal Case or Denied
Request for Civil Protective Order or Civil Stalking Injunction
[denied]

**DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
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18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

Judge JAMES BRADY
Signed March 10, 2023

- 03-10-2023 Filed: [Proposed] Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stlaking Injunction. Exhibits noted below and attached as evidcence . . .
- 03-16-2023 Filed: Objection to The Notice to Submit
- 03-16-2023 Filed: Return of Electronic Notification
- 03-17-2023 Note: Attorney DAVID LEAVITT Bar Number 5990 Bar State UT Auto Withdraw
- 04-12-2023 Filed: Request for Audio Record
- 04-12-2023 Fee Account created Total Due:
- 04-12-2023 Filed: Return of Electronic No
- 04-13-2023 Filed: Completed Audio Request
- 05-08-2023 Filed: (Proposed) Order on Mot. Personal Identifying Informatio Denied Request for Civil Protec Injunction
- 05-08-2023 Filed: (Proposed) Order on Mot. Personal Identifying Informatio Denied Request for Civil Protec Injunction [Copy]
- 05-08-2023 Filed: Request to Submit for Decision with Exhibits
- 05-20-2023 Ruling Entry - NOTICE INSUFFICIENT EVIDENCE OF SERVICE

DOUBLE JEOPARDY # 4
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

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Judge: BRADY, JAMES

The court received a motion from Defendant asking that the court remove any link between his personal identifying information and a dismissed criminal case. The criminal case was dismissed based on a stipulation of the parties. The court received no certificate of service of Defendant's motion other than what was provided on its last page. On that page Defendant indicates he hand delivered a copy of the motion to the "Utah County Admin Bldg on May 8, 2023. There is no indication which department of the County Administration Building the document was left with, or the name of a person who received the document. On the face of the document filed with the court, there is a stamp indicating "RCVD by Receptionist and date stamped "2023 FEV 06. The stamp does not indicate which department of the Utah County Administrative Building received the document and the stamp date is inconsistent with the handwritten date provided by Defendant.

Since the underlying criminal case was dismissed by stipulation, the terms of which have not ended, it is imperative that both parties receive notice of documents filed by each party. The court can not determine from the documents on file that the State of Utah or Utah County have been served with notice of Defendant's motion. Until such time a service is completed and properly filed, the court will not consider Defendant's motion.

CERTIFICATE OF NOTIFICATION

I certify that a copy of the attached document was sent to the following people for case 191400132 by the method and on the date specified.

- EMAIL: C BETHANY WARR CBWARR@UTAH.GOV
- EMAIL: SANDI JOHNSON SANDIJO@UTAHCOUNTY.GOV
- EMAIL: JEFFREY GRAY DCOURT@UTAHCOUNTY.GOV
- EMAIL: MARK STEWART ALLEN markstewartallen@gmail.com

05/22/23

/s/

KELLY LAMB

Date: _____

Signature

05-22-2023 Filed order: NOTICE INSUFFICIENT EVIDENCE OF SERVICE OF PROCESS
Judge JAMES BRADY
Signed May 22, 2023

05-23-2023 Filed: Certificate of Service

Constitutional Violations

1st Amendment

2nd Amendment

4th Amendment

5th Amendment (Double Jeopardy – 4th instance)

6th Amendment

8th Amendment

14th Amendment

Federal Statutory Violations

18 U.S.C. § 4

18 U.S.C. § 1510

18 U.S.C. § 1519

18 U.S.C. § 666

42 U.S.C. § 1983

42 U.S.C. § 1985

42 U.S.C. § 1986

Utah Constitutional and Statutory Violations

Utah Const. art. I, § 7

Utah Const. art. I, § 11

Utah Const. art. I, § 12

Utah Const. art. I, § 24

Utah Code Ann. § 76-8-802

Utah Code Ann. § 77-38

Utah Code of Judicial Administration

Judicial Canons Violated

Canon 1

Canon 2

Canon 3

Canon 4

**DOUBLE JEOPARDY # 4
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FOR 3 YEARS
BY PROSECUTORS**

Following the 2019 filing of case 191400132, coverage by Utah outlets focused on how the Utah County Attorney's Office handled a stalking prosecution and later dismissal/refiling; typical stories emphasized office dynamics (including disputes between County Attorney David Leavitt and line prosecutor Lance Bastian- ironically who the case was not assigned to, rather it was Amy Pomeroy's case but Lance Bastian, who it is believe had working ties to Koehler via DCFS took a special interest and zeal to try and incarcerate Allen which included inflated charges.

Allens evidence was never given consideration and an illegal gag order by Leavitt prohibited Allen from self defense and his silence was used against him by the media.

The docket shows that the foundational case, 160400655, was "settled" on August 4, 2016, and that later prosecutions improperly assumed jurisdiction despite that history. Neither Leavitt, private attorney Albert N. Pranno, Bastian, nor Koehler took steps to correct the public record, and that the omission propagated through news coverage and search results, leaving Allens name "globally marred" because no observers checked the docket. Allen has put that record into every case which has been brought against him, 8 judges have had opportunity to right the wrongs, instead they have tried to bury the records and have been thus far effective at hiding institutional liability.

Koehler v. Allen, 2020 UT App 73—describes a 2016 civil stalking injunction. The docket return service on May 20, 2016, and and a request for a hearing May 26th 2016 which made other statutes controlling, preventing the automatic issuance of an injunction which Allen was ready to contest. See Kennard Analysis

The prosecution in case 191400132 was initiated after an email Allen sent to Koehler on December 21, 2018 (while medicated, no memory of sending), which "begs Koehler to leave Allen and his family alone." This email, sent after Koehler had already caused significant personal and professional damage, was then "weaponized" by prosecutors. Again, realize that Allen had been subjected to lawfare of 171402280, 160400655 OSC was underway parallel to 191400132 prosecution advancing.

In the related appeal (20190395-CA), the Utah Court of Appeals reversed the conviction and remanded the case, noting the civil stalking injunction remained in force. However, Allen asserts that his attorney, Albert Pranno, withheld a 2016 settlement audio and other Brady material from the appellate court, making the ruling flawed and a product of "upstream misconduct."

Allen further claims that the prosecution was pursued despite internal concerns about a lack of jurisdiction and that prosecutors mischaracterized those facts in court.

- Financial Red Flags: Personnel connected to the federal Victims of Crime Act (VOCA) program, including Bethany Warr, Lorie Hobbs and Katie Fox, were active on his cases and "profited significantly." \$326,000 over 2019-2025 and they participated in cases 191400132 and 211401656 - cases without legal jurisdiction. Ledgers of VOCA funds show considerable cash flow (are federally regulated and restricted to victim services), this financial activity raises the need for a targeted federal audit.
- The audit would compare billing records against docket activity to determine if charges were inflated or cases refiled to sustain grant billing, which would constitute an abuse of federal funds.

The core of the issue,, is that a single email was allegedly used to initiate a prolonged legal battle lacking jurisdiction, asserted jurisdiction without a court order is fraud. This "lawfare," was funded by taxpayers and enabled by Koehler's connections, eviscerated Allen's life and career.

The appeal was allegedly misdirected by the withholding of crucial evidence, and subsequent prosecutions proceeded on a faulty foundation, triggering both civil-rights violations and the abuse of a federal program that merits an independent audit.

Since **VOCA funds are federally restricted** to allowable activities in valid legal contexts, Allen contends that these services may constitute **misuse of federal funds**. Agencies such as the **Utah Office for Victims of Crime (UOVC)** and **Office for Victims of Crime (OVC)** require detailed logs and certifications for reimbursement. If the underlying case lacked jurisdiction, then VOCA reimbursements linked to it could be unallowable.

Allen's filings call for a **federal audit** of VOCA records corresponding with the life of case 211401656, cross-checked against court dockets and hearing activity to determine the **allowability of federal expenditures**.

III. Judicial Irregularities and Record Handling

Presiding Judge **Robert C. Lunnan**—appointed in 2016 and retired as of August 1, 2025—was responsible for overseeing the 211401656 proceedings. Allen alleges multiple judicial irregularities, including:

- **Failure to preserve the record** or enforce the 2016 settlement.
- **Post-dismissal hearings** continuing into mid-2025, despite claims the case was "dismissed with prejudice."
- **Backdating of dismissal** from **September 20, 2024**, to **September 9, 2022**, thereby preventing the consideration of crucial filings seeking record preservation and criminal inquiry.

Notifications to VOCA personnel and ongoing hearings in **August–September 2024** further undermine claims of final resolution.

IV. Pattern of Prosecutorial Misconduct

In a **184-page memorandum**, Allen documents widespread prosecutorial misconduct and constitutional violations, including:

- **Brady violations** for withholding exculpatory evidence.
- **Color of Law violations** under **18 U.S.C. § 242**.
- **Civil rights claims** under **42 U.S.C. § 1983**.

- Misuse of official roles to retaliate against protected legal activity and free speech.
- The manipulation of judicial processes and record falsification.

Named individuals include **David Leavitt, Lance Bastian, Carl Hollan, Christine Scott, Lauren Hunt, Amy and Adam Pomeroy**, and victim advocate attorneys such as **Bethany Warr** and **Lorie Hobbs**.

V. Relief Sought

Allen seeks:

- A **federal records audit** and **VOCA compliance review** for UCVLC and county-level victim services.
- **Judicial and prosecutorial accountability**, including disbarment and referral to the **Department of Justice Office of Inspector General (DOJ OIG)**.
- **Restitution and public exoneration** based on constitutional violations and improper use of government authority and historic preservation of the unprecedented Quintuple Jeopardy case, the Trespass case, while delinking personally identifying information about Allen yet exposing those who committed the lawfare.

Any other remedies to restore justice reserved

**SUMMARY — State of Utah v. Mark Stewart Allen, Case No. 211401656
(Fourth District Court, Utah)**

I. Jurisdictional Defects and Procedural Background

Court records confirm that **case 211401656** was jurisdictionally faulty from the onset. It was one of several criminal filings pursued against **Mark Stewart Allen** that trace back to an original proceeding—**case 160400655**—which was civil in nature.

Supplemental Clarification on Jurisdictional Bar — Utah Code § 76-1-403

The docket for **case 160400655** shows that the prosecution was initiated as a **civil matter involving an ex parte temporary injunction**, which remained in effect for only **72 days**. The case was **settled** August 4th 2016, and the scheduled hearing for **August 5, 2016**, was **cancelled**. No trial was held. The docket entry August 4th "Trial Cancelled:Case Settled".

Under **Utah Code § 76-1-403**, which governs joinder and bars successive prosecutions arising from the same criminal episode, the State is prohibited from later initiating charges based on conduct that was—or should have been—addressed in the original proceeding. Despite this statutory bar, criminal charges were refiled in 171402280, 191400132 and again years later under **case 211401656**, arising from the same operative facts. The Order to Show Cause was fraud upon the Court and The Appellate Court findings are faulty and should be vacated. Pranno withheld evidence from all judges.

This procedural history—reflected in official court dockets—establishes that the later prosecution was **jurisdictionally defective**. The repeated filing and re-filing of charges rooted in a resolved matter form the core of the "**quintuple jeopardy**" claim and raise significant concerns under both **Utah law** and **federal constitutional protections** against double jeopardy.

II. VOCA Funding Abuse

While case 211401656 was pending—despite its legal invalidity—services funded under the **Victims of Crime Act (VOCA)** were provided, particularly by **Lorie Hobbs** and **Bethany Warr** at the **Utah Crime Victims Legal Clinic (UCVLC)**. These services continued even as the prosecution was allegedly time-barred or void.

**FRAUDULENT JUDGE BACKDATED
DISMISSED WITH PREJUDICE SO HE
WOULD NOT HAVE TO SIGN OUR ORAL
CONTRACT SEPTEMBER 20, 2024**

STATE OF UTAH vs. MARK STEWART ALLEN

CASE NUMBER 211401656 State Felony

CHARGES

Charge 1 - 76-5-106.5 - STALKING - 3rd Degree Felony
Offense Date: December 21, 2018
Location: Utah County
Attributes: 2nd/Subseq.Violation.
Disposition: September 09, 2022 Dismissed w/ Prejudi

CURRENT ASSIGNED JUDGE
TONY F GRAF JR

**Judge Robert C. Lunnen
SEPTEMBER 20, 2024 AFTER THREE YEARS OF QUINTUPLE JEOPARDY-
FEDERALLY FUNDED LAWFARE, KATIE FOX, LORIE HOBBS, BETHANY WARR
"I KNOW NOTHING ABOUT YOUR CASE AND I DOUBT THE STATE DOES EITHER"**

PARTIES

Plaintiff - STATE OF UTAH
Represented by: CRAIG PETERSON

Defendant - MARK STEWART ALLEN
Accepts URCP Rule 5 service via MyCase

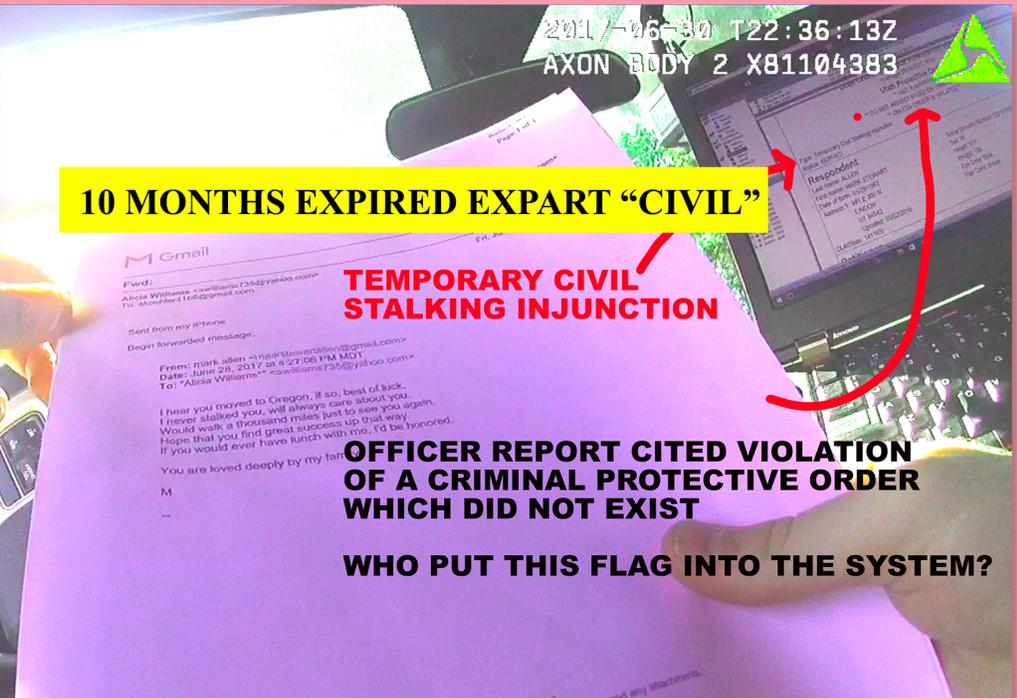
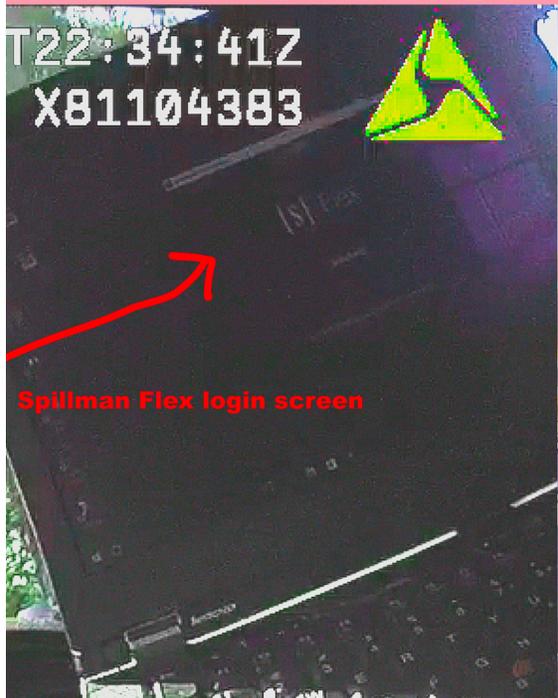
Other Party - AK
Represented by: LORIE HOBBS

**CONSTITUTIONALLY IMPOSSIBLE
SEE DOCKET "AUGUST 4TH 2016"
"TRIAL CANCELLED:CASE SETTLED"**

**GHOSE DOCUMENT ON SPILLMAN
WHICH IS SEEN ON BODY CAMERA**

DEFENDANT INFORMATION

Defendant Name: MARK STEWART ALLEN
Date of Birth: January 29, 1962
Law Enforcement Agency: PROVO CITY POLICE
LEA Case Number: 18PR32810
Prosecuting Agency: UTAH COUNTY
Agency Case Number: A19-29
Violation Date: 12-21-2018



10 MONTHS EXPIRED EXPART "CIVIL"

**TEMPORARY CIVIL
STALKING INJUNCTION**

**OFFICER REPORT CITED VIOLATION
OF A CRIMINAL PROTECTIVE ORDER
WHICH DID NOT EXIST**

WHO PUT THIS FLAG INTO THE SYSTEM?

Amount Due: 16.25
Amount Paid: 16.25
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
2023-09-15 -15.00 Government filer

REVENUE DETAIL - TYPE: EXPUNGEMENT PETN
Fee Waiver Status - Waived

Original Amount Due: 150.00
Amended Amount Due: 0.00
Amount Paid: 0.00
Amount Credit: 0.00
Amount Waived: 150.00
Balance: 0.00

Account Adjustments Sum To Date Amount Reason
2024-09-12 -150.00 Waived

REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

Amount Due: 15.00
Amount Paid: 15.00
Amount Credit:
Balance:

REVENUE DETAIL - TYPE: FINE

Amount Due:
Amount Paid:
Amount Credit:
Balance:

**DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

REVENUE DETAIL - TYPE: ELEC STORAGE MEDIUM

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
2025-06-19

Amount Reason
-15.00 Government filer

CASE NOTE

DOUBLE JEOPARDY # 5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

PROCEEDINGS

09-16-2021 Filed: INFORMATION
09-16-2021 Case filed by efiler
09-16-2021 Filed: From an Information
09-16-2021 Judge ROBERT C LUNNEN assigned.
10-07-2021 Filed: Summons - To Issue (Proposed)
10-07-2021 Filed: Return of Electronic Notification
10-07-2021 INITIAL APPEARANCE scheduled on November 03, 2021 at 01:00 PM
in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN
10-07-2021 Issued: Summons Issued
Clerk SHAWN MINTER
10-07-2021 Filed: Return of Electronic Notification
10-08-2021 Filed: Return of Electronic Notification
10-25-2021 Filed return: Return of Service upon MARK ALLEN for
Party Served: STATE OF UTAH
Service Type: Personal
Service Date: October 18, 2021
Garnishee:
10-25-2021 Filed: Return of Electronic Notification
10-27-2021 Filed: Notice of Appearance
10-27-2021 Filed: Return of Electronic Notification
11-03-2021 Filed: Order (Proposed) No Contact Order
11-03-2021 Filed: Return of Electronic Notification
11-03-2021 Filed: Notice of Appearance victims counsel
11-03-2021 Filed: Return of Electronic Notification
11-03-2021 Note: DEF Email Address changed from
11-03-2021 Note: DEF Email Address changed to markstewartallen@gmail.com
11-03-2021 Cancelled: PRELIMINARY HEARING-WAIVE scheduled on December 01,
2021 at 01:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C
LUNNEN
11-03-2021 Minute Entry - INITIAL APPEARANCE
Judge: ROBERT C LUNNEN
PRESENT
Clerk: juliea
Prosecutor: SANDI JOHNSON
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): JACOBSON, ERIK
Audio
Tape Number: Webex 8A Tape Count: 1:01-1:07
INITIAL APPEARANCE
A copy of the Information is given to the defendant.
Defendant waives reading of Information.
Advised of charges and penalties.
The defendant is advised of right to counsel.

VOCA FUNDED

The defendant is advised that this offense may be used as an enhancement to the penalties for a subsequent offense.

No contact order will enter.

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

PRELIMINARY HEARING-WAIVE is scheduled.

Date: 12/01/2021

Time: 01:00 p.m.

Before Judge: ROBERT C LUNNEN

**DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

CUSTODY

The defendant is not in custody.

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: Return of Electronic Notification
 - 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 Filed order: Order No Contact Order
Judge ROBERT C LUNNEN
Signed November 08, 2021
 - 11-08-2021 Filed: Return of Electronic Notification
 - 11-08-2021 Filed protective order: Pre-Trial Protective Order
Judge ROBERT C LUNNEN
Signed November 08, 2021
 - 11-09-2021 Filed: Return of Electronic Notification
 - 11-09-2021 Note: Pre-Trial Protective Order Service Date : 11-09-2021
06:30:00
 - 11-17-2021 Filed: Substitution of Counsel
 - 11-17-2021 Filed: Return of Electronic Notification
 - 11-18-2021 Filed return: Return Of Service
Party Served: ALLEN, MARK STEWART
Service Type: Personal
Service Date: November 15, 2021
Garnishee:
 - 11-19-2021 Filed: Return of Electronic Notification
 - 12-01-2021 Minute Entry - CONTINUANCE
Judge: ROBERT C LUNNEN
- PRESENT
- Clerk: treenah
 - Prosecutor: TAYLOR, TIMOTHY
 - Other Attorneys: LORIE HOBBS
 - Defendant Present
 - Defendant's Attorney(s): PARMLEY, DUSTIN
 - Audio

Tape Number: Webex 8A-21 Tape Count: 1:04-1:05

CONTINUANCE

Whose Motion:

The Defendant's counsel DEFENDER PUBLIC.

Reason for continuance:

Counsel's request.

The motion is granted.

WAIVER HEARING is scheduled.

Date: 01/05/2022

Time: 01:00 p.m.

Before Judge: ROBERT C LUNNEN

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.

**DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

12-02-2021 Cancelled: WAIVER HEARING scheduled on January 05, 2022 at 01:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

12-03-2021 Filed: Return of Electronic Notification

01-03-2022 Filed: Request for Discovery Specific Discovery

01-03-2022 Filed: Return of Electronic Notification

01-05-2022 Continued: WAIVER HEARING scheduled on February 09, 2022 at 01:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

01-05-2022 Minute Entry - CONTINUANCE

Judge: ROBERT C LUNNEN

PRESENT

Clerk: shawnm

Prosecutor: JOHNSON, SANDI

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): PARMLEY, DUSTIN

Audio

Tape Number: Webex 8A Tape Count: 1:18-1:21

CONTINUANCE

Whose Motion:

The Defendant's counsel DUSTIN PARMLEY.

Reason for continuance:

Counsel's request.

The motion is granted.

This matter comes before the court for a Waiver Hearing. Mr. Parmley will files a motion to recuse the Utah County Attorney's Office due to a conflict of interests. The matter is continued.

WAIVER HEARING is scheduled.

Date: 02/09/2022

Time: 01:00 p.m.

Before Judge: ROBERT C LUNNEN

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.

01-12-2022 Filed return: Return of Service upon ALEX ALLEN for

Party Served: MARK STEWART ALLEN

**BETHANY WARR, LORIE HOBBS
CRAIG PETERSON, FAIL TO
REPORT LACK OF JURISDICTION**

**STATES WITNESS WITH LEAVITT
ADMITS THE PROSECUTION IS
FAULTY. AUDIO RECORDING
DATES TO AUGUST 4 2016
OMISSIONS BY PRANNO**

Service Type: Personal
Service Date: January 11, 2022
Garnishee:

01-12-2022 Filed return: Return of Service upon ALEX ALLEN for
Party Served: MARK STEWART ALLEN
Service Type: Personal
Service Date: January 11, 2022
Garnishee:

01-12-2022 Filed: Return of Electronic Notification

01-17-2022 Filed: Motion (Hearing Requested) Motion to Disqualify Utah
County Attorneys Office
Filed by: MARK STEWART ALLEN

01-17-2022 Filed: Return of Electronic Notification

01-26-2022 NOTICE for Case 211401656 ID 22477107

01-26-2022 NOTICE for Case 211401656 ID 22477108

Date:

The reason for the change is Counsel stipulated.

01-26-2022 Rescheduled: WAIVER HEARING rescheduled to February 23, 2022 at
01:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

02-02-2022 Filed: Order (Proposed) Ruling and Order Disqualifying Utah
County Attorneys Office

02-02-2022 Filed: Request/Notice to Submit Request to Submit Motion to
Disqualify Utah County Attorneys Office

02-02-2022 Filed: Return of Electronic Notification

02-03-2022 Filed order: Order Ruling and Order Disqualifying Utah County
Attorneys Office

Judge ROBERT C LUNNEN

Signed February 03, 2022

02-03-2022 Filed: Return of Electronic Notification

02-14-2022 Filed: Substitution of Counsel Notice of Substitution of
Counsel

02-14-2022 Filed: Return of Electronic Notification

02-15-2022 Filed: States Response to Defendants Motion for Specific
Discovery (January 3, 2022)

02-15-2022 Filed: Return of Electronic Notification

02-18-2022 Filed: Request for Discovery Specific Discovery

02-18-2022 Filed: Return of Electronic Notification

02-23-2022 Cancelled: WAIVER HEARING scheduled on March 30, 2022 at 01:00
PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

02-23-2022 Minute Entry - CONTINUANCE - WAIVER HEARING

Judge: ROBERT C LUNNEN

PRESENT

Clerk: shawnm

Prosecutor: HOLLAN, CARL

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): PARMLEY, DUSTIN

Audio

Tape Number: Webex 8A Tape Count: 1:19-1:21

CONTINUANCE

Whose Motion:

The Defendant's counsel DUSTIN PARMLEY.

Reason for continuance:

Counsel's request.

DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

The motion is granted.

This matter comes before the court for a waiver Hearing.
The matter is continued

WAIVER HEARING is scheduled.

Date: 03/30/2022

Time: 01:00 p.m.

Before Judge: ROBERT C LUNNEN

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.

02-24-2022 Filed: Return of Electronic Notification

03-23-2022 Filed: Substitution of Counsel

03-23-2022 Filed: Return of Electronic Notification

03-28-2022 NOTICE for Case 211401656 ID 22631315

03-28-2022 NOTICE for Case 211401656 ID 22631316

Date:

The reason for the change is Counsel stipulated.

03-28-2022 Rescheduled: WAIVER HEARING rescheduled to April 27, 2022 at 01:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

04-27-2022 Cancelled: ORAL ARGUMENTS scheduled on June 22, 2022 at 03:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

04-27-2022 Minute Entry - WAIVER HEARING

Judge: ROBERT C LUNNEN

PRESENT

Clerk: shawnm

Prosecutor: CRAIG PETERSON

Defendant Present

The defendant is not in custody

Defendant's Attorney(s): DUSTIN PARMLEY

Audio

Tape Number: FTR/Webex 8A Tape Count: 1:04-1:07

CONTINUANCE

Whose Motion:

The Defendant's counsel DUSTIN PARMLEY.

Reason for continuance:

Counsel's request.

The motion is granted.

The matter is set for Oral Arguments.

ORAL ARGUMENTS is scheduled.

Date: 06/22/2022

Time: 03:00 p.m.

Before Judge: ROBERT C LUNNEN

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.

04-28-2022 Filed: Return of Electronic Notification

05-13-2022 Filed: Motion (Hearing Requested) Motion to Dismiss

Filed by: MARK STEWART ALLEN

05-13-2022 Filed: Return of Electronic Notification

05-18-2022 Filed: Transcript from October 15, 2020 Hearing

DOUBLE JEOPARDY # 5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

05-18-2022 Filed: Return of Electronic Notification
05-31-2022 ● Filed: Objection to Motion to Dismiss
05-31-2022 Filed: Return of Electronic Notification
05-31-2022 Filed: Exhibit 1 Opposition to Motion to Dismiss
05-31-2022 Filed: Return of Electronic Notification
05-31-2022 ● Filed: Exhibit 2 Opposition to Motion to Dismiss
05-31-2022 Filed: Return of Electronic Notification
06-07-2022 ● Filed: Memorandum Reply Memorandum in Support of Motion to Dismiss
06-07-2022 Filed: Return of Electronic Notification
06-21-2022 Filed: Notice of Judicial Assignment of a Senior Judge
06-21-2022 NOTICE for Case 211401656 ID 22857918
06-21-2022 NOTICE for Case 211401656 ID 22857919
Date:
The reason for the change is Counsel stipulated.
06-21-2022 Rescheduled: ORAL ARGUMENTS rescheduled to July 06, 2022 at 03:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN
06-22-2022 Filed: Return of Electronic Notification
07-06-2022 Minute Entry - CONTINUANCE
Judge: ROBERT C LUNNEN
PRESENT
Clerk: treenah
Prosecutor: CRAIG PETERSON
Other Attorneys: LORIE HOBBS
Defendant Present
Defendant's Attorney(s): DUSTIN PARMLEY
Audio
Tape Number: 8A FTR/Webex Tape Count: 3:30-3:37
CONTINUANCE
Whose Motion:
The Defendant's counsel DEFENDER PUBLIC.
Reason for continuance:
Counsel's request.
Court overlooked the additional briefing, court continues the oral argument.
The motion is granted.
ORAL ARGUMENTS is scheduled.
Date: 08/17/2022
Time: 03:00 p.m.
Before Judge: ROBERT C LUNNEN
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.
07-07-2022 ORAL ARGUMENTS scheduled on August 17, 2022 at 03:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN
07-08-2022 Filed: Return of Electronic Notification
07-28-2022 Note: Counsel have stipulated to extend the time to complete briefing on the motion to dismiss to August 5, 2022.
08-05-2022 Filed: States Supplemental Brief in Opposition to Motion to Dismiss
08-05-2022 Filed: Return of Electronic Notification
08-05-2022 Filed: Memorandum Supplemental Memorandum in Support of Motion

DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

to Dismiss

08-05-2022 Filed: Return of Electronic Notification

08-17-2022 Minute Entry - ORAL ARGUMENT

Judge: ROBERT C LUNNEN

PRESENT

Clerk: treenah

CRAIG PETERSON Prosecutor: ~~CHRISTEN TIE~~

Defendant Present

Defendant's Attorney(s): PARMLEY, DUSTIN

Audio

Tape Number: 8A FTR/Webex Tape Count: 3:15-3:43

HEARING

This mattter comes before the court for oral argument.

Court addressses counsel on the issues of the couase.

Mr. Parmley addresses the court and presents argument.

Mr. Peterson responds and discussion enuses.

The court grants the motion to dismiss.

Counsel will prepare the order.

**DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS**

**FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

WITHOUT PREJUDICE

08-18-2022 Filed: Request for Audio Recording 8/17/2022 Hearing

08-18-2022 Fee Account created Total Due: 15.00

08-18-2022 Filed: Return of Electronic Notification

08-18-2022 Filed: (COMPLETE) Request for Copy of Audio Record - emailed to marciad@utcpd.com

08-19-2022 Filed: Return of Electronic Notification

09-01-2022 Filed: Order (Proposed) Ruling and Order Dismissing Case Without Prejudice

09-01-2022 Filed: Request/Notice to Submit

09-01-2022 Filed: Return of Electronic Notification

09-07-2022 Case Closed

Disposition Judge is ROBERT C LUNNEN

09-07-2022 Case Closed

Disposition Judge is ROBERT C LUNNEN

09-07-2022 Filed order: Order Ruling and Order Dismissing Case Without Prejudice

Judge ROBERT C LUNNEN

Signed September 07, 2022

09-07-2022 Filed: Return of Electronic Notification

09-09-2022 Charge 1 Disposition is Dismissed (w/o

09-09-2022 Charge 1 Disposition is Dismissed w/ Pr

02-06-2023 Filed: Motion To Remove Link Between Personal Identifying Information And Dismissed Criminal Case Or Denied Request For Civil Protective Order or Civil Stalking Injunction

02-06-2023 Filed: Motion To Remove Link Between Personal Identifying Information And Dismissed Criminal Case Or Denied Request For Civil Protective Order Or Civil Stalking Injunction (With Attachments)

Filed by: MARK STEWART ALLEN

02-21-2023 Filed: Proposed Order On Motion To Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request For Civil Protective Order or Civil Stalking Injunction

02-21-2023 Filed: Request To Submit

02-23-2023 Filed order: Order On Motion To Remove Link Between Personal Identifying In formation and Dismissed Criminal Case or Denied Request For Civil Protective Order or Civil Stalking Injunction

Judge ROBERT C LUNNEN

Signed February 22, 2023

02-28-2023 Filed: Proposed Order on Motion To Remove Link Between Personal

**BACKDATED TO NULLIFY
SEPTEMBER 20, 2024
CONTRACTED OBLIGATIONS
METADATA ANALYSIS
WHO BACKDATED THE RECORD**

Identifying Information And Dismissed Criminal Case Or Denied Request For Civil Protective Order or Civil Stalking Injunction

02-28-2023 Fee Account created Total Due: 16.25

02-28-2023 COPY FEE Payment Received: 16.25

02-28-2023 Note: Received conformed copy of motion from 2/6/2023 and new prop order on the motion. Forwarded to Judge Lunnen's team.

03-01-2023 Filed: Request To Submit For Decision

03-07-2023 Filed: Request To Submit For Decision

03-08-2023 Filed order: Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective Order or Civil Stalking Injunction - DENIED

Judge ROBERT C LUNNEN
Signed March 02, 2023

03-10-2023 Filed order: Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective or Civil Stalking Injunction - DENIED

Judge ROBERT C LUNNEN
Signed March 08, 2023

03-10-2023 Filed order: Order on Motion to Remove Link Between Personal Identifying Information and Dismissed Criminal Case or Denied Request for Civil Protective or Civil Stalking Injunction - DENIED

Judge ROBERT C LUNNEN
Signed March 08, 2023

08-17-2023 Filed: Request to Submit

08-17-2023 Note: Notice of Case Activity sent to parties with account.

08-18-2023 Filed order: Denial Of Motion To Remove Link

Judge ROBERT C LUNNEN
Signed August 18, 2023

DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS
FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

08-21-2023 Note: The request to submit pertains to a Motion that was denied on March 10, 2023. The motion is still denied.

09-06-2023 Note: Notice of Case Activity sent to parties with a MyCase account.

09-15-2023 Filed: Request for Audio Recording

09-15-2023 Fee Account created Total Due: 15.00

09-15-2023 Filed: Return of Electronic Notification

09-15-2023 Note: Notice of Case Activity sent to parties with a MyCase account.

09-19-2023 Filed: Completed Audio Request

09-19-2023 Note: Notice of Case Activity sent to parties with a MyCase account.

02-21-2024 Note: DEF Email Address changed from markstewartallen@gmail.com

02-21-2024 Note: DEF Email Address changed to americanforkcanyon@gmail.com

02-21-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

06-03-2024 Filed: Motion and Petition to Dismiss with Prejudice due to 5th Amendment Violation. Acknowledgement of Color of Law violations and withholding of Brady Evidence by State Prosecutors

Filed by: MARK STEWART ALLEN

06-03-2024 Filed: Proposed Stipulated Motion - Attorney and Judicial Obligation to Report Attorney Misconduct to Appropriate Authority - Rule 2.15 (Not signed by all parties)

06-04-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

08-12-2024 Filed: (PROPOSED) Motion and Order to Dismiss with Prejudice

08-12-2024 Filed: (PROPOSED) Order to Toll BCI Certificate 224913 to Preserve Evidence of Possible Criminal Activity of State's Witness and Prosecutorial Misconduct

08-12-2024 Filed: (Purposed) Motion And Order To Dismiss With Prejudice

08-12-2024 Filed: Complaint

08-12-2024 Filed: Reauest For Hearing For BCI Expungement. Certificate 224913

08-12-2024 Filed: Petition To Expunge Records With Certificate Of Eligibility

08-12-2024 Filed: Motion To Toll BCI Certificate To Preserve Evidence Of Possibel Criminal Activicty Of State's Witness And Prosecutorial Misconduct - Motion To Delink Identifying Information Of Respondent

08-12-2024 Filed: MotionTo Toll BCI Certificate To Preserve Evidence Of Possibel Criminal Activicty Of State's Witness And Prosecutorial Misconduct - Motion To Delink Identifying Information Of Respondent

08-12-2024 Filed: (Purposed) Order To Toll BCI Certificate To Preserve Evidence Of Possibel Criminal Activicty Of State's Witness And Prosecutorial Misconduct - Motion To Delink Identifying Information Of Respondent

08-12-2024 Filed: Request For Hearing

08-12-2024 Filed: Expungement Certificate

08-12-2024 **** PRIVATE **** Filed: Motion to Waive Fees

08-12-2024 Fee Account created Total Due: 150.00

08-12-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

08-13-2024 Note: Petition and Certificate sent to County Attorneys Office

08-13-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-03-2024 NOTICE for Case 211401656 ID 24837375
 Judge: ROBERT C LUNNEN
 WBX STATUS HEARING is scheduled.
 Date: 09/20/2024
 Time: 01:30 p.m.
 Before Judge: ROBERT C LUNNEN

The court schedules this matter for a Status Hearing based upon the Defendant's Request for Hearing filed August 12, 2024. A link to the virtual hearing will be sent out the week prior to the heaing.

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.

UCJA Rule 4-401.02: court proceedings, including electronic proceedings, may NOT be recorded, photographed, or transmitted. Failure to comply with this prohibition may be treated as contempt of court, punishable by fine and time in jail.

09-03-2024 WBX STATUS HEARING scheduled on September 20, 2024 at 01:30 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

09-03-2024 Filed: Notice for Case 211401656 FS Judge: ROBERT C LUNNEN

09-03-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-03-2024 Filed: Return of Electronic Notification

09-06-2024 Filed: Updated Complaint of Color of Law Violations

09-09-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-09-2024 Filed: Return of Electronic Notification

CONTRACT VIOLATIONS BY LUNNEN

DOUBLE JEOPARDY # 5
 REFER TO 160400655
 AUGUST 4, 2016 "CASE SETTLED"
 UNCONSTITUTIONAL
 NO JURISDICTION
 EXCULPATORY BRADY EVIDENCE
 WITHHELD BY ATTORNEY PRANNO
 FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
 18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

09-12-2024 Filed: Combined Motion to Recall the Mandate, Petition for Writ of Coram Nobis due to Constitutional Violations
Filed by: MARK STEWART ALLEN

09-12-2024 Filed: (PROPOSED) Order on motion to Recall the Mandate and Petition for Writ of Coram Nobis

09-12-2024 Filed: Motion for Relief and Appointment of Special Master
Petition for Grand Jury Investigation
Filed by: MARK STEWART ALLEN

09-12-2024 Filed: (PROPOSED) Order Appointing a Special Master and Special Prosecutor

09-12-2024 Filed: Motion for a Grand Jury Investigation/Petition for Grand Jury Investigation
Filed by: MARK STEWART ALLEN

09-12-2024 Filed: (PROPOSED) Order on Motion for Sanctions Against Opposing Counsel/Petition for Grand Jury Investigation

09-12-2024 Filed: Motion for Permanent Injunctive Relief
Filed by: MARK STEWART ALLEN

09-12-2024 Filed: (PROPOSED) Order for Injunctive Relief

09-12-2024 Filed order: Order on Motion to Waive Fees
Judge ROBERT C LUNNEN
Signed August 13, 2024

09-12-2024 Filed: Motion for Writ of Mandamus
Filed by: MARK STEWART ALLEN

09-12-2024 Filed: (PROPOSED) Order on Writ of Mandamus

09-12-2024 Filed: Supplement to the Court - Transcript of case 191400132 to Consolidate 211401656

09-12-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-12-2024 Filed: Return of Electronic Notification

09-13-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-13-2024 Filed: Return of Electronic Notification

09-17-2024 Filed: Complaint Memorandum to the Court Mandatory Reporting of Unethical Conduct Motion to Refer to Outside Agency for Investigation of Leavitt, Pranno, Bastian, Koehler Due Process, Color of Law 1983 and 1985 Violations

09-17-2024 Filed: (PROPOSED) Bench Warrant for the Arrest of David Leavitt

09-19-2024 Filed: (DENIED) Bench warrant for the Arrest of David Leavitt

09-19-2024 Filed: Motion to Withdraw
Filed by: MARK STEWART ALLEN

09-19-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-19-2024 Filed: Return of Electronic Notification

09-19-2024 Note: Notice of Case Activity sent to parties with a MyCase account.

09-19-2024 Filed: Return of Electronic Notification

09-20-2024 Minute Entry - STATUS HEARING
Judge: ROBERT C LUNNEN
PRESENT
Clerk: shawnm
Prosecutor: CRAIG PETERSON
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): DUSTIN PARMLEY
Audio
Tape Number: 8A FTR/Wbx Tape Count: see below

JUDGE LUNNED CONTRACTS IN MAY 1 2025 DENIED MAKING THE CONTRACTS. 18 USC 1519

BACKDATING DISMISSAL TO 9/9/2022 TO AVOID CONTRACT VIOLATIONS. FRAUD BY JUDGE

HEARING

* This matter comes before the court for a Status Hearing as requested in the Request for Hearing filed by the defendant on August 12, 2024.

The court addresses the parties regarding recent filings in this case.
Mr. Parmley motions to withdraw as counsel.
The court grants the motion to withdraw.
Mr. Peterson provides the history of the case and stipulates to the expungment.
The court notes that it must wait 60 days from the filing of the petition before it can grant the petition.
Mr. Allen responds and addresses the motion to toll the expungment.
Discussion ensues.
Mr. Allen addresses, and the state stipulates to, the Motion to Dismiss with Prejudice.

The court orders that this case be dismissed with prejudice.
The court will not grant the expungment until Mr. Allen provides notice to the court that he wishes to proceed with the expungment.

09-20-2024 Fee Account created Total Due: 15.00
09-20-2024 Minute Entry - AMENDED: STATUS HEARING
Judge: ROBERT C LUNNEN

PRESENT

Clerk: shawnm
Prosecutor: CRAIG PETERSON
Defendant Present
The defendant is not in custody
Defendant's Attorney(s): DUSTIN PARMLEY
Audio
Tape Number: 8A FTR/Wbx Tape Count: see below

DOUBLE JEOPARDY # 5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

HEARING

FTR: 1:30-1:55
Webex: 00:00-24:53

This matter comes before the court for a Status Hearing as requested in the Request for Hearing filed by the defendant on August 12, 2024.

The court addresses the parties regarding recent filings in this case.
Mr. Parmley motions to withdraw as counsel.
The court grants the motion to withdraw.
Mr. Peterson provides the history of the case and stipulates to the expungment.
The court notes that it must wait 60 days from the filing of the petition before it can grant the petition.
Mr. Allen responds and addresses the motion to toll the expungment.
Discussion ensues.
Mr. Allen addresses, and the state stipulates to, the Motion to Dismiss with Prejudice.

The court orders that this case be dismissed with prejudice.
The court will not grant the expungment until Mr. Allen provides notice to the court that he wishes to proceed with the expungment.

READ TRANSCRIPT



09-20-2024 Filed order: STATUS HEARING
Judge ROBERT C LUNNEN
Signed September 20, 2024

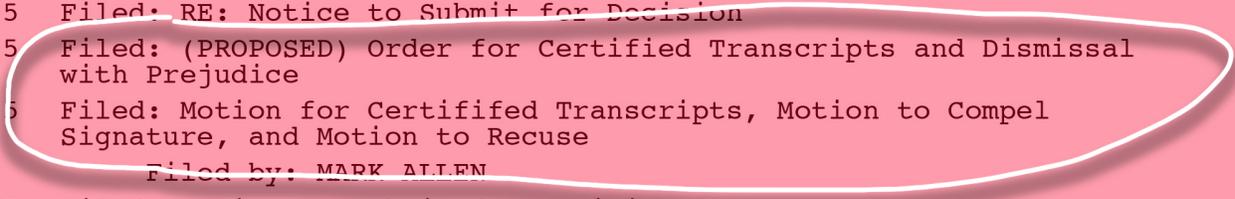
CONTRACT VIOLATIONS
BACKDATING BY JUDGE
FROM 2024 TO 9/9/2022

**DOUBLE JEOPARDY #5
REFER TO 160400655
AUGUST 4, 2016 "CASE SETTLED"
UNCONSTITUTIONAL
NO JURISDICTION
EXCULPATORY BRADY EVIDENCE
WITHHELD BY ATTORNEY PRANNO
FOR 3 YEARS BY PROSECUTORS

FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986**

09-20-2024 Note: Notice of Case Activity sent to account.
09-20-2024 Filed: Return of Electronic Notificat
09-21-2024 Fine Account created Total Due: 0.00
09-21-2024 ELEC STORAGE MEDIUM Payment Received:
09-23-2024 Filed: Notice of Withdrawal
09-23-2024 Note: Notice of Case Activity sent to account.
09-23-2024 Filed: Return of Electronic Notificat
09-23-2024 Filed: Request for Copy of Audio Record - Completed
09-23-2024 Note: Notice of Case Activity sent to parties with a MyCase account.
09-24-2024 Filed: (PROPOSED) Ruling and Order to Dismiss with Prejudice Court Rulings and by Stipulation of the Parties
09-24-2024 Note: Notice of Case Activity sent to parties with a MyCase account.
09-30-2024 Note: Defendant's Proposed Ruling and Order to Dismiss with Prejudice will remain Not Signed as the court has already issued a ruling dismissing with prejudice. The issue is moot.
10-04-2024 Filed: Request for Expunged Case History, Expungement Order or Both
10-07-2024 Filed: Request for Expunged Case History, Expungement Order, or Both
10-07-2024 Note: Notice of Case Activity sent to parties with a MyCase account.
10-15-2024 Filed: Notice to Submit Motion to Compel Signature of Proposed Order of Dismissal with Prejudice
10-22-2024 Note: Notice of Case Activity sent to parties with a MyCase account.
11-12-2024 Filed: Request to Submit for Decision (General)
11-12-2024 Filed: (PROPOSED) Order to Dismiss with Prejudice
12-02-2024 Note: Notice of Case Activity sent to parties with a MyCase account.
01-14-2025 **** PRIVATE **** Filed: Motion to Waive Fees
01-14-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
01-23-2025 Filed order: (DENIED) Order to Waive Fees
Judge ROBERT C LUNNEN
Signed January 23, 2025
01-27-2025 Filed: Notice to Submit for Decision
01-27-2025 Filed: RE: Notice to Submit for Decision
01-27-2025 Filed: (PROPOSED) Order for Certified Transcripts and Dismissal with Prejudice
01-27-2025 Filed: Motion for Certified Transcripts, Motion to Compel Signature, and Motion to Recuse
Filed by: MARK ALLEN
01-27-2025 Filed: Notice to Submit for Decision
01-27-2025 Filed: Re: Notice to Submit for Decision
01-27-2025 Filed: Motion to waive fees
Filed by: MARK ALLEN
01-28-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
02-10-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
02-11-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
02-18-2025 Filed: Defendant's Motion to Preserve and Restore all Records Related to Case 211401656 and Associated Communications

**ORAL CONTRACT \ WITH
JUDGE LUNNEN
HE DENIED MAY 1 2025**



Filed by: MARK STEWART ALLEN

- 02-18-2025 Filed: Proposed Order to Preserve Records and Communications
- 02-18-2025 Filed: Proposed Order to Preserve Records and Communications
- 02-19-2025 Filed: Request to Submit- Defendant's Motion and Proposed Order to Preserve and Restore all Records Related to Case 211401656 and Associated Communications

02-19-2025 Filed order: Order of Certification
 Judge ROBERT C LUNNEN
 Signed February 18, 2025

02-19-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

02-24-2025 Filed: Motion for federal oversight referral for forensic procedural audit, and investigation into prosecutorial misconduct, judicial bias, and constitutional violations under color of law

Filed by: MARK STEWART ALLEN

02-24-2025 Filed: Memorandum to the court: Motion for federal oversight, forensic procedural audit, investigation, and anti-retaliation protections

02-24-2025 Filed: Proposed order granting motion for federal oversight, forensic procedural audit, investigation, and anti-retaliation protections

02-24-2025 Filed: Request to Submit

02-25-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-05-2025 Filed order: RULING AND ORDER ON MOTION TO RECUSE
 Judge KRAIG POWELL
 Signed March 04, 2025

03-05-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-06-2025 Filed: Notice to submit for decision Order to correct record, dismiss with prejudice, and toll expungement pending notification from Mark Stewart Allen.

03-07-2025 Filed: Proposed order to correct record, dismiss with prejudice, and toll expungement pending notification from Mark Stewart Allen.

03-07-2025 Filed: Proposed Order to correct record, dismiss with prejudice, and toll expungement pending notification from Mark Stewart Allen.

03-07-2025 Filed: Motion to correct record, dismiss with prejudice. Motion to stay expungement pending notification from Mark Stewart Allen.

Filed by: MARK STEWART ALLEN

03-07-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-10-2025 Filed: Request for Hearing

03-10-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-10-2025 Filed: Return of Electronic Notification

03-10-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-11-2025 Filed: Defendant's Motion to Quash, to Dismiss/Strike Prosecutors From Appearance

Filed by: MARK ALLEN

03-11-2025 Filed: Proposed Order Quashing Request for Hearing Disqualifying Certain Prosecutors, Granting Whistleblower Protection and For Related Relief

03-11-2025 Filed: Proposed Order Quashing Request for Hearing

03-11-2025 Note: Notice of Case Activity sent to parties with a MyCase account.



03-20-2025 NOTICE for Case 211401656 ID 25292009
Judge: ROBERT C LUNNEN
Remote Appearance
WBX STATUS HEARING is scheduled.

Date: 05/01/2025
Time: 03:00 p.m.
Before Judge: ROBERT C LUNNEN
Courts Website: <https://legacy.utcourts.gov/cal/>

The court sets this matter for a Status Hearing as requested by counsel for the State. The link to the virtual hearing will be available on the court calendar in the days prior to the hearing.

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.

UCJA Rule 4-401.02: court proceedings, including electronic proceedings, may NOT be recorded, photographed, or transmitted. Failure to comply with this prohibition may be treated as contempt of court, punishable by fine and time in jail.

03-20-2025 WBX STATUS HEARING scheduled on May 01, 2025 at 03:00 PM in 8th Fl, Courtroom 8A with Judge ROBERT C LUNNEN

03-20-2025 Note: PYR Email Address changed from

03-20-2025 Note: PYR Email Address changed to markstewartallen@gmail.com

03-20-2025 Filed: Notice for Case 211401656 FS Judge: ROBERT C LUNNEN

03-20-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

03-20-2025 Filed: Return of Electronic Notification

04-28-2025 Filed: Motion and Proposed Order of Administrative Preservation of Records for Federal Screening of Utah Auditor

04-28-2025 Filed: (PROPOSED) Order of Administrative Preservation of Records for Federal Screening and State of Utah Auditor

04-28-2025 Filed: (PROPOSED) Order Appointing Records preservation Officer and Issuing Administrative Preservation Mandate

04-28-2025 Filed: (PROPOSED) Subpoena Dues Tecum - Zoom Inc.

04-28-2025 Filed: (PROPOSED) Subpoena Dues Tecum - Utah County Attorney's Office

04-28-2025 Filed: (PROPOSED) Subpoena Dues Tecum - State of Utah Attorney General's Office

04-28-2025 Filed: Defendant's Motion to Compel Court Action Under Utah Rule of Civil Procedure 7(d) and Federal Constitutional Principles

04-28-2025 Filed: Defendant's Motion to Compel Administrative Preservation of all Records and Rulings on all Outstanding Motions

04-28-2025 Note: Notice of Case Activity sent to parties with a MyCase account.

04-28-2025 Filed: Return of Electronic Notification

05-01-2025 Filed: Request for Copy of Audio Record

05-01-2025 Minute Entry - STATUS HEARING

Judge: ROBERT C LUNNEN

PRESENT

Clerk: shawnm

Prosecutor: CRAIG PETERSON

Defendant Present

The defendant is not in custody

Audio

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FEDERALLY FUNDED DEPRIVATION OF RIGHTS
18 USC 4, 242, 666, 1510, 1519. 42 USC 1983, 1985, 1986

POST DISMISSAL CIVIL RIGHTS VIOLATIONS RECORDS SPOILAGE

Judge ROBERT C LUNNEN

Signed June 17, 2025

- 06-19-2025 Filed: Request for Audio
- 06-19-2025 Note: Notice of Case Acti account.
- 06-19-2025 Fee Account created Total
- 06-19-2025 Filed: Return of Electron
- 06-19-2025 Note: Notice of Case Acti account.
- 06-25-2025 Filed: Affidavit of Mark and Emergency Motion for Records, and Relief for E
- 06-25-2025 Filed: Petition and Emerg Record Preservation, and
- 06-25-2025 Filed: Copy of Video/Audi
- 06-25-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 06-26-2025 Filed: Verified Petition and Motion for Order to Show Cause and Writ of Quo Warranto
- 06-26-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 06-27-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 06-30-2025 Filed: Notice to Submit for Decision
- 06-30-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 07-11-2025 Filed: Emergency Motion for Judicial Reassignment, Record Protection, and Metadata Preservation
Filed by: MARK STEWART ALLEN
- 07-11-2025 Filed: Notice to Submit
- 07-11-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 07-17-2025 Filed order: AMENDED: STATUS HEARING
Judge ROBERT C LUNNEN
Signed July 17, 2025
- 07-17-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 07-31-2025 Filed: Motion for Consolidated Default Ruling on Preservation and Injunctive Relief Filings
- 07-31-2025 Filed: Notice to Submit for Decision
- 07-31-2025 Filed: (PROPOSED) Order Granting Consolidated Administrative Relief for Record Preservation and Certification
- 07-31-2025 Note: Notice of Case Activity sent to parties with a MyCase account.
- 08-01-2025 Judge TONY F GRAF JR assigned.
- 08-11-2025 Filed: Petition For Administrative Preservation, Certification, And Release Of Transcripts and Virtual Hearing Recording.
- 08-11-2025 Filed: Notice To Submit
- 08-11-2025 Filed: (Proposed) Order For Cerification And Preservation Of Transcripts And Virtual Hearing Recordings
- 08-11-2025 Filed: Petition And Demand For Record Preservation And court-Authorized Transcript Order
- 08-13-2025 Filed: Petition And Demand For Record Preservation and Court-Authorized Transcript Order
SEPTEMBER 20TH 2024 CONTRACT WTIH JUDGE LUNNEN AND STAY ON EXPUNGMENT TRANSCRIPT
- 08-13-2025 Filed: Petition And Demand For Record Preservation And Court-Authorized Transcript Order
MAY 1 2025 POST DISMISSAL HEARING. JUDGE LUNNED DENIES RECORD PRESERVATION AND DENIES ENTERING INTO CONTRACT, MUTES ALLEN THREE TIIMES, COLOR OF LAW VIOLATIONS.
- 08-12-2025 11:01 AM

DOUBLE JEOPARDY # 5
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Final Summary: The Weaponization of the Legal System Through Coordinated Lawfare

Across five interconnected cases—**160400655**, **171402280**, **191400132**, **211401656**, and **Appellate Case 20190395-CA**—**Mark Stewart Allen** has been subjected to a systemic campaign of **state-enabled lawfare**. This campaign relied on duplicative prosecutions, the suppression of exculpatory evidence, judicial manipulation, and the opportunistic use of **federal VOCA funds** to sustain void legal actions.

Pattern of Lawfare and Government Abuse

- **Hide the Exculpatory Evidence:** Prosecutors and affiliated attorneys concealed or suppressed crucial evidence, including audio/video recordings and contradictory witness statements, in direct violation of **Brady v. Maryland**.
- **Use VOCA Funding to Sustain Void Prosecutions:** While case 211401656 was jurisdictionally defective and time-barred under **Utah Code § 76-1-403**, VOCA-funded services continued. This raises clear audit risks for **fraudulent federal reimbursement**, similar to red-flag patterns previously identified in **CARES Act fraud investigations**.
- **Destroy a Life Through Retaliatory Prosecution:** Prosecutors refilled charges multiple times, leveraging cases **160400655**, **171402280**, **191400132**, and **211401656** as interchangeable vehicles for punishment, despite legal closures and prior settlements. Each filing escalated the impact on Allen's liberty, reputation, and access to justice.
- **Destroy Evidence and Manipulate Records:** Case records and hearing transcripts were lost, withheld, or never created. State IT systems failed to preserve critical court recordings. These gaps obstructed Allen's defense and obscured misconduct by prosecutors and witnesses.
- **Backdate Critical Court Events:** The dismissal of 211401656 was **backdated from September 20, 2024, to September 9, 2022**, removing legal pathways for record preservation and federal reporting. Judge **Robert C. Lunnen** presided over this timeline, despite known defects in the underlying prosecution.
- **Criminalize Petitioning and Reporting:** Allen was met with **trespass and harassment charges** for entering public buildings or emailing officials to report crimes and document prosecutorial violations.
- **Retaliation and Collusion by Prosecutors:** Public officials, including **David Leavitt, Lance Bastian, Carl Hollan, Christine Scott, Craig Peterson, Lorie Hobbs, Bethany Warr, Rhonda Gividen, Sandi Johnson and many others**, Multiple Judges have knowledge and failed to stop the commerce. Efforts to convene a Grand Jury were thwarted.
- Prosecutors and orchestrated repeated filings in full awareness of the legal bars to prosecution and lack of jurisdiction. Emails and court records reveal a coordinated effort to silence, punish, and discredit Allen through state resources.

Legal Violations Implicated

- **18 U.S.C. § 242** – Color of law violations by state actors.
- **42 U.S.C. § 1983** – Civil liability for constitutional violations.
- **Brady Doctrine** – Systematic suppression of exculpatory material.
- **Utah Code § 76-1-403** – Bar on successive prosecution from the same alleged episode.
- **VOCA & UOVC Regulations** – Prohibited use of federal funds for services tied to invalid legal actions.

Conclusion: Lawfare by Design

The convergence of:

- **Loosely governed stalking injunctions** (as in 160400655),
- **Open-ended VOCA reimbursements**, and
- **Unchecked prosecutorial authority**

has created a **state-sanctioned mechanism** for pursuing personal, political, or retaliatory aims under the guise of victim advocacy. **VOCA becomes a blank check** when paired with vague allegations and no oversight—especially in jurisdictions like Utah where civil and criminal lines blur.

This case is not about one defendant—it is about **a system designed to exploit funding, evade accountability, and punish dissent**. The call for external review, audit, and intervention is not just justified—it is urgent.

If its happened to one, has it happened to many to fuel the courtroom commerce? The U.S. Department of the Treasury should do an audit. The State of Utah is ripe for a 18 U.S. C. 666 related audit.