
**IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR
UTAH COUNTY, STATE OF UTAH**

STATE OF UTAH, Plaintiff, v. RORY CHILDS and TRUDY CHILDS, Defendants.	RULING AND ORDER RE: MOTION FOR ORDER OF SALE Case No. 131400538 Case No. 131400539 Judge Fred D. Howard
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This matter comes before the Court on Plaintiff’s (Utah County) Motion for Order of Sale, filed on April 18, 2013. Defendants (the Childs) filed an Opposition on April 29, 2013. Utah County filed a Reply on May 7, 2013, as well as a Notice to Submit.

Having reviewed the parties’ briefs, being fully advised in the premises, and good cause appearing, the Court now makes the following Ruling:

RULING

Utah County requests that this Court order that the 70 to 80 “Powerhouse Road” horses owned by the Childs be sold at public auction pursuant to Utah Code Annotated §76-9-305(2) and Utah County Code 5-2-21.4(2). In their Opposition, the Childs only dispute the amount owed on the lien. Therefore, the Court is persuaded by Utah County’s argument that, for the purpose of this motion, and as required by the above mentioned statutes, the horses were treated

cruelly, the Sheriff's Office took possession of the horses, the Childs were notified, the Sheriff's Office provided shelter and care for the horses, and that the Childs were notified of the Lien and amount due at least five days prior to now. Accordingly, the Court grants the Motion for Order of Sale and hereby orders the sale of said horses at public auction without further hearing.

The Court likewise agrees with Utah County that the amount of the lien can be determined in a separate civil action for foreclosure of the lien.

This is a Final Order on the subject.

DATED this 9 day of May, 2013.

BY THE COURT:

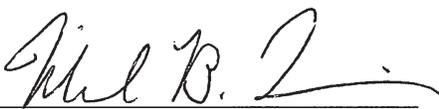


Hon. Fred D. Howard
District Court Judge



CERTIFICATE OF DELIVERY

I certify that true copies of the foregoing Ruling were mailed, postage prepaid, on the 9 day of May, 2013 to the following at the addresses indicated:


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