

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-003943

05/31/2012

HON. ROBERT H. OBERBILLIG

CLERK OF THE COURT
R. Aguilera
Deputy

BELL WEST RANCH HOMEOWNERS
ASSOCIATION

MELISSA S LAVONIER

v.

JASON M RABER, et al.

JASON M RABER
17031 W BRIDLINGTON LN
SURPRISE AZ 85374

KELLI LYN RABER
17031 WEST BRIDLINGTON LANE
SURPRISE AZ 85374

RULING

The Court has read the following:

- Plaintiff's *Motion for Summary Judgment* electronically filed on April 23, 2012;
- Plaintiff's *Statement of Facts* electronically filed on April 23, 2012;
- Plaintiff's *Notice of Filing Original Declaration of Michael Boyce* electronically filed on April 24, 2012

Defendants, who are not represented by counsel, have failed to respond in any manner to Plaintiff's Motion and their time for doing so under Rule 7.1(a), Ariz.R.Civ.P., has expired. Pursuant to Rule 7.1(b), Ariz.R.Civ.P., the Court finds that Defendants' 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,

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2012-003943

05/31/2012

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

IT IS FURTHER ORDERED that Plaintiff's counsel shall submit an appropriate form of Judgment for the Court's review and signature by **June 20, 2012**.

IT IS FURTHER ORDERED that any application for attorney's fees and costs shall be submitted with the proposed form of Judgment by the **June 20, 2012** deadline.

Defendants shall file any responses/objections thereto in accordance with the Ariz.R.Civ.P.

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

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.