

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2015-093158

02/10/2016

COMMISSIONER MARGARET BENNY

CLERK OF THE COURT
T. Haaser
Deputy

RED MOUNTAIN RANCH OWNERS
ASSOCIATION

ALEXIS M FIREHAWK

v.

THERON SIMS JR., et al.

THERON SIMS JR.
3948 NORTH RAINER
MESA AZ 85215

CHRISTINE SIMS
5131 NORTH 40TH STREET
APT. A117
PHOENIX AZ 85018

MINUTE ENTRY

Courtroom 303 – SEA

9:07 a.m. This is the time set for Civil Default Hearing. Counsel Alexis Firehawk appears on behalf of the Plaintiff Red Mountain Ranch Owners Association. Defendant Christine Sims appears on her own behalf.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Alexis Firehawk and Christine Sims are sworn.

Counsel states her client's position.

Christine Sims states her position.

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9:16 a.m. **LET THE RECORD REFLECT** that Theron Sims Jr. is now present.

Theron Sims Jr. is sworn.

Discussion is held.

9:21 a.m. Court stands in recess.

9:41 a.m. Court reconvenes with respective counsel and parties present.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Counsel for Plaintiff advises the Court that she will be providing copies of the calculations of the judgment amounts and copies of the ledgers to the Defendants upon return to her office.

Discussion is held regarding service, the entry of default and filing fees.

Both Defendants are objecting to the amount of attorney fees and costs. Theron Sims reports that he was not served. The Court advises Theron Sims that he may file a motion regarding service and the Court will rule on any motions filed at the Evidentiary Hearing.

Based upon the matters presented herein,

THE COURT FINDS that the Defendants Theron Sims Jr. and Christine Sims are in default.

IT IS ORDERED setting an Evidentiary Hearing regarding damages only for **February 26, 2016 at 10:30 a.m. (1 hour and 30 minutes allotted)** before:

**COMMISSIONER MARGARET BENNY
SUPERIOR COURT OF ARIZONA
SOUTHEAST COURTHOUSE
COURTROOM 303
222 E. JAVELINA
MESA, AZ 85210**

Defendants may file motions as they pertain to this matter and are put on notice that any filings may require filing fees to be paid through the Clerk of Court.

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IT IS FURTHER ORDERED any evidence intended to be submitted as exhibits at the time of the Evidentiary Hearing must be brought to **Courtroom 303 on or before February 23, 2016 before 5:00 p.m.** Exhibits are to be separated by a colored sheet of paper or by a divider sheet along with an attached cover sheet listing the description of the exhibits. No duplicate exhibits shall be presented for marking. If either party fails to comply with the steps for marking exhibits, that party's exhibits may be precluded from being marked for the hearing.

NOTE: All exhibits must be hand-delivered to this Division's Judicial Staff at Courtroom 303. Please call (602)506-3915 between the hours of 8:30 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. to arrange for pick up from Judicial Staff. Any exhibits dropped off in the Commissioner's mail box or at Court Administration without prior arrangements with this Division will be rejected.

10:11 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. All parties requesting to purchase a copy of a CD of a hearing in a courtroom are directed to call **602-506-7100 (leave details on voice mail)** or **email** your request to: ers@superiorcourt.maricopa.gov

All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.