

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2017-003419

09/13/2017

COMMISSIONER DAVID W. GARBARINO

CLERK OF THE COURT
L. Brown
Deputy

JASON P SHERMAN

JASON P SHERMAN

v.

TREASURER OF MARICOPA COUNTY
ARIZONA

TREASURER OF MARICOPA COUNTY
ARIZONA
NO ADDRESS ON RECORD

MARY ANN HESS
NIKITA VERMA PATEL
CHRYSOULA SPYROPOULOS
2524 S EL PARADISO
MESA AZ 85202

MINUTE ENTRY

The Court received a twenty-nine page Motion to Show Cause filed by Chrysoula Spyropoulos. The Motion to Show Cause fails to comply with Rule 7.1(a) of the Arizona Rules of Civil Procedure's page limitation and no request to file an over-length brief was filed. Accordingly, the Motion to Show Cause is denied without prejudice to the filing of a motion that complies with Rule 7.1(a).

The Court also received and reviewed a Motion to Consolidate Cases filed by Ms. Spyropoulos. Ms. Spyropoulos seeks to consolidate this excess proceeds case with a case Ms. Spyropoulos filed in the Superior Court against various parties including the Plaintiff/Trustor in this case, and a case filed in Justice Court against Ms. Spyropoulos by The Dobson Association, Inc.

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This case was filed pursuant to A.R.S. § 33-812(D), and is a unique statutory cause of action that serves as a vehicle for the orderly distribution of excess proceeds resulting from a trustee's sale. Ms. Spyropoulos' other Superior Court case related to the trustee's sale resulting in the excess proceeds, but it has been dismissed in its entirety and is now on appeal. *See Spyropoulos v. Sherman*, CV2016-094879 (Ariz. Super., Maricopa County), 1 CA-CV 17-0513 (Ariz. App.). This Court does not have access to the Justice Court docket to determine the status of the Justice Court matter or determine its subject matter. Most importantly Ms. Spyropoulos does not cite legal authority that would allow this Court to consolidate an ongoing case in Superior Court with a case pending before the Arizona Court of Appeals or a Justice Court case. Accordingly, the Motion to Consolidate is denied.

IT IS ORDERED denying the Motion to Show Cause without prejudice to the filing of a motion that complies with Rule 7.1(a).

IT IS FURTHER ORDERED denying the Motion to Consolidate Cases.