

1 Sandra Rodriguez
2 4375 E. Betsy Lane
3 Gilbert, Arizona 85296
4 **Phone Number:** 602-688-9720
5 **Email Address:** sandra.rodriguez0339@gmail.com
6 **Representing:** Self Represented, without a Lawyer

7 **IN THE SUPERIOR COURT IN THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

9
10 SANDRA RODRIGUEZ,

11 **Plaintiff,**

12 vs.

13 GARDENS GILBERT COMMUNITY
14 ASSOCIATION, FOCUS HOA
15 MANAGEMENT, LLC, HARMIN CADIS,
16 BROOKE SORTOR, ANNA SCHULTZ

17 **Defendants,**

18
19 AUGUSTUS H. SHAW IV

20 **Defendant's Legal Counsel,**

**MARICOPA COUNTY
SUPERIOR COURT**
Case No.: CV2024-005940
Judge David McDowell,

MOTION TO STAY
*(PENDING RESOLUTION SPECIAL
Action REQUEST
WITH THE
COURT OF APPEALS)*

21
22 **TO THE HONORABLE JUDGE MCDOWELL:**

23 On November ^{24th} 2025, Plaintiff filed a **Special Action** with the **Arizona Court of**
24 **Appeals** seeking relief from the **Superior Court's** procedural rulings issued on October 23, 2025,
25 and November 12, 2025. Specifically, Plaintiff challenges the denial of her request to amend her
26 complaint, the refusal to grant time to amend before discovery, and the court's suggestion that
27 her jury-trial right remains "*unresolved*" despite no waiver. In her Special Action, Plaintiff has
28 requested that the Court of Appeals:

- 1 • **Clarify her right to amend the complaint** following the dismissal without
2 prejudice;
- 3 • **Ensure her jury-trial right remains fully preserved** absent an explicit
4 waiver;
- 5 • **Prohibit the Superior Court** from compelling **any discovery, disclosures, or**
6 **case progression** until an amended complaint is filed and accepted;
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- 8 • **Issue a stay of all proceedings** pending the appellate court's resolution;
- 9
- 10 • **Protect her right to a full and fair opportunity** to present all claims; and
- 11
- 12 • **Clarify that the previously vacated attorney-fee and cost awards** may not
13 be treated as enforceable, collectible, delinquent, lien-eligible, or referenced as
14 outstanding balances in any correspondence, filings, or communications.

14 Without a stay, Plaintiff's access to justice, her ability to assert all claims under a proper
15 operative complaint, and her constitutional right to a jury trial will be irreparably harmed.

16 **I. STANDARD FOR GRANTING A STAY**

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18 **Under Arizona law, a stay may be granted when:**

- 19 • Irreparable harm will result without a stay;
- 20
- 21 • No adequate remedy by appeal exists; and
- 22 • The interests of justice support the stay.

23

24 Special action jurisdiction is appropriate when no plain, speedy, or adequate remedy by
25 appeal exists, and irreparable harm is likely if the trial court continues its proceedings. *See Vo v.*
26 *Superior Court*, 172 Ariz. 195, 198 (App. 1992); *Blake v. Schwartz*, 202 Ariz. 120, 122 (App.
27 2002). Moreover, constitutional and procedural fairness demands that Plaintiff's rights be
28 preserved and protected, especially given her indigent status and self-represented status.

1 equally plain, speedy and adequate remedy by appeal” exists. This standard is met where a trial-
2 court ruling creates a form of *irreparable or uncorrectable harm*, particularly in the context of
3 procedural errors that cannot be remedied after final judgment.

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6 **V. REQUEST FOR RELIEF**

7 **WHEREFORE, Plaintiff Sandra Rodriguez respectfully requests that this Court:**

- 8 1. Stay all proceedings in the above-captioned matter pending resolution of Plaintiff’s
9 Special Action with the Arizona Court of Appeals;
10 2. Grant any other relief deemed just and proper to protect Plaintiff’s rights and prevent
11 irreparable harm.

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13 Respectfully submitted this 24th day of November 2025.

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15 Sandra Rodriguez
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4 **VIII. CERTIFICATE OF SERVICE**

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6 I served copies of this **MOTION TO STAY (PENDING RESOLUTION SPECIAL**
7 *Action* **REQUEST** **WITH THE COURT OF**
8 **APPEALS)** for on all parties of record via U.S. Mail.

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10 **OPPOSING PARTY INFORMATION**

11 **DEFENDANTS:**

- 12 o Gardens Gilbert Community Association
13 o Focus HOA Management, LLC
14 o Harmin Cadis
15 o Brooke Sortor
16 o Anna Schultz
17 • **Address:** 4135 E. Power Road, Suite 133, Mesa, Arizona 85212

18 **DEFENDANT'S LEGAL COUNSEL:**

- 19 • **Name:** Augustus H. Shaw IV
20 • **Firm:** Shaw & Lines, LLC
21 • **Address:** 4523 E. Broadway Road, Phoenix, Arizona 85040

22 Respectfully submitted this ^{24th} day of November 2025..
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25 Sandra Rodriguez
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