

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

01/06/2025

HONORABLE RODRICK COFFEY

CLERK OF THE COURT
T. Aird
Deputy

SANDRA RODRIGUEZ

SANDRA RODRIGUEZ
4375 E BETSY LN
GILBERT AZ 85296

v.

GARDENS GILBERT
COMMUNITY ASSOCIATION, et al.

AUGUSTUS H SHAW IV

FOCUS H O A
NO ADDRESS ON RECORD
ANNA SCHULTZ
NO ADDRESS ON RECORD
BROOKE SORTER
NO ADDRESS ON RECORD
MARK E LINES
JUDGE COFFEY

MINUTE ENTRY – PRE-TRIAL RULE 16 COMPREHENSIVE CONFERENCE

PLAINTIFF NOT PRESENT – COURT TAKES NO ACTION
MATTER STAYED WHILE APPEAL/MOTION PENDING

Courtroom 511 – East Court Building

3:38 p.m. This is the time set for a Pre-Trial Rule 16 Comprehensive Conference conducted telephonically. Plaintiff, Sandra Rodriguez, is neither present nor represented by counsel. Defendant, Gardens/Gilbert Community Association, is represented by counsel, Augustus H. Shaw IV.

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A record of proceedings is made digitally in lieu of a court reporter.

The Court notes that today's proceeding was properly set/served to begin at 3:30 p.m.; however, the time is now 3:39 p.m., and Plaintiff has neither appeared in person nor virtually, nor contacted this Division to provide any notice of non-appearance.

Discussion is held between the Court and the only party (counsel) present today.

Defense counsel indicates that Plaintiff has been unreachable as of late in this matter.

Further discussion is held.

For the reasons stated on the record, the Court notes as follows:

- Plaintiff on December 23, 2024, filed a pleading titled "Motion for Judge to Recuse Himsel(f) and Stay Due to Second Notice of Appeal Filed."
 - Procedurally, that Motion was referred to the Civil Presiding Judge for Ruling.
- On December 30, 2024, the Court received the Notice of Appeal having been filed December 20, 2024, by the Clerk of Court.

For the reasons detailed on the record,

The Court further notes that this Court cannot enter any affirmative Rulings itself while the foregoing Motion and Appeal remain pending. Accordingly,

IT IS ORDERED affirming the **Stay Of Proceedings** in this matter, at least and until both of the foregoing Motion and Appeal are resolved.

3:47 p.m. Matter concludes.

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SELF-REPRESENTED LITIGANTS ADVISORY

Unless an attorney files a notice that he or she represents a party, the person(s) not represented by an attorney will act as his or her own attorney. Please note that **only a licensed attorney may represent a corporation, LLC, or similar business entity in the Superior Court.** *Ramada Inns v. Lane & Bird Advertising*, 102 Ariz. 127, 426 P.2d 395 (1967). **Except as provided by Rule 31.1, a person not authorized to practice law in Arizona under Rule 31.1(a), (c), or Rule 31.3 Arizona Rules Of The Supreme Court Of Arizona must not engage in the practice of law or provide legal services in Arizona.** <https://casetext.com/rule/arizona-court-rules/arizona-rules-of-the-supreme-court/regulation-of-the-practice-of-law/supreme-court-jurisdiction-over-the-practice-of-law/rule-313-exceptions-to-rule-312> .

EXPECTATIONS OF A SELF-REPRESENTED PARTY

The law requires the court to hold all persons representing themselves to the same standard as a licensed attorney. Parties who choose to represent themselves “are entitled to no more consideration than if they had been represented by counsel” and are held to the same standards as attorneys with respect to “familiarity with required procedures and . . . notice of statutes and local rules.” *Smith v Rabb*, 95 Ariz. 49, 386 P.2d 649 (1963); see also *Higgins v. Higgins*, 194 Ariz. 266, 981 P.2d.134 (App. 1999). A party’s ignorance of the law is not an excuse for failing to comply with it. *In re Marriage of Williams*, 219 Ariz. 546, 200 P.3d 1043 (App. 2008) citing *Moore v. Meyers*, 31 Ariz. 347, 253 P.2d 626 (1927).

The parties should familiarize themselves with the Arizona Rules of Civil Procedure. You can find them at:

<https://www.azcourts.gov/rules/Recent-Amendments/Rules-of-Civil-Procedure>
or <https://govt.westlaw.com/azrules/>

Pleadings Filed With The Court: Pleadings must comply with the Arizona Rules of Civil Procedure and contain a short and plain statement of the grounds for the Court’s jurisdiction, a short and plain statement of the claim showing the pleader is entitled to relief and the relief sought.

Motions Filed With The Court: All motions must legible, properly spaced and in a font size which complies with the Arizona Rules of Court, including but not limited to Rule 7.1, Arizona Rules of Civil Procedure and Rule 2.16, Local Rules of Practice For The Superior Court in Maricopa County. Specifically, all motions must state with particularity the grounds for granting the motion, and set forth the relief sought. Motions must be accompanied by a

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memorandum setting forth the reasons for granting the motion, along with citations to the specific parts or pages of supporting authorities and evidence.

Before the judge can consider anything you send him, you must show him that you have given a copy of your request:

1. To the Clerk of the Court. The Clerk of the Court is a separately elected official. It is the clerk's job to keep an independent record of everything that happens at the court. The court cannot act on a document that has not been made a part of that record; and
2. To every other party involved in the case. This is so all parties have a fair chance to tell the judge what they think before he makes a decision.

Because of that, if you want the judge to consider something you send him, you must file the original document with the Clerk of the Superior Court, mail or deliver a copy directly to this division and mail or deliver a copy to all opposing parties. In addition, on each document you must include a signed certificate that says whether you mailed or hand delivered each copy, when you did so, and states the specific people and the specific addresses to which you mailed or hand delivered each copy. If a party is represented by a lawyer, you must send or deliver the copy to the lawyer, not to the party. All proposed orders submitted to this division must include copies of the order with self-addressed, stamped envelopes for all parties/counsel.

Do not mail or send papers for the clerk or other parties to the judge.
If you want to file papers with the Clerk of the Court by mail, please send them to:

Clerk of the Superior Court's Office
Civil File Counter
201 W. Jefferson
Phoenix, AZ 85003

The Clerk's guidelines for filing by mail can be found at:

[Civil and Tax Filing | Maricopa County Clerk of Superior Court](#)

If you are not represented by a lawyer you must contact this Division immediately and give us a current address, telephone number, and email address. If your address, phone number, or email address changes in the future, you must file a notice of change of address/phone number/email address. That form can be downloaded at no charge from the following website:

https://superiorcourt.maricopa.gov/llrc/fc_gn9/