

**GILPIN COUNTY COURT, STATE OF COLORADO**  
2960 Dory Hill Road, Golden, Co. 80403  
303-582-5522

WARREN MARTIN HERN, Plaintiff,

v.

KENNETH TYLER SCOTT, Defendant.

▲ COURT USE ONLY ▲

Civil Case No.: 95-C-132  
Courtroom No. 1

**OBJECTION TO CLERK'S PREPARATION OF RECORD**

**COMES NOW**, the Defendant KENNETH TYLER SCOTT, pursuant to County Court R.Civ.P. 411 for the limited purpose of filing the within Objection. In support thereof, Defendant states as follows:

1. Rule 411 (b) provides the parties ten (10) days to file objections, if any, to the clerk's notice of the completion of the Record on appeal.
2. The clerk notified the parties, by correspondence dated September 20, 2005, that the preparation of the Record had been completed. The Clerk did not, however, include an index of the pleadings, orders, exhibits, disclosures, transcripts and testimonies.
3. Rule 411 does not require the parties to come into the courthouse to authenticate the contents of the Record, especially when it would conserve both resources of the parties and this Court to include an Index/manifest.
4. Defendant requests that the clerk prepare an index/manifest of the Record, so that the parties may know what the Record consists of without needlessly traveling to the courthouse to check out the Record.

**WHEREFORE**, Defendant prays for a mittimus or an order directing the clerk to prepare an index/manifest of the Record prepared for appeal.

Respectfully submitted this 29<sup>th</sup> day of September, 2005,

\_\_\_\_\_  
Kenneth Tyler Scott

**CERTIFICATE OF MAILING**

I hereby certify that on this \_\_\_\_ day of September 2005, a true and correct copy of the above and foregoing objection was placed in the U.S. Mail, first-class postage prepaid and addressed hereto:

Howard Bittman  
1406 Pearle Street, Suite 200  
Boulder, CO 80302

Clerk of the Gilpin County Combined Court  
2960 Dory Hill Road  
Golden, Co. 80403

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