

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2018-000316-001 DT

05/14/2019

HONORABLE PATRICIA ANN STARR

CLERK OF THE COURT
C. Avena
Deputy

C B S - 136 HOMEOWNERS ASSOCIATION

BRIAN E DITSCH

v.

ANNETTE COHEN (001)
ARIZONA DEPARTMENT OF REAL ESTATE
(001)
STATE OF ARIZONA (001)

ANNETTE COHEN
13523 W SKY HAWK DR
SUN CITY WEST AZ 85375
DENA ROSEN BENJAMIN

JUDGE STARR
OFFICE OF ADMINISTRATIVE
HEARINGS
REMAND DESK-LCA-CCC

MINUTE ENTRY

The Court has considered the Motion for Sanctions filed by Appellee Annette Cohen, the Response filed by Attorney Brian E. Ditsch, and the Reply.

Cohen asks this Court to impose a financial sanction against Ditsch under its “inherent right to sanction,” in an amount it deems “fair and just.”

The Court understands that Cohen is frustrated by the legal process in this case. But the Court has no inherent right to sanction an attorney. Nor has Cohen shown that Ditsch’s actions were in any way contemptuous so as to justify a finding of contempt.

Moreover, Cohen has not established that she is entitled to sanctions under A.R.S. § 12-349, because she has not shown that the appeal was groundless, and not made in good faith.

Thus,

IT IS ORDERED denying the Motion for Sanctions.

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IT IS FURTHER ORDERED signing the minute entry as a formal order of the Court.

/s/ Patricia A. Starr

THE HON. PATRICIA A. STARR
JUDGE OF THE SUPERIOR COURT

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