

ORIGINAL FILED IN
OCT 29 2015
COMBINED COURT
BY LITIGANT

OBJECTION; MOTION TO RECONSIDER; MOTION IN LIMINE

In Re: Citation No. G 136218

People of the State of Colorado,

and

David E. Wilkenson, Defendant

COMES NOW, the Defendant, DAVID E. WILKENSON, pro se, pursuant to the Court's pretrial instructions, C.R.Civ.P. 61, and the inherent equity powers of the Court, and submits his Objection, Motion to Reconsider and Motion in Limine for the Court's consideration.

Defendant specifically requests the extra latitude he is entitled to by the intent and spirit of C.R.Civ.P. Rule 61 ("The court at every stage of the proceeding must disregard any error or defect in the proceeding which does not affect the substantial rights of the parties") and CAR Rule 35(e) ("The appellate court shall disregard any error or defect not affecting the substantial rights of the parties"), *Haines v. Kerner*, 404 US 519, 30 L Ed 2d 652 (1972), *Puckett v. Cox*, 456 F2d 233, and *Picking v. Pennsylvania Railway*, 151 F 2d 240, etc. in all matter related to form. The court should construe his pleadings without regard to technicalities.

OBJECTION:

1. Defendant objects to the Court saying it has no jurisdiction to decide whether or not the 5/6/97 support order from case 96 JV 180, which was used as the instrument to suspend Defendant's drivers license, is valid in this case, while at the same time accepting it as valid and proceeding in this criminal case as though the suspension of Defendant's driver's license is legal and legitimate. This violates the Court's duty to assure constitutional due process and the Defendant's constitutional right to the presumption of innocence in this case. If the Court has the jurisdiction to hear this case, which it does, it also has the jurisdiction to determine if the suspension of Defendant's driver's license was done legally or not. A determination of the legality of Defendant's driver's license suspension, which is at heart of this case, is a constitutional due process requirement prior to proceeding to trial in the case, failure to do so constitutes a violation

