

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2013-003546

09/09/2013

HONORABLE LISA DANIEL FLORES

CLERK OF THE COURT
S. Uppendahl
Deputy

SUNDANCE RESIDENTIAL HOMEOWNERS ASSOCIATION INC, et al. MARK K SAHL

JOSEPH JARVIS
1894 S 216 LN
BUCKEYE AZ 85326

MINUTE ENTRY

The Court received a document, with attachments, entitled "Complaint: Amicus Curiae of False Statements with Supporting Documents," which was hand-delivered September 6, 2013 by Joseph Jarvis. It does not appear to have been filed with the Clerk of Court; it does not appear in docket under the cause number. The document relates to a petition filed February 14, 2013 by Sundance Residential Homeowners Association Inc., requesting relief pursuant to ARS § 10-3160. The Court held a hearing and heard testimony under oath from Marilyn A. Walker Volmer. The Court issued a detailed order by minute entry dated March 4, 2013, followed by a signed order filed March 11, 2013.

The Court cannot consider the document and attachments delivered by Joseph Jarvis. The document has not been filed with the Clerk of Court and there is no indication that the attorney for the Homeowners Association was provided a copy. Such *ex parte* communication with the Court is not permitted and it would be improper for the Court to consider it.

If Mr. Jarvis and the others listed as "Complainants" have evidence that perjured testimony was provided to the Court, the evidence should be turned over to law enforcement. If the Complainants seek affirmative judicial relief, they may pursue their claims through the filing

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of a civil action. This Court cannot take any action based on the papers that were hand-delivered September 6, 2013.

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.