

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2016-000282-001 DT

06/08/2017

HONORABLE PATRICIA ANN STARR

CLERK OF THE COURT
T. DeRaddo
Deputy

CANDLEWOOD ESTATES AT TROON
NORTH HOMEOWNERS ASSOCIATION

FREDERICK E DAVIDSON

v.

CAROL M ROOT (001)
ARIZONA DEPARTMENT OF FIRE BUILDING
AND LIFE SAFETY (001)

CAROL M ROOT
10457 E. MONUMENT DRIVE
SCOTTSDALE ARIZONA 85262

MARY D WILLIAMS
LYNETTE EVANS
BRADLEY R JARDINE
OFFICE OF ADMINISTRATIVE
HEARINGS
REMAND DESK-LCA-CCC

MINUTE ENTRY

The Court has considered the Motion to Dismiss filed by Appellee Carol M. Root, as well as the Response and Reply.

Root seeks dismissal of this appeal, arguing that the document filed by Appellee entitled "Respondent's Position Statement in Support of Initial Administrative Law Judge's Decision and in Response to Order Granting Request for Rehearing" does not meet the requirements for an Opening Brief as set forth in Rule 7, Rules of Procedure for Judicial Review of Administrative Decisions.

After considering the arguments of the parties, the Court finds that although wrongly captioned, the document filed by Appellant meets the minimum standards for an Opening Brief pursuant to Rule 7. However, the Court notes that Appellant did not send a copy of the Opening

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Brief to counsel for the Department, who entered a notice of appearance as a nominal party on August 17, 2016.

Thus,

IT IS ORDERED denying the Motion to Dismiss.

IT IS FURTHER ORDERED accepting the Amended Opening Brief filed April 28, 2017.

IT IS FURTHER ORDERED Appellant must provide a copy of the Amended Opening Brief to counsel for the Department no later than 10 days from the filing of this minute entry.

IT IS FURTHER ORDERED the Answering Brief is due no later than July 28, 2017.

NOTICE: LC cases are not under the e-file system. As a result, when a party files a document, the system does not generate a courtesy copy for the Judge. **Therefore, you will have to deliver to the Judge a conformed courtesy copy of any new filings.**