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No. 21F-H2121058-REL-RHG

**ORDER RESCINDING DIRECTOR'S
JANUARY 19, 2022 ORDER REQUIRING
RESPONSE TO MOTION FOR CHANGE
OF JUDGE**

Beaver Valley Improvement Assoc.

Respondent.

In filing this most recent pleading, it is apparent that Petitioner is not seeking a change of judge but instead seeks to have the Director review the earlier proceeding in some appellate capacity and pass judgment on the propriety of that proceeding. There is no authority contained in either statute or rule that would permit the Director to undertake such action. An administrative agency has only those powers specifically prescribed by statute or rule. *Facilitec v. Hibbs*, 206 Ariz. 486, ¶ 10 (2003). The only authority that the Director has with respect to the rehearing in this matter is to determine whether or not a motion for change of judge should be granted. See *generally*, ARS 41-1092.01 and ARS 41-1092.07 (A). As Petitioner, by the express terms of his January 28th pleading, is not seeking a request for change of judge, there is nothing the Director can do in this matter with respect to his January 14, 2022 motion. Accordingly, the Director's earlier order requiring a response from Respondent and permitting a reply to any response from Petitioner is rescinded.

/s/ Greg Hanchett
Director

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