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Court: CO Jefferson County District Court 1st JD
Case Name: HARRINGTON, CHRISTY and HARRINGTON, SEAN LEE
Case Number: 1999DR3717
Transaction ID: 14236413
Document Title(s):
Order (2 pages)
Authorized Date/Time: Mar 23 2007 10:58AM MDT
Authorizer: Jane A Tidball
Authorizer's Organization: CO Jefferson County District Court 1st JD
Sending Parties:
N/A
Served Parties:
HARRINGTON, SEAN LEE

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<input type="checkbox"/> Small Claims <input type="checkbox"/> County Court <input checked="" type="checkbox"/> District Court <input type="checkbox"/> Probate Court <input type="checkbox"/> Juvenile Court <input type="checkbox"/> Water Court Jefferson County, State of Colorado 100 Jefferson County Parkway Golden, Colorado 80401	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> <hr/> Case Number: 99 DR 3717 Div.: 3 Ctrm: 4F
<hr/> <p>In re the Marriage of</p> <p>Christy Harrington, n/k/a/ Christy Ryan, Petitioner,</p> <p>and</p> <p>Sean Harrington, Respondent.</p>	
ORDER	

This matter comes before the Court on Respondent's Special Appearance for Substitution of Judge and Vacation of Order Mailed January 12, 2007 and Respondent's Verified Combined Motion for Substitution of Judge, Change of Venue and Subsequent Evidentiary Hearing, Incorporating Legal Authorities, and Motion for Reconsideration of August 16, 2004.

The Court has reviewed the Motion, Response and Motion for Attorney Fees, Reply and Motion for Sanctions Under Rule 11 and Attorney Fees, the court file and applicable legal authority, and enters the following order.

On August 30, 2004 the Court stayed Respondent's Verified Combined Motion for Substitution of Judge, Change of Venue and Subsequent Evidentiary Hearing, Incorporating Legal Authorities; and Motion for Reconsideration of August 16, 2004 because the case was on appeal. A trial court loses its jurisdiction over a case as soon as an appeal is perfected in an appellate court. *Hylton v. City of Colorado Springs*, 505 P.2d 26, 27 (Colo. App. 1973).

Respondent's Motion is now ripe. Pursuant to C.R.C.P. 97, a judge shall be disqualified in a case in which she is interested or prejudiced. This Court finds that Respondent has not stated any basis for disqualification and DENIES Respondent's Special Appearance for Substitution of Judge and Vacation of Order Mailed January 12, 2007 and Respondent's Verified Combined Motion for Substitution of Judge, Change of Venue and Subsequent Evidentiary Hearing, Incorporating Legal Authorities, and Motion for Reconsideration of August 16, 2004.

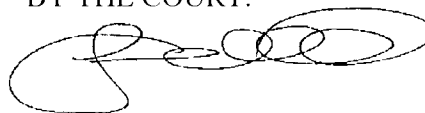
Petitioner requests in her Response that the Court award attorney's fees for a frivolous motion pursuant to C.R.S. 13-17-102(2). The Court finds that an award of

attorney's fees is appropriate and therefore GRANTS Petitioners' Motion for Attorneys Fees and ORDERS Respondent to pay Petitioner's attorney fees in the amount of \$330 on or before April 23, 2007. Respondent's Motion for Rule 11 and Attorney Fees is DENIED.

SO ORDERED.

Dated this 22nd day of March, 2007.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Jane A. Tidball", written over a horizontal line.

Jane A. Tidball
District Court Judge