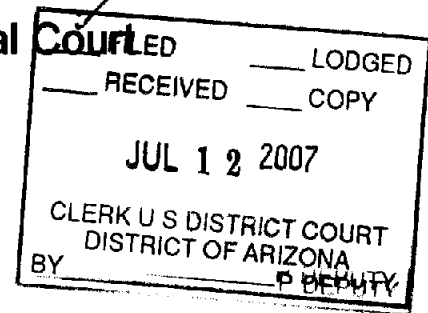


In the United States Federal
 For the
 District of Arizona



Plaintiff: G Mines

Mailing Address: P.O.Box 1703; Phnx, AZ 85001

Vs. CASE NO: CV 05-1137-PHX-EHC (JJM)

Defendant(s): THE CITY of PHOENIX, AZ

Phoenix Officer RANDALL GOINS #6757

Phoenix Officer Eric Burke #7729

RESPONSE from the PLAINTIFF: To the DEFENSE TEAM

I received your filing on June 27, 2007 asking for a....
 "REPLY in SUPPORT of MOTION for SUMMARY JUDGEMENT"....
 To this I respond.... **"Whom are you asking???"**.

In Common Law legal systems, issues of law, that is to say, what the law actually is in a particular case are decided by the **judge**, except when jury nullification of the law acts to contravene or complement the instructions or orders of the **judge**, or other officers of the court. A fact finder has to decide what the facts are and apply the law. In traditional Common Law the fact finder was a jury, but in many jurisdictions **the judge** now acts as the fact finder as well. It is the fact finder who decides "what really happened," and it is the judge who applies the law to the facts as determined by the fact finder, whether directly or by giving instructions to the jury. Absent an award of summary judgment (or some other type of pretrial dismissal), a lawsuit will ordinarily proceed to trial, which is an opportunity for each party to present

evidence in an attempt to persuade the fact finder that such party is saying "what really happened," and that, under **the judge's view of applicable law**, such party should prevail. For a case to get to trial, the parties have to take various steps (often known as 'directions'), including disclosing the documents to the opponent by discovery, showing the other side the evidence, often in the form of witness statements and other steps.

Complying with such directions, and going through the trial process is lengthy, can be difficult, and if one employs lawyers, can be costly.

A party moving (applying) for summary judgment is attempting to eliminate its risk of losing at trial, and possibly avoid having to go through the directions by demonstrating to the judge, by sworn statements and documentary evidence, that there are no material issues of fact remaining to be tried. If there's nothing for the jury to decide, then, asks the moving party rhetorically, why have a trial? In its motion (request) for summary judgment, the moving party will also attempt to persuade the court that the undisputed material facts require judgment to be entered in favor of the moving party. In many jurisdictions, a party moving for summary judgment takes the risk that, although the judge may agree there are no materials issues of fact remaining for trial, the judge may also find that it is the non-moving party who is entitled to judgment as a matter of law.

In my legal research of the FCP I found the... necessity of; failure to; sufficiency of "REPLYS" are applicable to "PLEADINGS".

In the law, a **pleading** is one of the papers filed with a court in a civil action, such as a complaint, a demurrer, or an answer. **A complaint is the first pleading filed by a plaintiff which initiates a lawsuit. A complaint sets forth the relevant allegations of fact that give rise to one or more legal causes of action along with a prayer for relief whereas a demurrer is a pleading filed by a defendant which challenges the legal sufficiency of a complaint and an answer is a pleading which admits or denies the specific allegations set forth in a complaint and constitutes a general appearance by a defendant.** A defendant may also file a cross-complaint as well as bringing other parties into a case by the process of imp leader.

The reply is a response by plaintiff to defendant's answer. A reply occurs only when defendant has asserted a counterclaim or the court has ordered a reply.

It is important to keep f in mind that "plaintiff" in this context may also refer to an imp leaded party. So, if a defendant imp leads a party, this new party is the third-party defendant and the original defendant is the third-party plaintiff. The third-party plaintiff must file a complaint on

the third-party defendant, who then must answer. The court may order a reply to this third-party defendant's answer.

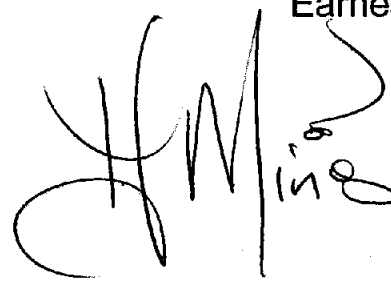
To the DEFENSE TEAM: your June 27, 2007 filing only restates the original "SUMMARY JUDGMENT for DISMISSAL". Since I am the COMPLAINTING PARTY with a **MAJOR COMPLAINT** against the CITY OF PHOENIX. I **can not** SUPPORT your DISMISSAL of MY CLAIM.

So AGAIN I ask..... *"To whom do you refer with your request for support???"*. I am your legal adversary, counter or opposing party,

I am not the JUDGE. **THE SYSTEM OF JUSTICE MUST DECIDE;**

You must await an ANSWER from the COURTS. So too must I.

Earnestly,

A handwritten signature in black ink, appearing to read "G. Mines". The signature is stylized with large, sweeping loops and a long, vertical stroke for the letter "i".

Plaintiff: G. MINES

Case No: CV 05-1137-PHX-EHC-(JJM).

P.O. BOX 1703; PHNX, AZ 85001.

P.S. I await your...JOINT PROPOSED PRETRIAL ORDER....Lodged by
July 20, 2007.

Clerk of Federal
Court