

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2023-012659

12/04/2023

HONORABLE JOHN L. BLANCHARD

CLERK OF THE COURT  
Y. Rodriguez  
Deputy

NORTH CANYON RANCH OWNERS  
ASSOCIATION

JUSTIN DELUCA

v.

BRENDA S SKEELS, et al.

BRENDA S SKEELS  
7820 ENCHANTED HILLS BLVD NE  
RIO GRANDE NM 87144

CITY OF PHOENIX  
200 W WASHINGTON ST  
PHOENIX AZ 85003  
JUDGE BLANCHARD

MINUTE ENTRY

Plaintiff has requested service by alternative means pursuant to Rule 4.1 of the Arizona Rules of Civil Procedure. Rule 4.1(k) provides as follows:

Alternative Means of Service.

(1) *Generally.* If a party shows that the means of service provided in Rule 4.1(c) through Rule 4.1(j) are impracticable, the court may--on motion and without notice to the person to be served--order that service may be accomplished in another manner.

(2) *Notice and Mailing.* If the court allows an alternative means of service, the serving party must make a reasonable effort to provide the person being

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served with actual notice of the action's commencement. In any event, the serving party must mail the summons, the pleading being served, and any court order authorizing an alternative means of service to the last-known business or residential address of the person being served.

(3) *Service by Publication*. A party may serve by publication only if the requirements of Rule 4.1(l), 4.1(m), 4.2(f), or 4.2(g) are met and the procedures provided in those rules are followed.

Whether traditional service is “impractical,” defined as “extremely difficult or inconvenient” is a fact specific inquiry. *See Blair v. Burgener*, 226 Ariz. 213, 245 P.3d 898 (App. 2010). Plaintiff has not demonstrated that service is impractical in this case. According to the Certificate of Non-Service, the process server made six attempts over a relatively short period of time (8/25 – 9/7) to serve the defendant. Plaintiff must demonstrate more attempts over a longer period to locate and serve this party.

Accordingly,

**IT IS ORDERED** denying Plaintiff’s request for service by alternative means, without prejudice to Plaintiff filing a renewed motion if further efforts at personal service are unsuccessful.

**IT IS FURTHER ORDERED** that the time period for service shall be extended for an additional period of 60 days from the date of this order.

**IT IS FURTHER ORDERED** setting the deadline for completing service is now **February 2, 2024**. If the time for completing service has not been extended by the Court and no defendants have been served by this date, the case will be dismissed.