

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2025-036771

10/17/2025

HONORABLE GREG S. COMO

CLERK OF THE COURT
C. Lacey
Deputy

TRILOGY AT POWER RANCH COMMUNITY ASSOCIATION SCOTT CARPENTER

v.

JOHN DOE

JUDGE COMO

MINUTE ENTRY

Pending before the Court is Plaintiff's Supplemental Motion for Service by Alternative Means filed on October 15, 2025.

The Supplemental Motion responds to the Court's concerns about the adequacy of Plaintiff's investigation into the defendants' identities. However, it does not resolve the problem of serving a defendant who has not been identified. The Arizona Supreme Court has held:

For the court to have personal jurisdiction over a defendant designated under a fictitious name, it is essential that any party being served must clearly be given notice that he is being served as a defendant in the case, and is being served in place of a defendant designated under a fictitious name, and if the facts do not so show then the service is fatally flawed.

Safeway Stores, Inc. v. Ramirez, 99 Ariz. 372, 379-381 (1965)(personal service on individual named in the complaint as "John Doe" was ineffective); *see also Lane v. Elco*, 134 Ariz. 361, 364 (App. 1982).

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Serving an anonymous person at an email address, which may not belong to him, does not clearly give a specific, identifiable person, notice that he is being served as a defendant, nor that he is being served in place of a fictitiously named defendant.

IT IS ORDERED denying Plaintiff's Supplemental Motion for Service by Alternative Means filed on October 15, 2025.