

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2014-094502

01/25/2016

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
I. Ostrander
Deputy

TANGLEWOOD H O A

JAMES PORTMAN WEBSTER

v.

JAMES E GOODE

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2371 W HAZELWOOD ST # 62
PHOENIX AZ 85015

RULING

The Court has read Plaintiff's *Motion for Summary Judgment* electronically filed on December 7, 2015.

Defendant, who is not represented by counsel, has failed to respond in any manner to Plaintiff's Motion and the time for doing so under Rule 7.1(a), Arizona Rules of Civil Procedure, has expired. Pursuant to Rule 7.1(b), Arizona Rules of Civil Procedure, the Court finds that Defendant's unexplained inaction should be deemed to be a consent to the granting of the Motion. Accordingly, and as Plaintiff's Motion and the record in this case establish that Plaintiff is entitled as a matter of law to the relief it is seeking,

IT IS ORDERED granting Plaintiff's *Motion for Summary Judgment*.

IT IS FURTHER ORDERED that Plaintiff's counsel shall submit for the Court's review and signature an appropriate form of Judgment by **February 15, 2016**.

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IT IS FURTHER ORDERED that any application for attorney's fees and costs shall be submitted with the proposed form of Judgment by the February 15, 2016, deadline.

Any responses/objections thereto shall be filed in accordance with the Arizona Rules of Civil Procedure.

In light of the granting of Plaintiff's Motion for Summary Judgment,

IT IS ORDERED vacating Trial to the Court set for March 3, 2016, at 1:30 p.m.

NOTE: COUNSEL SHALL UPLOAD AND E-FILE ALL PROPOSED ORDERS IN WORD FORMAT ONLY TO ALLOW FOR POSSIBLE MODIFICATION BY THE COURT.