

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2024-005940

01/12/2026

HONORABLE DAVID MCDOWELL

CLERK OF THE COURT
K. Johanson
Deputy

SANDRA RODRIGUEZ

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4375 E BETSY LN
GILBERT AZ 85296

v.

GARDENS GILBERT COMMUNITY
ASSOCIATION, et al.

AUGUSTUS H SHAW IV

JUDGE MCDOWELL

ORDER REJECTING MOTION FOR INJUNCTION AGAINST HARASSMENT

The Court is in receipt of Ms. Rodriguez's January 5, 2026 *Emergency Motion for Injunction Against Harassment*. The Court cannot entertain this motion filed in this fashion.

An injunction against harassment sought pursuant to A.R.S. § 12-1809 must follow a specific procedure. A petition must be filed seeking an injunction against harassment. This cannot be done by motion.

Each person seeking the injunction must be listed. Multiple plaintiffs cannot be included in the same petition unless they are minors or meet the requirements of Rule 5, Arizona Rules of Protective Order Procedure. Plaintiff's January 5, 2026 Motion indicates an injunction is sought on behalf of herself and her children but the children are not listed.

A separate petition must be filed against each person against whom the injunction is sought. Multiple defendants cannot be included in the same petition. The January 5, 2026 Motion combines all defendants into one filing.

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Each petition must be filed under its own case number. The January 5, 2026 Motion was filed under the civil cause number rather than under a new cause number.

Each petition must meet the requirements of the Ariz.R.Prot.Ord.Proc. and the applicable statute under which the injunction is sought. The January 5, 2026 Motion does not.

The petitions seeking injunctions against harassment cannot be consolidated into this civil action. While this Judge can hear those matters, the cases cannot be consolidated. I acknowledge I used the term “consolidate” during the January 5, 2026 hearing – that was a poor choice of words and in error. I intended to convey that I could conduct the hearings on the injunctions against harassment, not that they could be consolidated into this cause.

In summary, the January 5, 2026 Motion does not meet the requirements of the Rules of Protective Order Procedure and cannot be addressed in the manner submitted.

IT IS ORDERED rejecting the January 5, 2026 *Emergency Motion for Injunction Against Harassment*.