



**EIGHTH JUDICIAL DISTRICT COURT,  
STATE OF COLORADO**

Court Address:  
Larimer County Justice Center  
201 Laporte Avenue  
Fort Collins, Colorado 80521  
Telephone: 970-494-3500

**▲ COURT USE ONLY ▲**

**Contestor:** Larry Sarner,

v.

**Contestee:** City of Loveland;

**Indispensable Party:** Angela Myers, Clerk and  
Recorder of Larimer County;

*Contestor without attorney:*

Larry Sarner, *pro se*  
711 West Ninth Street  
Loveland, Colorado 80521  
Telephone: 970-667-7313  
[larry.sarner@gmail.com](mailto:larry.sarner@gmail.com)

Case Number:

**16 CV 230**

Courtroom: **5C**

**MOTION TO AWARD COSTS TO CONTESTOR  
AND RETURN OF BOND SUBSTITUTE**

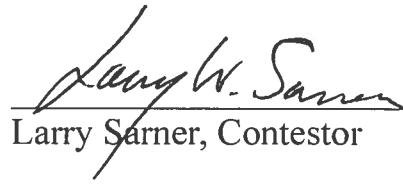
Comes now the Contestor, Larry Sarner, *pro se*, to move this Court to be awarded costs from the Contestee, City of Loveland, jointly and severally with its counsel, Thomas W. Snyder, and that the cash deposit made as a bond substitute be returned to me. In support thereof, the Contestor states as follows:

1. On September 7, 2016, this Court refused to take jurisdiction over this contest under the terms of CRS §1-11-203.5(1) and accordingly dismissed the contest and closed the case.

2. I have appealed the action of the court to the Supreme Court on September 27, 2016, as Case No. 2016SA261, with the expectation that the contest should be decided there.
3. Prior to dismissal, I had posted a bond substitute of \$50 cash and moved the Court to deem it sufficient to take jurisdiction over the contest.
4. In a previous order, upon which the eventual dismissal was based, the Court cited allegations by Contestee found in its Answer, Motion to Dismiss for lack of Subject Matter Jurisdiction, and Response to my Motion to Deem Bond Sufficient. Said allegations misled the Court to erroneously and damagingly finding that the sufficient amount of the bond required by statute in this case would be \$10,000.
5. The allegations, and the pleadings that arose from them, were entirely without merit and interposed solely for the purposes of delay and frustration of due process in resolving the underlying contest *in this Court*.
6. Meantime, the costs of vainly coming to this court under CRS §1-11-203.5 should not be borne by me because of the dilatory and frivolous actions of the Contestee.
7. The Contestee was aided and abetted by its counsel, Thomas W. Snyder, Esq., #33106, who knew or should have known that the proposed actions were without merit, and being interposed for improper purposes. As an officer of the court, Messr Snyder should have resisted the improper actions of his client or if failing in that resistance, should have withdrawn from representation. Having not done so, he should share in the culpability therefor.

**Now, therefore,** I request that the Court immediately grant this motion to return the cash bond substitute of \$50, and request that all other costs borne by me be awarded to me, and that the City of Loveland and Thomas W. Snyder, Esq., be jointly and severally liable therefore. A forthwith hearing is requested.

Respectfully submitted this 28th day of September, 2016.

  
\_\_\_\_\_  
Larry Sanner, Contestor

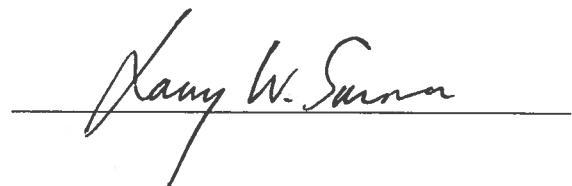
### Certificate of Delivery

I hereby certify that I have, on September 1, 2016, delivered a true and correct copy of the foregoing, by the means indicated, to the following:

(by First Class Mail)  
Thomas W. Snyder, #33106  
Thomas A. Isler, #48472  
Kutak Rock LLP  
1801 California St. #3000  
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[wressue@larimer.org](mailto:wressue@larimer.org)  
*Counsel for Respondent Larimer County Clerk*

A handwritten signature in black ink, appearing to read "Nancy W. Sanner", is written over a horizontal line.