

IN THE SUPREME COURT OF THE STATE OF OREGON

ROBERT HERCENBERGER,
Plaintiff-Appellant,
Petitioner on Review,

v.

KATHY PROCTOR,
Defendant-Respondent,
Respondent on Review.

Court of Appeals
A165355

S066072

ORDER OF DISMISSAL

On July 12, 2018 petitioner on review was directed to comply with the Oregon Revised Statutes and/or the Oregon Rules of Appellate Procedure or this petition for review would be dismissed pursuant to ORAP 1.20(4). As of this date, petitioner has not responded nor shown good cause why the case should not be dismissed. Therefore, the court on its own motion dismisses this petition for want of prosecution.



LYNN R. NAKAMOTO
PRESIDING JUSTICE, SUPREME COURT
9/28/2018 11:21 AM

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondent on review

☒ No costs allowed

c: Sheri C Browning
Robert Hercenberger

od

ORDER OF DISMISSAL

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

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Appendix D

IN THE SUPREME COURT OF THE STATE OF OREGON

Date: July 12, 2018

To: Robert Hercenberger
4577 SW Maplewood Rd
Portland OR 97219

From: Alice, Appellate Court Records Section Clerk, 503-986-5723

Re: Robert Hercenberger v. Kathy Proctor
S066072
Court of Appeals
A165355

The Petition for Review of Court of Appeals Decision was filed on July 10, 2018.
The Response due date is suspended

COMPLIANCE WITH THE FOLLOWING IS REQUIRED:

The Petition for Review of Court of Appeals Decision does not conform to the Oregon Revised Statutes (ORS) and/or the Oregon Rules of Appellate Procedure (ORAP) in that:

- It was filed 1 day late. The document will not be considered by the court absent a motion for extension of time and relief from default.

Failure to provide the requested item(s) within 14 days from the date of this notice will result in the above-entitled appeal/petition being dismissed without further notice. ORAP 1.20(4).

All documents filed with the court must include service on the opposing party(ies). ORAP 1.35(2)(a).

c: Sheri C Browning

Appendix C

IN THE COURT OF APPEALS OF THE STATE OF OREGON

ROBERT HERCENBERGER,
Plaintiff-Appellant,

v.

KATHY PROCTOR,
Defendant-Respondent.


Washington County Circuit Court No. 17CV00229

Court of Appeals No. A165355

ORDER DENYING RECONSIDERATION

Appellant has filed a petition for reconsideration of the court's decision dated March 7, 2018, pursuant to ORAP 6.25, which respondent opposes. The court has considered the petition and the response, and orders that the petition is denied.

The petition for reconsideration is denied.


ERIKA L. HADLOCK
PRESIDING JUDGE, COURT OF APPEALS
6/4/2018 2:11 PM

c: Robert Hercenberger
Sheri C Browning

ej

ORDER DENYING RECONSIDERATION

REPLIES SHOULD BE DIRECTED TO: State Court Administrator, Records Section,
Supreme Court Building, 1163 State Street, Salem, OR 97301-2563

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Appendix B

FILED: March 07, 2018

IN THE COURT OF APPEALS OF THE STATE OF OREGON

ROBERT HERCENBERGER,
Plaintiff-Appellant,

v.

KATHY PROCTOR,
Defendant-Respondent.

Washington County Circuit Court
17CV00229

A165355

Janelle F. Wipper, Judge.

Submitted on February 02, 2018.

Before Hadlock, Presiding Judge, and DeHoog, Judge, and Aoyagi, Judge.

Attorney for Appellant: Robert Hercenberger, *pro se*

Attorney for Respondent: Sheri C. Browning

AFFIRMED WITHOUT OPINION

DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS

Prevailing party: Respondent

☐ No costs allowed.
☒ Costs allowed, payable by Appellant.

Appendix A

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

In the Matter of:

ROBERT HERCENBERGER

Trial Court No: 17CV00229

Plaintiff,

CA No:165355

vs.

AN ORDER TO VACATE
VOID JUDGMENT

KATHY PROCTOR

ORCP 71 B(1)(d), FRCP 60 B (4)

Defendant.

Plaintiff Robert Hercenberger hereby invite the court to see these Statutes, rules and precedents.Void Judgment can bee attacked any time pursuant to ORCP 71 B(1)(d) and FRCP 60 B (4).

The General Judgment of Dismissal is VOID pursuant to Ors 18.082, ORCP 54, ORCP 62, Precedents from US Supreme Court. Exhibit # 1and # 2.

Please see the attached statutes, rules and precedents to support the finding.

☐ Allowed

☒ Denied

Dated: day of _____, 2017.

Signed: 12/17/2018 1:41:09 PM



Honorable Judge
Circuit Court Judge, Theodore E. Sims

Submitted by: Robert Hercenberger- Plaintiff

Dated: Nov.16.2018.



Robert Hercenberger- Plaintiff.

Page 1 of 3 AN ORDER TO VACATE
VOID JUDGMENT-
HERCENBERGER vs, PROCTOR

Case No: 17CV00229

17CV00229
PPOR
Order - Proposed
10209754



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