



*J/A*

Today's Date: 2/28/2025

*[Handwritten Signature]*  
Your Signature

**This page must be completed and attached  
to the LAST page of your Motion/Request**

I filed the ORIGINAL of the attached document(s) with the Clerk of the Superior Court in Maricopa County on: February 28, 2025  
Month Date Year

I mailed/delivered a COPY of the attached document(s) to the Judicial Officer assigned to my case, Judge (or Commissioner): Coffey, on February 28, 2025  
Month Date Year (Judicial Officer assigned to your case)

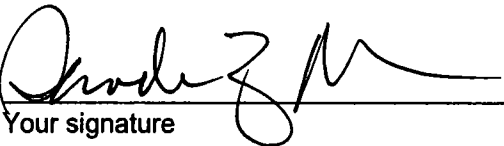
I mailed/delivered a COPY of the attached document(s) on this date:  
February 28, 2025 To: Gardens Gilbert Community Association et. al  
Month Date Year

***(You must mail a copy of all documents to the other side and his/her lawyer)***

<u>Gardens Gilbert Community Association et. al</u> Name of Other Side	<u>Shaw &amp; Lines, LLC/Augustus H. Shaw IV</u> Name of Other Side's Lawyer
<u>4135 S. Power Road, Ste. 133</u> Address	<u>4523 E. Broadway Road</u> Lawyer's Address
<u>Mesa, Arizona 85212</u> City, State, Zip	<u>Phoenix, Arizona 85040</u> City, State, Zip

**By signing below, I state to the Court, under penalty of law, that the information stated on these pages is true and correct to the best of my knowledge and belief.**

**I further state that I have filed/mailed the attached document(s) as shown above. I understand that if I do not file/mail the attached document(s) as shown above, the judge in my case will not read my request/motion.**

  
Your signature

## **ADDENDUM A:**

### **MOTION TO DENY DEFENDANT'S FEBRUARY 25, 2025 FILING; AND REQUEST FOR SANCTIONS**

**DEAR HONORABLE JUDGE RODERICK COFFEY;**

Comes Now, Plaintiff, Sandra Rodriguez, appearing pro se, and respectfully requests this Court's permission to file this *Motion to Deny Defendants' February 25, 2025, Filing and Request for Sanctions*.

Plaintiff acknowledges the Maricopa Superior Court's January 24, 2025, Minute Entry, which imposed a stay on proceedings and ordered that "*no further matters should be filed until the pending appeal is resolved.*" Despite this, Defendants filed an unauthorized motion on February 25, 2025, necessitating this request to enforce the Court's order and safeguard Plaintiff's constitutional and procedural rights.

This request for leave is necessary because Plaintiff must address Defendants' improper filing, which:

1. **Defies the Court's Stay Order**, creating an unfair legal burden on Plaintiff.
2. **Obstructs Plaintiff's Right to Appeal**, interfering with her ability to present all applicable information to the appellate court.
3. **Demonstrates Contempt for the Court's Authority**, warranting judicial enforcement.

## **II. IMPORTANCE OF THIS MOTION DESPITE THE COURT-ORDERED STAY**

Plaintiff would not be submitting this motion but for Defendants' direct violation of the January 24, 2025, order. The Court must have the ability to enforce its own rulings, and permitting this motion will allow the Court to:

- **Deny and Strike Defendants' Unauthorized Motion**, ensuring compliance with its prior order.
- **Issue Sanctions Against Defendants**, discouraging further misconduct.
- **Protect the Integrity of the Appellate Process**, ensuring Plaintiff's constitutional rights are upheld.

Under *Rule 7.1(a), Arizona Rules of Civil Procedure*, courts have discretion to accept filings necessary to protect due process and judicial authority. Given the egregious nature of Defendants' conduct, this motion is essential for enforcing the stay order and ensuring procedural fairness.

## **III. VIOLATION OF COURT ORDER AND OBSTRUCTION OF JUSTICE**

The **Minute Entry issued January 24, 2025**, explicitly states:

*"No further matters should be filed until the pending appeal is resolved. If either side files a motion during the stay, the opposing side does not have to file a response without order of the Court."*

Despite this clear directive, Defendants unlawfully submitted a motion on February 25, 2025, forcing Plaintiff to petition the Court for enforcement of its own order. Their actions constitute:

1. **Willful Disobedience of a Court Order** – Filing in direct contradiction of a binding judicial ruling.

2. **Obstruction of Plaintiff's Right to Appeal** – Interfering with Plaintiff's ability to present all applicable evidence to the appellate court.
3. **Bad-Faith Litigation Tactics** – Defendants knowingly disregard court procedure, wasting judicial resources.

Under **A.R.S. § 12-349**, sanctions should be imposed for filing frivolous, meritless motions in direct violation of a court order.

#### **IV. VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHTS**

Defendants' conduct violates federal, Arizona state, and constitutional protections, including:

1. **Fourteenth Amendment, U.S. Constitution (Due Process & Equal Protection)**
  - a. Plaintiff is entitled to a fair and orderly appellate process, free from obstruction.
  - b. Defendants' actions create procedural inequity and unfair litigation pressure.
2. **Arizona Constitution, Article 2, § 4** – Protects against deprivations of due process.
3. **Arizona Supreme Court Precedent (*Gonzales v. Superior Court*, 117 Ariz. 64 (1977))** – Requires courts to enforce their own orders to prevent procedural violations.

#### **V. RIGHT TO PRESENT ALL APPLICABLE EVIDENCE BEFORE THE COURT**

Defendants' filing attempts to obstruct Plaintiff's ability to submit all relevant information in her appeal. Plaintiff's right to present full and complete evidence is protected by:

- **Arizona Public Records Law (A.R.S. § 39-121)** – Ensures access to government records relevant to litigation.
- **Freedom of Information Act (FOIA), 5 U.S.C. § 552** – Grants access to federal records that may substantiate Plaintiff's claims.
- **Brady v. Maryland, 373 U.S. 83 (1963)** – Requires disclosure of exculpatory evidence necessary for fair proceedings.

- **Arizona Rule of Evidence 106** – Prevents parties from submitting selective or misleading evidence.

## **VI. REQUEST FOR SANCTIONS**

Pursuant to *Rule 11, Arizona Rules of Civil Procedure*, the Court should impose sanctions for:

- **Filing frivolous, baseless motions** in direct violation of the stay order.
- **Engaging in procedural misconduct**, intended to **harass and delay** litigation.
- **Ignoring the Court's explicit prohibition on further filings**, showing contempt for judicial authority.

Sanctions are further justified under A.R.S. § 12-349, which penalizes litigants who unreasonably expand or delay proceedings.

## **VII. RELIEF REQUESTED**

WHEREFORE, Plaintiff respectfully requests this Court:

1. **Grant leave to file this Motion to Dismiss and Request for Sanctions**, recognizing its necessity for enforcing judicial authority.
2. **Deny Defendants' February 25, 2025, filing** in its entirety.
3. **Impose sanctions** under A.R.S. § 12-349 and **Rule 11**, including appropriate penalties for Defendants' misconduct, such as reimbursement for Plaintiff's incurred costs and expenses as a self-represented litigant.
4. **Refer Defendants' legal counsel for ethical review** by the **Arizona Supreme Court** for knowingly violating a court order.
5. **Affirm Plaintiff's right to request additional records**, ensuring all relevant evidence is available for appeal.
6. **Grant any further relief this Court deems appropriate** to uphold judicial integrity.

## **VIII. CONCLUSION**

Plaintiff respectfully requests that the Court grant leave to file this motion, as Defendants have flagrantly disregarded the January 24, 2025, order, violating both procedural due process and the Fourteenth Amendment's protections. Defendants' actions constitute a deliberate obstruction of justice, an abuse of the litigation process, and contempt for the Court's authority. Immediate dismissal and sanctions are necessary to uphold judicial integrity and safeguard Plaintiff's right to a fair appeal.

Furthermore, Plaintiff will not submit any further responses to Defendants' improper filings, as doing so would legitimize their continued violations of the Court's order. Any additional filings by Defendants should be construed as direct impediments to Plaintiff's civil due process rights and a continued deprivation of Fourteenth Amendment protections. Such filings serve no legitimate legal purpose and instead constitute ongoing litigation abuse that must be addressed by the Court.

Respectfully Submitted on February 28, 2025

A handwritten signature in black ink, appearing to read 'Sandra Rodriguez', written in a cursive style.

Sandra Rodriguez