

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2021-001865

04/16/2021

HONORABLE MARGARET R. MAHONEY

CLERK OF THE COURT
P. McKinley
Deputy

VAL VISTA LAKES COMMUNITY
ASSOCIATION, THE

GREGORY A STEIN

v.

SUSAN M WELLMAN

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2313 E CORTEZ DR
GILBERT AZ 85234

COMM. GARBARINO
JUDGE MAHONEY

CASE STATUS MINUTE ENTRY

The Court issues this Minute Entry to memorialize today's email communication with the parties. At the Court's direction, on 4/16/21 at 12:57 p.m., Court staff emailed Plaintiff's counsel and Defendant the following:

Good afternoon,

The Court is in receipt of Defendant Susan Wellman's Motion For More Time, filed 2/26/21 (attached). The Court is also aware that Plaintiff has filed both its Application For Entry of Default, filed 3/3/21, and its Motion For Entry Of Default Judgment, filed 3/29/21, both of which will be handled by Commissioner Garbarino.

The Motion For More Time will be ruled on by Judge Mahoney. However, Judge Mahoney notes that the Motion For More Time does not reflect that Plaintiff or

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anyone else was endorsed on the Motion, nor does it identify how long an extension of time to Answer is being requested.

Mr. Stein – Did you receive the Motion For More Time? It is attached for your information in case you did not. Do you intend to respond to the Motion? If you haven't seen it previously and you want to respond, Plaintiff's deadline to file a Response is Friday, April 30, 2021.

Ms. Wellman – You must copy all other parties/attorneys on every filing or other communication with the Court or the Court cannot entertain your request/inquiry. How long an extension of time to file your Answer are you seeking? Be specific please as the Court cannot make assumptions.

**Please forward this email to any party I might be missing and/or correct any incorrect e-mail address you may see. Much appreciated.

Thank you,
Jennifer Sommerville (JJ)
Judicial Assistant to the Honorable Margaret R. Mahoney
Maricopa Superior Court
ECB 4th floor, Suite 411
T: 602-506-0387 F: 602-372-8686
Jennifer.Sommerville@jbazmc.maricopa.gov

Court staff sent this email to Defendant at the_wellmans@yahoo.com and the_wellmans@yahoo.com. Both emails were returned as undeliverable. Defendant handwrote her email on her two filings, which are clearly legible email addresses, except for the unclear underscore/hyphen character. Court staff called Defendant at 4:40 p.m. today at the phone number on her filings (480-233-0227) and received her voicemail and left a detailed message, asking for a prompt call back with a valid email address.

IT IS ORDERED Defendant shall contact the Court promptly upon hearing the voicemail.

* * * *

PLEASE NOTE: This Division requires that all motions, responses, replies and other Court filings in this case must be submitted individually. Counsel shall not combine any motion with a responsive pleading. All motions are to be filed separately and designated as such. **No filing**

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will be accepted if filed in combination with another. Additionally, all filings shall be fully self-contained and shall not “incorporate by reference” other separate filings for review and consideration as part of the pending filing.

ALERT: Due to the spread of COVID-19, the Arizona Supreme Court Administrative Order 2020-79 requires all individuals entering a Court facility to wear a mask or face covering at **all times** while they are in the Court facility. With limited exceptions, the Court will not provide masks or face coverings. Therefore, any individual attempting to enter the Court facility must have an appropriate mask or face covering to be allowed entry to the Court facility. Any person who refuses to wear a mask or face covering as directed will be denied entrance to the Court facility or asked to leave. In addition, all individuals entering a Court facility will be subject to a health screening protocol. Any person who does not pass the health screening protocol will be denied entrance to the Court facility.

ATTENTION SELF-REPRESENTED LITIGANTS: Unless an attorney files a notice that he or she represents a party, the person(s) not represented by an attorney will act as his or her own attorney. **The law requires the Court to hold all persons representing themselves to the same standard as a licensed attorney.** *Kelly v. NationsBanc Mortgage Corp.*, 199 Ariz. 284, 287 (App. 2001); *Homecraft Corp. v. Fimbres*, 119 Ariz. 299, 301 (App. 1978). Self-represented litigants are encouraged to review and become familiar with the Arizona Rules of Civil Procedure, paying particular attention to Rule 26. Please note that **only a licensed attorney may represent a corporation, LLC, or similar business entity in the Superior Court.** *Ramada Inns v. Lane & Bird Advertising*, 102 Ariz. 127, 426 P.2d 395 (1967).

Before the Judge can consider anything you send her, you must show her that you have given a copy of your request:

1. To the Clerk of the Court. The Clerk of the Court is a separately elected official. It is the Clerk’s job to keep an independent record of everything that happens at the Court. The Court cannot act on a document that has not been made a part of that record; and
2. To every other party involved in the case. This allows all parties a fair chance to tell the Judge what they think before the Judge makes a decision.

Because of that, if you want the Judge to consider something you send her, you must file the original document with the Clerk of the Superior Court, mail or deliver a copy directly to this Division (that is, to the Judge, using her specific courtroom address), and mail or deliver a copy to all opposing parties. In addition, on each document, you must include a signed certificate that says whether you mailed or hand-delivered each copy, when you did so, and states the specific people and the specific addresses to which you mailed or hand-delivered each copy. If a party is

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represented by a lawyer, you must send or deliver the copy to the lawyer, not to the party. All proposed Orders submitted to this Division in hard copy form must include copies of the Order with self-addressed, stamped envelopes for all parties/counsel.

Do not mail or send papers for the Clerk or other parties to the Judge.

Information on filing documents with the Clerk of the Court can be found at:
<https://www.clerkofcourt.maricopa.gov/services/filings/filing-counters>

Information on eFiling documents with the Clerk of Court can be found at:
<https://www.clerkofcourt.maricopa.gov/records/filings>

Additionally, information regarding eFiling in civil cases can be found at:
<https://www.azcourts.gov/efilinginformation>

If you are not represented by a lawyer, you must keep the Court updated regarding your current address and telephone number. If your address or phone number changes at any time, you must file a notice of change of address/phone number with the Clerk of Court. That form (general form – GN91f – Update Information on Address and/or Name with the Court) can be downloaded at no charge from the following website:

<http://www.superiorcourt.maricopa.gov/SuperiorCourt/LawLibraryResourceCenter/>

Alternatively, you may purchase printed forms at any of the following Superior Court Law Library Resource Center locations (Monday-Friday, 8:00 a.m. to 5:00 p.m.):

Downtown Phoenix Facility

East Court Building
101 W. Jefferson St.
Phoenix, AZ 85003-2243

Southeast Facility

222 E. Javelina Ave.
Mesa, AZ 85210-6201

Northeast Court Facility

18380 N. 40th Street
Phoenix, AZ 85032

Northwest Regional Center

14264 W. Tierra Buena Lane
Surprise, AZ 85374