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Tel. (801) 372-4838  
*Defendant, Pro Se*

FILED  
U.S. DISTRICT COURT  
2019 APR 30 P 2:21  
DISTRICT OF UTAH  
BY: \_\_\_\_\_  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAPOWER-3, LLC, INTERNATIONAL  
AUTOMATED SYSTEMS, INC., LTB1,  
LLC, R. GREGORY SHEPARD,  
NELDON JOHNSON, and ROGER  
FREEBORN,

Defendants.

Civil No. 2:15-cv-00828-DN-EJF

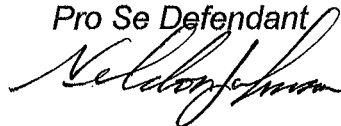
**NELDON JOHNSON'S NOTICE OF APPEAL  
(ORDERS Doc. 619, 624)**

Judge David Nuffer  
Magistrate Judge Evelyn J. Furse

Neldon Johnson, appearing pro se, gives notice that he appeals to the United States Court of Appeals for the Tenth Circuit from the District Court's Minute Order (Doc. 619) entered on April 26, 2019; and Order Denying Motion to Dismiss Receiver and Case (Doc. 624) entered on April 29, 2019. Copies of these are attached to this Notice. The District Court lacks jurisdiction over foreign national investments, and has and is taking steps to damage these foreign rights without due process or respect for international law.

April 30, 2019.

/s/ Neldon Johnson  
Pro Se Defendant



### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NELDON JOHNSON'S PRO SE NOTICE OF APPEAL** was sent to counsel for the United States in the manner described below.

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Erin R. Hines  
Christopher R. Moran  
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Electronic Service via Utah Court's  
e-filing program

/s/ Neldon Johnson.

*Pro Se Defendant*



Denver Snuffer &lt;denversnuffer@gmail.com&gt;

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**Activity in Case 2:15-cv-00828-DN-EJF USA v. RaPower-3 et al Order on Motion for Order to Show Cause**

2 messages

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**utd\_enotice@utd.uscourts.gov** <utd\_enotice@utd.uscourts.gov>  
To: ecf\_notice@utd.uscourts.gov

Fri, Apr 26, 2019 at 12:44 PM

This is an automatic e-mail message generated by the CM/ECF system. If you need assistance, call the Help Desk at (801)524-6100

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US District Court Electronic Case Filing System

District of Utah

**Notice of Electronic Filing**

The following transaction was entered on 4/26/2019 at 12:44 PM MDT and filed on 4/26/2019

**Case Name:** USA v. RaPower-3 et al

**Case Number:** 2:15-cv-00828-DN-EJF

**Filer:**

**WARNING: CASE CLOSED on 10/04/2018**

**Document Number:** 619(No document attached)

**Docket Text:**

**Minute Order. Proceedings held before Judge David Nuffer:**

Counsel and pro se parties present. No appearance for Pacific Stock Transfer. Mr. Lehr and Mr. Klein addressed the court as to the status of Pacific Stock Transfer, offering Exhibits 1-6. Court received the exhibits. Court made findings on the record that Pacific Stock Transfer is in contempt. Mr. Lehr to prepare and submit the proposed order for contempt, noting that the \$2,000 fine is due 10 days after entry of the order, and motion to attorneys fees, noting the response due 14 days after filing. Mr. Lehr offered Exhibits 1 thru 6. Court received. Court instructed Mr. Lehr to email the exhibits to chambers.

Ms. Healy Gallagher called Wayne Klein. Witness sworn and testified. Government offered Exhibits 937, 938, 939, 941, 507, 946, 947, 948, 949, 950, 945. No objections. Exhibits received. Government offered Exhibit 834. Objection heard. Court received Exhibit 834, pages 1, 2, 3, 11 and 12 only. Government offered Exhibit 943. Objection heard. Court will receive, subject to a correct Exhibit 943 being submitted. The current Exhibit 943 will only be used as a summary. Government offered Exhibit 941, subject to correction. No objections. Exhibit received, subject to correction.

Mr. Paul addressed the court as to why his clients, Neldon (prior client) and Glenda Johnson (current client), did not appear for their scheduled depositions. Court ordered that Neldon Johnsons and Glenda Johnsons depositions must be taken before May 3, 2019. Counsel have agreed to schedule Glenda Johnson on Wednesday, May 1, 2019 and Neldon Johnson on Thursday, May 2, 2019.

Court continued this matter until Friday, May 3, 2019 at 8:30 a.m.

Court adjourned.

taking under advisement [559] Motion for Order to Show Cause.; taking under advisement

**[576] Motion for Order to Show Cause.; Motion Hearing held on 4/26/2019 re [559] MOTION for Order to Show Cause filed by USA, [576] MOTION for Order to Show Cause *Why Pacific Stock Transfer Shouldn't Be Held in Civil Contempt for Violating the CRO* filed by Wayne Klein. Attorney for Plaintiff: Erin Healy Gallagher, Attorney for Defendant Steven Paul, Neldon Johnson, Gregory Shepard. Court Reporter: Becky Janke.(Time Start: 9:35, Time End: 12:44, Room 7.300.) (asb)**

**2:15-cv-00828-DN-EJF Notice has been electronically mailed to:**

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**2:15-cv-00828-DN-EJF Notice has been delivered by other means to:**

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Fri, Apr 26, 2019 at 12:51 PM

Daniel B. Garriott  
Attorney at Law  
Nelson, Snuffer, Dahle & Poulsen, P.C.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RAPOWER-3, LLC, et al.,  
  
Defendants.

**ORDER DENYING MOTION TO  
DISMISS RECEIVER AND CASE**

Case No. 2:15-cv-00828-DN

District Judge David Nuffer

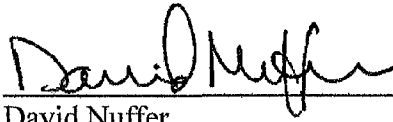
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Defendant Neldon P. Johnson has filed a Motion to Dismiss Receiver and Case (“Motion”).<sup>1</sup> The Motion seeks to reargue issues that have already been considered and rejected. It also seeks to raise new issues, which are untimely, and therefore waived. For each of these reasons, as well as the Motion’s complete lack of merit,

IT IS HEREBY ORDERED that the Motion is DENIED.

Signed April 29, 2019.

BY THE COURT:



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David Nuffer  
United States District Judge

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<sup>1</sup> Docket no. 617, filed April 24, 2019.