

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

LC2017-000307-001 DT

10/10/2017

HONORABLE PATRICIA ANN STARR

CLERK OF THE COURT  
C. Avena  
Deputy

TERRAVITA COUNTRY CLUB INC

ANJALI J PATEL

v.

WILLIAM M BROWN (001)

WILLIAM M BROWN  
6751 E AMBER SUN DR  
SCOTTSDALE AZ 85266

OFFICE OF ADMINISTRATIVE  
HEARINGS  
REMAND DESK-LCA-CCC

MINUTE ENTRY

The Court recently became aware that Appellant, Terravita County Club, Inc., filed a Motion for Stay on August 23, 2017. Because this Court does not participate in e-file, and Appellant did not provide a copy to this Division, the Court only found the Motion when reviewing the docket for another purpose.

This Court may not grant a stay of an agency's decision absent good cause. A.R.S. § 12-911; Rule 3(a), Rules of Procedure, Judicial Review of Administrative Decisions. In the context of administrative appeals, "good cause" means that a petitioner "must demonstrate, as regards substantive merit, that [her] petition presents a seemingly valid, genuine, or plausible claim under the circumstances of the case," or in other words, that [s]he has a colorable claim. *P & P Mehta LLC v. Jones*, 211 Ariz. 505, 510, ¶ 22 (App. 2005). In determining whether a petitioner has demonstrated good cause, the Court must consider harm to the petitioner, as weighed against the harm to the agency or other parties to the proceeding. "Only if the court concludes that the balance of harm tips in favor of the petitioner has he shown the 'harm' necessary to constitute 'good cause.'" *Id.* at ¶ 23.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

LC2017-000307-001 DT

10/10/2017

Here, the Motion does not present any facts or argument that would support a stay.

Thus,

IT IS ORDERED denying the Motion for Stay.

The Court also notes that the Notice of Appeals for Judicial Review is incorrectly captioned. While Terravita Country Club, Inc. may have been the Respondent below, it is the Appellant in this Court.

Therefore,

IT IS ORDERED amending the caption to indicate that Terravita Country Club, Inc., is the Appellant, and William Brown is the Appellee.

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.**