

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2023-091763

08/01/2023

HONORABLE ADAM D. DRIGGS

CLERK OF THE COURT  
C. Avena  
Deputy

SURPRISE FARMS PHASE 5 COMMUNITY  
ASSOCIATION

JEFFREY B CORBEN

v.

HEATHER WEBB, et al.

HEATHER WEBB  
16838 N 183RD DR  
SURPRISE AZ 85388

STATE OF ARIZONA DEPARTMENT  
OF ECONOMIC SECURITY  
DIRECTORS OFFICE  
1717 W JEFFERSON  
PHOENIX AZ 85007  
LEROY PERALTA  
11833 W ALTADENA AVE  
EL MIRAGE AZ 85335  
JUDGE DRIGGS

MINUTE ENTRY

The Court has received and fully considered Plaintiff's A.R.C.P. 4.1(1) Motion to Service Through Publication As to Leroy Peralta Only. For the reasons set forth below the motion is denied.

Under Rule 4.1, Arizona Rules of Civil Procedure the Defendant is entitled to actual notice of the proceedings when possible. When it is necessary to use constructive notice, it must be given in a way that is likely to provide actual notice. You must disclose the last known

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address of the Defendant. Additional documentation to increase the likelihood of actual notice is helpful. The presence of vehicles currently registered to the Defendant or family members, current or recent utility records, United States Postal Service records or other such indicia of current residence/ownership are instructive.

A generalized boiler plate statement that the process server and/or law firm has usual and customary skip tracing practices is not helpful. The documentation presented should include a list of specific efforts performed to locate the Defendant such as checking county jail records, state prison records, current criminal and civil litigation records, known email addresses and social media databases. The efforts to provide actual notice of the litigation should be comparable with the robust efforts to locate the defendant after a judgment is obtained.

There is no mandatory checklist of efforts to locate the Defendant. Furthermore, authorization to use alternative service does not require a search of all of these places suggested herein. However, the Court must believe that you have made a very serious effort to get information about the Defendant's location and that you have followed up on any information you received.

In this case, the documentation submitted does not meet the criteria for approval of alternative service pursuant to Rule 4.1(k), Arizona Rules of Civil Procedure.

The Court notes that it previously granted Plaintiff's Motion to Extend Time for Service until October 14, 2023. Accordingly,

**IT IS ORDERED** denying the Motion for Alternative Service.