

IN THE UTAH COURT OF APPEALS

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IHC Health Services, Inc., a	)	MEMORANDUM DECISION
Utah corporation,	)	(Not For Official Publication)
	)	
Plaintiff and Appellee,	)	Case No. 20040988-CA
	)	
v.	)	F I L E D
	)	(July 29, 2005)
Michael P. Austin,	)	
	)	2005 UT App 332
Defendant and Appellant.	)	

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Eighth District, Duchesne Department, 040800022  
The Honorable A. Lynn Payne

Attorneys: Michael P. Austin, Roosevelt, Appellant Pro Se  
Douglas P. Simpson, Salt Lake City, for Appellee

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Before Judges Billings, Bench, and Greenwood.

PER CURIAM:

Michael P. Austin appeals from a final order granting summary judgment in favor of IHC Health Services, Inc. (IHC). Austin argues that the district court improperly exercised subject matter jurisdiction over the underlying action and personal jurisdiction over Austin. We affirm the order of the district court on the basis that the issues are inadequately briefed.

"It is well established that a reviewing court will not address arguments that are not adequately briefed." State v. Thomas, 961 P.2d 299, 304 (Utah 1998); see also Valcarce v. Fitzgerald, 961 P.2d 305, 313 (Utah 1998) (declining to address appellant's claim on appeal due to inadequate analysis).

In deciding whether an argument has been adequately briefed, we look to the standard set forth in rule 24(a)(9) of the Utah Rules of Appellate Procedure. See Thomas, 961 P.2d at 304. Rule 24(a)(9) states that the argument in the appellant's brief "shall contain the contentions and reasons of the appellant with respect to the issues presented, including the grounds for reviewing any issue not preserved in the trial court, with citations to the authorities, statutes, and parts of the record relied on." Utah

R. App. P. 24(a)(9). Compliance with this rule "is mandatory, and failure to conform to these requirements may carry serious consequences. For example, 'briefs which are not in compliance may be disregarded or stricken, on motion or sua sponte by the court.'" Beehive Tel. Co. v. Public Serv. Comm'n of Utah, 2004 UT 18, ¶12, 89 P.3d 131 (quoting Utah R. App. P. 24(j)).

Austin's brief fails to comply with rule 24(a)(9). Austin cites various statutes and legal principles and draws certain conclusions therefrom. However, Austin fails to explain how these statutes have any bearing on the issues at stake in this appeal. For instance, Austin generally alleges that federally recognized Indians are wards of the federal government. Austin then argues that due to this relationship, Utah courts may not enforce state statutes against him because these statutes conflict with "Federal Indian Law." The only "Federal Indian Law" asserted by Austin includes citations to the Snyder Act of 1921, 25 U.S.C. § 13, the Indian Health Care Improvement Act, 25 U.S.C. § 1601, and a reference to "numerous other laws, court cases and Executive Orders" that somehow conflict with state court jurisdiction in this case. These bare references are insufficient under rule 24(a)(9). See Utah R. App. P. 24(a)(9).

"Implicitly, rule 24(a)(9) requires not just bald citation to authority but development of that authority and reasoned analysis based on that authority. We have previously stated that this court is not 'a depository in which the appealing party may dump the burden of argument and research.'" Thomas, 961 P.2d at 304 (quoting State v. Bishop, 753 P.2d 439, 450 (Utah 1988)).

Although Austin cites to a few constitutional and statutory provisions, he fails to analyze "what this authority requires and . . . how the facts of [his] case satisfy these requirements." Id. at 305. He fails to present a meaningful analysis dealing with the application of any of these citations to this case. See State v. Helmick, 2000 UT 70, ¶7, 9 P.3d 164.

"To permit meaningful appellate review, briefs must comply with the briefing requirements sufficiently to enable us to understand . . . what particular errors were allegedly made, where in the record those errors can be found, and why, under applicable authorities, those errors are material ones necessitating reversal or other relief.'" State v. Lucero, 2002 UT App 135, ¶13, 47 P.3d 107 (alteration in original) (quoting Burns v. Summerhays, 927 P.2d 197, 199 (Utah Ct. App. 1996)).

Austin's brief fails to comply with these requirements. When a party does not offer any meaningful analysis regarding a

claim, we decline to reach the merits. See Thomas, 961 P.2d at 305.

Accordingly, the judgment of the district court is affirmed.

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Judith M. Billings,  
Presiding Judge

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Russell W. Bench,  
Associate Presiding Judge

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Pamela T. Greenwood, Judge