

1 bias or prejudice by a preponderance of the evidence. *State v. Carver*, 771 P.2d 1382, 160
2 Ariz. 167 (1989) quoting *State v. Rossi*, 154 Ariz. 245, 247, 741 P.2d 1223,
3 1225 (1987); *State v. Perkins*, 141 Ariz. 278, 286, 686 P.2d 1248, 1256 (1984); *State v.*
4 *Menard*, 135 Ariz. 385, 387, 661 P.2d 649, 651 (1982).

5 Plaintiff has not pled any facts that would, by a preponderance of the evidence,
6 show that Judge Coffey has demonstrated “a hostile feeling, ill will, undue friendship, or
7 favoritism towards one of the litigants.” If anything, Judge Coffey has demonstrated
8 extraordinary patience and grace regarding the Plaintiff.

9 As such, the Plaintiff’s Motion should be denied.

10 **II. SANCTION SHOULD BE AWARDED IN FAVOR OF THE**
11 **DEFENDANT.**

12 It should be noted that the Plaintiff has again failed to abide by the orders of this
13 Court. In the Court’s Minute Entry dated December 12, 2024, the Court held:

14 IT IS FURTHER ORDERED that with the exception of any motions to
15 continue the January 6, 2025 hearing, no further motions shall be filed with
16 the Court before that date.

17 The above being noted, Plaintiff’s Motion, as the Court recognized in its Minute
18 Entry Order dated December 12, 2024, continues a pattern of filing “repetitive motions
19 asking for the same relief over and over again even though the Court has already denied
20 virtually identical motions.”

21 For example, on page 6 of 12 of the Motion, the Plaintiff again argues for injunctive
22 relief despite the Court, in its Minute Entry Order dated December 12, 2024, stating:

23 If she (the Plaintiff) continues to request relief in the form of injunctions against
24 harassment and orders of protection, which the Court has told her she cannot obtain
25 as part of this lawsuit, it is highly likely that the Court will award Defendants the
26 reasonable attorneys’ fees they incur in responding to such filings and the Court
27 will be open to considering a motion by Defendants to reconsider its denial of
28 sanctions in this minute entry

29 As such, Defendant requests that the Motion be denied. The Defendant also request
30 a sanction of \$100, as discussed in the Court’s Minute Entry dated December 12, 2024,
for the Plaintiff violating the Court’s Order and for the Plaintiff filing an inappropriate
Motion. The Defendant also request that the Defendant be awarded its reasonable

1 attorney's fees and court costs pursuant to the Declaration of Covenants, Conditions,
2 Restrictions and Easement recorded at recording number 2002-0039460, records of
3 Maricopa County, AZ, A.R.S. §§ 12-341, 12-341.01, 12-349 and 33-1807.

4 **III. CONCLUSION.**

5 For the reasons listed above, the Motion should be denied and sanctions and attorney's
6 fees be awarded to the Defendants.

7 DATED this 31st day of December, 2024.

8 **SHAW & LINES, LLC**

9 /s/ Augustus H. Shaw, IV
10 Augustus H. Shaw IV, Esq., CCAL
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12 Phoenix, Arizona 85040
13 *Counsel for Defendant*

14 ORIGINAL submitted for electronic filing
15 This 31st day of December, 2024 with:

16 Clerk of the Court
17 Maricopa County Superior Court

18 COPY of the foregoing mailed
19 This 31st day of December, 2024 to:

20 Sandra Rodriquez
21 4735 E Besty Lane
22 Gilbert, AZ 85296

23 By: /s/ Elizabeth Mundall
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