

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2013-000042-001 DT

10/09/2014

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT
J. Eaton
Deputy

SUNRISE DESERT VISTAS PROPERTY
OWNERS ASSOCIATION INC

GUY W BLUFF

v.

SUZANNE SALLUS (001)
DEPARTMENT OF FIRE BUILDING AND LIFE
SAFETY (001)

JOHN DUKE HARRIS
MARY D WILLIAMS

COURT OF APPEALS
OFFICE OF ADMINISTRATIVE
HEARINGS
REMAND DESK-LCA-CCC

MINUTE ENTRY

Court of Appeals No. 1 CA-CV 14-0452.

On May 5, 2014, this Court signed a Judgment that had been prepared by Eckley & Associates, attorneys for Defendant-Appellee Suzanne Sallus (Sallus). On September 24, 2014, the Court of Appeals entered its order staying the appeal because the Judgment prepared by Defendant-Appellee Sallus' attorneys and signed by this Court did not contain the appropriate Rule 54(c) language. The Court of Appeals, therefore, remanded the matter so this Court could sign a Judgment containing the appropriate Rule 54(c) language.

Guy Bluff, attorney for Plaintiff-Appellant Sunrise Desert Vista Property Owners Association, Inc. (SDVPOA) then prepared a Judgment that contained the proper Rule 54(c) language, which this Court signed on October 2, 2014. On October 8, 2014, the attorneys for Defendant-Appellee Sallus filed an objection to the form of order this Court filed. The objection noted that the Judgment prepared by Plaintiff-Appellant SDVPOA contained several typos, but the main objection was that paragraph 4 on page 5 did not contain the complete language defining the term "preponderance of the evidence."

This Court is confident that the judges on the Arizona Court of Appeals are sufficiently familiar with the meaning of "preponderance of the evidence" that they need neither Black's Law Dictionary nor this Judgment to define that concept. This Court is further confident that the judges on the Arizona Court of Appeals will be able to address the substantive issues of this appeal even though there may be language inadvertently omitted from the definition of "preponderance of the evidence" in paragraph 4. And finally, this Court is confident that the judges on the Arizona Court of Appeals will be able to give meaning to the Judgment signed on October 2, 2014, in spite of the typographical errors that may be included in that Judgment. This Court therefore will not take any further action to make changes in the Judgment it signed on October 2, 2014.