

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2019-007488

02/12/2020

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
K. Cabral
Deputy

HAPPY TRAILS COMMUNITY ASSOCIATION ERIN E MCMANIS

v.

MINDEE MINNETTE MILLER

MINDEE MINNETTE MILLER
17200 BELL RD WEST # 167
SURPRISE AZ 85374

JUDGE VIOLA

MINUTE ENTRY

Courtroom 714 ECB

10:00 a.m. This is the time set for an Order to Show Cause Return Hearing on Plaintiff's Motion for Contempt of Court and Petition for Order to Show Cause filed January 17, 2020. Plaintiff Happy Trails Community Association is represented by counsel Erin E. McManis and Ember Van Vranken. Defendant Mindee Minnette Miller is neither present nor represented by counsel.

A record of the proceedings is made digitally in lieu of a court reporter.

Discussion is held on Plaintiff's Motion and on the status of Defendant's property. The Court notes that Defendant was properly served with notice of today's hearing.

NOTE: Effective **February 13, 2020**, this Division's calendar will be assigned to the Honorable Scott McCoy (telephone number: 602-506-1746), located in the East Court Building, 101 West Jefferson, Suite 612, Phoenix, Arizona 85003.

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Based on the matters discussed and for the reasons stated on the record,

IT IS ORDERED granting the relief requested by Plaintiff such that Defendant shall comply with the judgment entered by the Court on October 21, 2019.

IT IS FURTHER ORDERED as follows:

1. All animals not registered shall be removed from property by **February 21, 2020**.
2. On **February 24, 2020**, the Association shall have the right to inspect the property provided it has given Defendant 48 hours notice prior to the inspection.
3. Defendant shall abate the property of any nuisance, trash, and cockroach infestation by **February 21, 2020**.
4. Plaintiff shall email Judge Viola's division a proposed form of Order. Note: All documents, requests for relief, and filings moving forward shall be sent to Judge McCoy's division.

IT IS FURTHER ORDERED setting this matter for an evidentiary hearing re: Plaintiff's Motion for Contempt of Court and Petition for Order to Show Cause filed January 17, 2020 on **March 20, 2020 at 10:00 a.m. (time allotted: 1 ½ hours)** in this Division before:

**THE HONORABLE SCOTT McCOY
JUDICIAL OFFICER OF THE SUPERIOR COURT
EAST COURT BUILDING – 6TH FLOOR
COURTROOM 612
101 WEST JEFFERSON
PHOENIX, AZ 85003
(602) 506-1746 TEL**

IT IS FURTHER ORDERED the parties shall exchange a list of witness and exhibits to be used at the hearing no later than **March 11, 2020**.

10:23 a.m. Matter concludes.

NOTE: 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.

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Counsel and any parties representing themselves shall submit exhibits to the courtroom clerk, no later than **March 16, 2020**. The exhibits will be marked numerically and consecutively, Plaintiff first and Defendant second. Before presenting the exhibits to the clerk, the parties shall meet and confer to **eliminate any duplicate exhibits**.

Each multiple page exhibit **MUST** be securely fastened together by staple, binder clip (only if staple does not hold) or pronged fasteners (if a binder clip does not hold). **DO NOT** use paper clips, rubber bands, or submit loose sheets of paper.

Do not put numbers on the exhibits themselves; instead, use a **COLORED** sheet with the exhibit number on it. Place the colored sheet in front of each exhibit, however, **DO NOT** staple or paper-clip it to the exhibit itself (this should be the only loose sheet).

The Court requires one set of exhibits to be marked and a second set for the Judge's use during the hearing.

The dates set forth in this Order are **FIRM** dates and will not be extended or modified by this Court absent good cause.