

D L P LT13
 Elmer P. Vild, Trustee
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 Cottonwood, AZ 86326
 Ph. (928) 634-5669
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 Elmer P. Vild is the Trustee for the
 D L P LT13 contractual entity.

**IN THE UNITED STATES DISTRICT COURT FOR THE
 DISTRICT OF ARIZONA**

United States of America,)	
)	Civil No. CV 09-00444-PHX-SRB
Plaintiff,)	
)	REPLY TO UNITED STATES'
v.)	RESPONSE IN OPPOSITION TO
)	MOTION TO STRIKE ALL OF
Maria D. Forman; Jimmy C. Chisum, and)	PLAINTIFF'S PLEADINGS
Elmer P. Vild, also known as Phillip)	
O'Neil, as Trustees for the DLP LT 13)	
Trust; and Arizona Department of)	
Revenue)	
)	
Defendants.)	

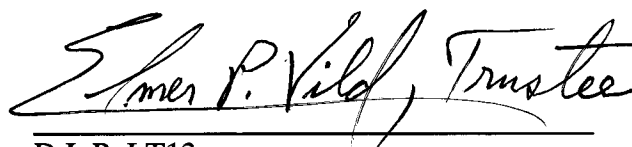
COMES NOW Elmer P. Vild, Trustee for the D L P LT13 contract in the form of a trust proceeding without the assistance of counsel relying on *Haines v. Kerner* and other U.S. Supreme Court decisions that hold pro se litigants cannot be held to the same standards as an attorney and the lower courts must point out any defects and allow a pro se litigant sufficient time to correct any defects. And, that the pro se litigants' pleadings are sufficient to call for an opportunity to be heard.

Plaintiff alleges that Plaintiff's filings with the Court are in compliance with Fed. R. Civ. P. 11(a). If true, why did the Plaintiff's attorney not respond the first time this Defendant raised the issue? Why waste everyone's time and money? Harassment? And, where is the proof of compliance with the rule? Is this Defendant "chopped liver" and is not privileged enough to receive motions and pleadings with signatures on them? This Defendant still has not seen a motion or pleading from the Plaintiff's attorney with a signature on it. Fed. R. Civ. P. 11(a) does not say the Plaintiff may leave the signature off copies of the motions and pleadings that are sent to this Defendant. And, if there is such a rule, why did the Plaintiff not quote that rule along with the quoted rule?

Plaintiff's attorney has done nothing but quote federal rules and prior off point case law. Plaintiff's attorney states he has complied with the rules, but where are the facts and the proof? This Defendant has seen not one signature and Plaintiff has not produced one fact that proves that D L P LT13 is a trust. So why is Plaintiff quoting trust law if there is going to be nothing but allegations in this case by the Plaintiff, but no proof of anything is ever submitted by the Plaintiff?

Recommend that the Court order the Plaintiff to provide this Defendant with proof of signatures on motions and pleadings or the Court strike all of Plaintiff's filings with this Court.

Respectfully submitted this 21st day of January, 2010.

A handwritten signature in cursive script that reads "Elmer P. Vild, Trustee". The signature is written in black ink and is positioned above a horizontal line.

D L P LT13
Elmer P. Vild, Trustee

CERTIFICATE OF SERVICE

This document has been submitted into the court record as evidence by Terry I. Major, Notary Public, in and for the state of Arizona, County of Yavapai. My stamp is attached to identify me and my commission.

Original for the Clerk of the Court and one copy for the Honorable Susan R. Bolton mailed this 21ST day of January, 2010 via first class mail to:

Clerk of the Court
Sandra Day O'Connor U.S. Courthouse
SPC 1
401 W. Washington Street, Suite 130
Phoenix, AZ 85003-2118

Copies mailed this 21ST day of January, 2010 via first class mail to:

DIANE J. HUMETEWA
United States Attorney
District of Arizona
Evo A. DeConcini Courthouse
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ALEXIS V. ANDREWS
Trial Attorney, Tax Division
U.S. Department of Justice
P.O. Box 683, Ben Franklin Station
Washington, D.C. 20044-0683

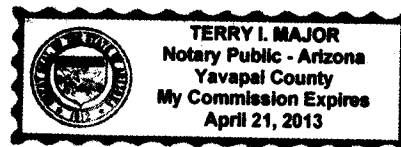
Maria D. Forman
5640 East Duane Lane
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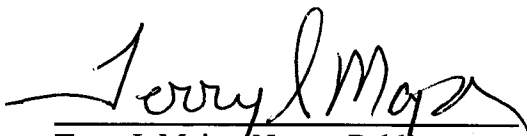
DENISE ANN FAULK
Assistant Attorney General
1275 West Washington St.
Phoenix, AZ 85007-2926

State of Arizona)
) ss.
County of Yavapai)

{Seal}



This document has thus been served.


Terry I. Major, Notary Public