

Roman Colter
7437 N. Ranch
Santa Fe Cr.
Florence, Arizona
85132
01-13-2017

Governor
Nikki Haley

Now is the time to do something because
two orders from the court of appeal in
in Tucson, Arizona.

one order says arguments are good but I
am barred.

The other order says argument are no good and
that I am barred.

The judge is above the law. The judge
is the law. The judge don't care about
the Arizona law.

all judges cover for one another all
judges are working together and the
law go forth crooked.

Send letter to the watch dog also for help.

Sent Papers to appeal Court to Be Filed. Maria,
In Tucson (Clerk) Laughed at me saying I, Did
not Have the Right to come back to this Court.

Maria, Sent Paper to Tucson Superior Court
I Filed in Florence Superior Court.

So I Sent Papers to U.S. Court of appeals
Pasadena, Ca, Sacramento, Ca, Seattle, Wa, and
Home office in Washington, D.C. Had 3 week let to file.

Got Papers back from San Francisco, Calif.
So Sent Papers back to Supreme Court in Phoenix,
Arizona. Court Clerk Call me on the Phone and said
She would Sent them to U.S. Supreme Court in
Washington, D.C.

I, Sent Papers back to San ~~Francisco~~ Francisco, Ca,
The U.S. appeal Court Sent Paper with Instruction
For Filing. I Return my Paper to San Francisco,
Ca Court of appeal for the United State appeal Court.

Yesterday Got Papers from appeal Court in
Tucson and was Surprised Because I Didn't
Know that Papers was Filed in that Court.

The Rattle Snakes are Starting to ~~commit~~ commit
~~suicide~~ Suicide.

You and the U.S. Court of appeal in
San Francisco, Calif. Have the two different
order stating argument are good and your State
arguments are Bad. Hoping that Six Judges
See Justice and not Favors.

Hoping this Reach you in time and Lookin'
For Help Please! Roman Colter

COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

FILED BY CLERK

JAN 09 2017

COURT OF APPEALS
DIVISION TWO

M A N D A T E

2 CA-CV 2015-0224
Department A
Pinal County
Cause No. CV201501686

RE: ROMAN COLTER v. CHAPMAN CHEVROLET

To: The Superior Court of Pinal County and the Hon. Stephen F. McCarville, Judge,
in relation to Cause No. CV201501686.

This cause was brought before Division Two of the Arizona Court of Appeals in the manner prescribed by law. This Court rendered its Memorandum Decision and it was filed on May 25, 2016.

No Motion for Reconsideration was filed and the time for filing such has expired.

A Petition for Review was filed and DENIED by Order of the Arizona Supreme Court.

NOW, THEREFORE, YOU ARE COMMANDED to conduct such proceedings as required to comply with the accompanying Memorandum Decision of this Court.

I, Jeffrey P. Handler, Clerk of the Court of Appeals, Division Two, hereby certify the accompanying Memorandum Decision (see link below) to be a full and accurate copy of the decision filed in this cause on May 25, 2016.

To view the decision, please click on the following link:
<http://www.appeals2.az.gov/APL2Docs1/COA/649/3128626.pdf>

DATED: January 09, 2017

JEFFREY P. HANDLER
Clerk of the Court



2 CA-CV 2015-0224

Pinal County Superior Court Number CV201501686

Copies to:

Roman Colter
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Florence, AZ 85312

Melissa Iyer Julian
BURCH & CRACCHIOLO, P.A.
702 E. Osborn Road, Suite 200
Phoenix, AZ 85014

Hon. Stephen F. McCarville, Presiding Judge
Presiding Judge
Pinal County Superior Court
P.O. Box 828
Florence, AZ 85132-0828

Amanda Stanford
Clerk of the Court
Pinal County Superior Court
P.O. Box 2730
Florence, AZ 85132
(ORIGINAL MANDATE)

NO RECORD TO RETURN

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

ROMAN COLTER,
Plaintiff/Appellant,

v.

CHAPMAN CHEVROLET,
Defendant/Appellee.

No. 2 CA-CV 2015-0224
Filed May 25, 2016

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f).

Appeal from the Superior Court in Pinal County
No. S1100CV201501686
The Honorable Stephen F. McCarville, Judge

AFFIRMED

COUNSEL

Roman Colter, Florence
In Propria Persona

Burch & Cracchiolo, P.A., Phoenix
By Melissa Iyer Julian
Counsel for Defendant/Appellee

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Decision of the Court

MEMORANDUM DECISION

Presiding Judge Vásquez authored the decision of the Court, in which Chief Judge Eckerstrom and Judge Miller concurred.

V Á S Q U E Z, Presiding Judge:

¶1 Roman Colter appeals from the trial court's order dismissing his complaint against Chapman Chevrolet because his claims were "identical" to those raised in a previously dismissed case and, therefore, barred by the doctrine of res judicata. We have jurisdiction pursuant to A.R.S. § 12-2101(A)(1). For the following reasons, we affirm the court's order.

¶2 On appeal, Colter has not presented this court with any clear argument supported by legal authority, as required by Rule 13(a)(7), Ariz. R. Civ. App. P., explaining how the trial court erred in applying the doctrine of res judicata. See *Aldrich & Steinberger v. Martin*, 172 Ariz. 445, 448, 837 P.2d 1180, 1183 (App. 1992) ("[A] judgment on the merits in a prior suit involving the same parties . . . bars a second suit based on the same cause of action."), quoting *Lawlor v. Nat'l Screen Serv. Corp.*, 349 U.S. 322, 326 (1955). In the absence of a properly developed argument, we find any issue related to the court's decision waived on appeal. See *Polanco v. Indus. Comm'n*, 214 Ariz. 489, n.2, 154 P.3d 391, 393 n.2 (App. 2007).

¶3 And to the extent Colter has raised any meaningful arguments, they are directed at the previous case, which we cannot address in this appeal. See *Rourk v. State*, 170 Ariz. 6, 12, 821 P.2d 273, 279 (App. 1991) (scope of review limited to judgment from which appeal is brought). "Parties who choose to represent themselves 'are entitled to no more consideration than if they had been represented by counsel' and are held to the same standards as attorneys with respect to 'familiarity with required procedures and . . . notice of statutes and local rules.'" *In re Marriage of Williams*, 219 Ariz. 546, ¶ 13, 200 P.3d 1043, 1046 (App. 2008) (alteration in

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Williams), quoting *Smith v. Rabb*, 95 Ariz. 49, 53, 386 P.2d 649, 652 (1963).

¶4 We affirm the trial court's order dismissing the complaint. Chapman argues this appeal is frivolous and requests a monetary award against Colter as a sanction pursuant to Rule 25, Ariz. R. Civ. App. P., and A.R.S. § 12-2106. Although we certainly could grant the request under these circumstances, see *Gangadean v. Byrne*, 16 Ariz. App. 112, 114, 491 P.2d 501, 503 (1971), we exercise our discretion and deny the request for sanctions, see *Villa de Jardines Ass'n v. Flagstar Bank, FSB*, 227 Ariz. 91, ¶ 26, 253 P.3d 288, 296 (App. 2011) ("We impose sanctions under Rule 25 only 'with great reservation.'"), quoting *Ariz. Tax Research Ass'n v. Dep't of Revenue*, 163 Ariz. 255, 258, 787 P.2d 1051, 1054 (1989). However, Chapman is entitled to its costs on appeal, subject to compliance with Rule 21, Ariz. R. Civ. App. P.