

IN THE UTAH COURT OF APPEALS

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Golf Services Group, Inc. and)	MEMORANDUM DECISION
Tuhaye, LLC,)	(Not For Official Publication)
)	
Plaintiffs and Appellees,)	Case No. 20100601-CA
)	
v.)	F I L E D
)	(November 12, 2010)
<u>Kerry Richins; Virginia</u>)	
<u>Richins; Richins and Sons</u>)	2010 UT App 321
Drilling, Inc.; and Richins)	
Drilling, Inc.,)	
)	
Defendants and Appellants.)	

Fourth District, Heber Department, 070500164
The Honorable Derek P. Pullan

Attorneys: Kerry Richins and Virginia Richins, Wallsburg,
Appellants Pro Se
Joseph E. Tesch and Stephanie K. Matsumura, Park
City, for Appellees

Before Judges Davis, McHugh, and Voros.

PER CURIAM:

Kerry and Virginia Richins appeal the trial court's entry of judgment against them. This is before the court on its own motion for summary disposition based on the lack of a substantial question for review.

The current case is a collection matter with Golf Services Group, Inc. and Tuhaye, LLC (collectively, Golf) seeking to collect attorney fees awarded in a prior case involving these parties. The named defendants are the Richinses and their two business entities formed to perform drilling services. The Richinses are proceeding pro se and, as nonlawyers, cannot represent the corporate entities. See Tracy-Burke v. Department of Emp't Sec., 699 P.2d 687, 688 (Utah 1985). The corporate defendants have previously been dismissed from this appeal. Accordingly, the scope of the appeal is narrowed to issues pertaining to the Richinses as individuals.

From their response to the court's motion, it is apparent that the Richinses are frustrated with the judicial process. Regardless of their frustration, they have failed to state a legitimate issue for appellate review. Their response sets out facts and argument that relate to the initial case in which Golf prevailed against Richins Drilling's mechanic's lien claim. That case has been finally resolved and the legal issues affirmed on appeal. See Richins Drilling, Inc. v. Golf Serv. Group, Inc., 2008 UT App 262, 189 P.3d 1280 (affirming contract ruling and remanding for an attorney fee determination). The Richinses cannot relitigate the issues from the initial case because that matter has come to its conclusion and the claims have been finally adjudicated. See Snyder v. Murray City, 2003 UT 13, ¶ 34, 73 P.3d 325 (explaining res judicata doctrine and noting that it precludes the relitigation of claims).

The Richinses also asserted in their docketing statement that the trial court erred in piercing the corporate veil and in doing so without oral argument. This does not present a substantial issue because the premise is not supported by the record. The trial court did not, in fact, pierce the corporate veil to hold the Richinses liable for attorney fees. On the contrary, after oral argument the trial court denied Golf's summary judgment motion seeking to pierce the veil because it found disputes of material fact. Ultimately, however, the trial court found the Richinses liable for a portion of the judgment because of a fraudulent transfer of assets. After that finding, Golf dropped its claim seeking to pierce the corporate veil.

Affirmed.

James Z. Davis,
Presiding Judge

Carolyn B. McHugh,
Associate Presiding Judge

J. Frederic Voros Jr., Judge