

<p>DISTRICT COURT, ARAPAHOE COUNTY, COLORADO Court Address: 7325 South Potomac Street Centennial, Colorado 80112</p>	
<p>PLAINTIFF (s) JAMES W. BURNESON Pro Se</p> <p>V</p> <p>DEFENDANT(s)</p> <p>DAM EAST HOMEOWNERS' ASSOCIATION A NON PROFIT CORPORATION BOARD OF DIRECTORS: President Jake Hummel Esq., Kelsey Quigg Director, Julie Geyer Vic President, Cathleen Speidel Treasurer, and Heather Swigert Director, Fritz Herman Chairman ACC. Tom Ruzicka Co-Chairman ACC</p>	<p>Case Number: 07 CV 1609</p> <p>Div 408 Ctm: ____</p>
<p>Attorneys: James W. Burneson Pro Se Address: 12641 E. Bates Cir Aurora, CO 80014 Phone Number: 303-750-1500</p>	
<p align="center">PLAINTIFF'S MOTION TO HOLD THIS COURT TO STATUE 13-5-136 Forfeit of Salary</p>	

COMES Now Plaintiff James W. Burneson Pro Se requests this Court to hold public hearing to discuss openly this court's violation of Statue 13-5-136 for the failure to issue ruling on the three motions filed February 11, 2008.

1. Plaintiff sites State Statue 13-5-136 Forfeit of Salary for failing to issue a judgment within the time limit set by section 13-5-135. (90 Days)

2. The time delay by the court to rule on the motion of recusal is further proof this court is prejudice against the Plaintiff side of this litigation. It appears this court intends to allow 90 days to pass so she will not rule on the Motion to recuse herself.

3. This Court needs to stop communicating with Mr. Jeffrey Lane and or Mr. Harvey Steinberg ex parte which is grounds for disbarment.

4. The only solution to stop the mistrial by this court is to recuse herself immediately and allow a new court to be assigned to continue Plaintiff's request for a fair trial to see the HOA books as per his complaint.

5. Message to Chief Judge Sylvester and Chief Justice Mullarkey the history of this case is proof courts are not run by judges in the 18th District Court of Arapahoe but by lawyers like Jeffrey Lane and now Harvey Steinberg who both needs to be disbarred for their efforts to deny a fair trial. Justice needs to be returned to the courts of Colorado.

WHEREFORE Plaintiff James W. Burneson Pro Se requests this court to immediately recuse herself and this case be assigned to a judge who is capable of running a court without ex parte communication from Jeffrey Lane. It is further requested that Mr. Lane be denied any further access to any courts in the 18th District Court of Arapahoe County. This action is required since the 18th District courts doesn't have a judge who can resist being run by ex parte suggestion by Jeffrey Lane.

FUTHER THE AFFAINT SAYETH NOT.

Submitted this day _____ May 2008

By _____
James W. Burneson Pro Se
12641 E. Bates Cir
Aurora, CO 80014
303-750-1500
Fax 303-283-4603

CERTIFICATE OF SERVICE

I hereby certify on this day _____ May 2008, I faxed a copy and mailed a copy of this Motion by US Postal mail with correct postage to those addressed below:

Faxed Denver Office
Harvey Steinberg
Springer and Steinberg P.C.
1600 Broadway Suite 1200
Denver, CO 80202

Chief Justice Mary Mullarkey
Supreme Court of Colorado
Two East 14th Ave
Denver, CO 80203

Chief Judge Sylvester
18th District Court Arapahoe County
7325 South Potomac Street
Centennial, CO 80112

Copies of this Motion are to be forward to the Board of Directors of the Dam East Homeowner Association. This copy has been mailed to the attention of the Association Lawyer who must forward all correspondence to the Board of Directors as required by SB 100. If these requirements are not completed because Mr. Lane has instructed Mr. Wilder to not forward the copies now received it will become known and your failure to do so is failure to represent your client the Dam East Homeowner Association and their membership.

Mr. James E Wilder
Association Attorney Dam East Homeowner Association
% Cherry Creek HOA Professionals, LLC
14901 E. Hampden Ave Ste #120
Aurora, CO 80014

Blind copies to many.

By _____
Jim Burneson

This motion will be included in the book on www.court-house.com that will be published The 18th District of Arapahoe County “Justice Denied”