

STATE OF NEW HAMPSHIRE
SUPREME COURT

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NH SUPREME COURT

2017 TERM

CASE NO 2017-⁰²³⁸~~2038~~

In the Matter of Steven Hoyt
and Lesley Hoyt

RULE 7 DISCRETIONARY APPEAL
3RD CIRCUIT – FAMILY DIVISION – CONWAY

Docket No. 630-2009-DM-00143

(Judge John T. Pendleton)

REPLY BRIEF

STEVEN M HOYT

This case has been accepted on the briefs and without oral argument

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N.H. Court Rules

Rule 16

(4)(a) The brief of the opposing party shall conform to the foregoing requirements, except that no statement of the case need be made beyond what may be deemed necessary in correcting any inaccuracy or omission in the statement of the other side, and except that subsections (b), (c), and (h) of subsection (3) need not be included unless the opposing party is dissatisfied with their presentation by the other side.

(b) Instead of a brief, the opposing party in a mandatory appeal may file a memorandum of law not to exceed 15 pages in length. A memorandum of law need not comply with the requirements for a brief set forth in this rule, including the requirements that briefs be bound in pamphlet form and have covers. A memorandum of law, however, shall contain: (i) the argument, exhibiting clearly the points of fact and of law being presented, citing the authorities relied upon; and (ii) a conclusion, specifying the relief to which the party believes himself entitled. A party who files a memorandum of law shall be deemed to have consented to the waiver of oral argument.

ARGUMENT

The appeal being argued is not about Mrs. Hoyt's financial stability. This appeal is regarding the errors and lack of authority that the Conway Family Court had with respect to creating an order for new alimony in this case.

Mrs. Hoyt's "Statement of Respondent" does nothing to address or refute Mr. Hoyt's appeal argument(s). Mrs. Hoyt's financial situation is not a subject of this appeal, and the Court is not obligated to grant her requests. Mrs. Hoyt's Statement of Respondent should be disregarded by the court on the following items.

1. Mrs. Hoyt's "Statement of Respondent" does not conform to Rule 16 Section 4(b); in that it does not contain points of fact an the law being presented, nor does it site authorities supporting her argument.

2. Furthermore; both parties are Pro Se, and have equal access to the supreme court clerk and court website for guidance. Mrs. Hoyt's claim of "not being a lawyer" does not affect her ability to contact the court for guidance.

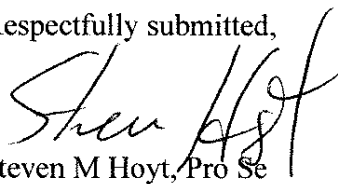
3. Furthermore; Mrs. Hoyt provided false statements to this court.
 - (a) Mrs. Hoyt claims that Mr. Hoyt does not help out financially; It is documented in court records that Mr. Hoyt has been paying for the youngest child's health insurance, and for the two emancipated children's health insurance. Mr. Hoyt has voluntarily assisted with extra-curricular activities when he has been financially able.
 - (b) Mrs. Hoyt neglected to provide the court with complete information regarding her employment and businesses.

- i. Mrs. Hoyt is working for Vito Marcellos Bistro;
 - ii. Mrs. Hoyt owns and operates British Hairways Hair salon, and
 - iii. Mrs. Hoyt also owns and operates a second business: 'Guilty Pleasures.' An online bakery. <https://guiltypleasuresnh.weebly.com>
- (c) Mrs. Hoyt states that the parties son Ian is living with her. Ian Hoyt is both living and working full-time out of state.

CONCLUSION

For the foregoing reasons, the Appellant respectfully requests that Mrs. Hoyt's "Statement of Respondent" be dismissed. The Appellant requests the Court uphold Mr. Hoyt's appeal and vacate the alimony orders of the lower court. The appellant request the court order Mrs. Hoyt to re-pay Mr. Hoyt all alimony support paid since the 3/13/2017 decision.

Respectfully submitted,



Date: December 18, 2017

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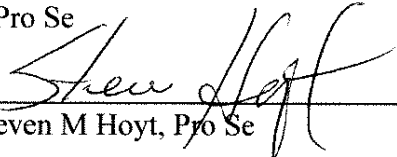
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CERTIFICATION

Pursuant to Supreme Court Rule 16(10), I hereby certify that on this day two copies of this brief have been mailed, postage paid, to Lesley C. Hoyt, Pro Se

Date: December 1st, 2017



Steven M Hoyt, Pro Se