

23-7198  
No. \_\_\_\_\_

**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES

**FILED**  
**JUL 12 2023**  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

EBONY LOLEY EAST, et. al. — PETITIONER  
(Your Name)

VS.

FIX IT AUTO REPAIR, INC. — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

THE SUPREME COURT OF THE UNITED STATES.

IN THE UNITED STATES DISTRICT COURT, ARIZONA  
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

EBONY LOLEY EAST  
(Your Name)

875 S. ESTRELLA PARKWAY #6472  
(Address)

GOODYEAR, AZ. 85338  
(City, State, Zip Code)

(602) 358-5780  
(Phone Number)

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No. \_\_\_\_\_

# IN THE UNITED STATES SUPREME COURT

Petitioners, EBONE LEROY EAST et., al.

V.

Respondents, FIX IT AUTO REPAIR INC. et., al.

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On Petition For A Writ Of Certiorari To The United States Supreme Court

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## PETITION FOR A WRIT OF CERTIORARI

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**EBONE LEROY EAST & CATHY MUNOZ 875 S. ESTRELLA PARKWAY UNIT 6472 GOODYEAR, AZ. 85338**

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QUESTION(S) PRESENTED

PLEASE SEE ATTACHMENT, BELOW.



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## PETITIONERS IN PRO SE.

This Court is authorized to hear cases that is authorized by the United States Constitution and federal statutes. The primary means to petition the court for review is to ask it to grant a writ of certiorari. This is a request that the Supreme Court order a lower court to send up the record of the case for review. 28 U.S.C. § 1254(1) & (2), ~~1254(a)~~!

## FEDERAL QUESTIONS PRESENTED

1.) Does This Federal courts apply standards of review when examining lower court rulings. It refers to the idea of fundamental fairness, that the government must treat an individual according to rules and procedures. How due process ensures fairness and protects from governmental overreach?

2.) Did Plaintiffs Appeal presents a question of law, that the State court violate Plaintiff 1st amendment right to redress a grievance by silencing and chilling his first amendment rights to file an Appeal pursuant to federal rule 4 and did the State Court also violate Plaintiffs 14th Amendment right of equal protection and due process, by not allowing Plaintiff the right to Appeal after Arizona rule of civil Procedure 54(c) was entered by the state court? 3.) Applying FRCP 54(b) Did Plaintiff Appeal presents a federal questions of fact, that Plaintiff timely filed a notice of Appeal after the state court entered Arizona rule civil Procedure 54(c) final judgment. and 4.) Did Plaintiff Appeal presents matters of procedure Applying FRCP 54(b) pursuit to rule Arizona Civil Procedure 54(c) Appealing from final Judgment that violated and silenced and chilled Plaintiffs Federal right to redress of grievance of the 1st amendment and violated Plaintiffs Due Process rights and equal protection of the 14th amendment 1) the due process clause may arise from a liberty interest form the due process clause itself or 2) from state law? And 5.) Did the State Court violate their discretion rule by not allowing Plaintiff his liberty interest and right to Appeal after the state court entered rule 54 (c) order of final judgment? 6.) Did the State Court violate their own

*rule pursuant to rule 54 (c) by not allowing Plaintiff the right to appeal, after final judgment was entered by the Superior Court?*

### **PARTIES TO PROCEEDING**

**EBONE LEROY EAST & CATHY MUNOZ**

**PLAINTIFFS**

**FIX IT AUTO REPAIR, INC. et., al.**

**DEFENDANTS**

### **CORPORATE DISCLOSURE STATEMENT**

Petitioners are Citizens of the **United States Pursuant to USCA Const. Amendment 14** and thus have no corporate interests to disclose. No publicly held corporation owns 10% or more of the stock in EBONE LEROY EAST or CATHY MUNOZ and I/ WE have no parent corporation, other then being tax paying Citizens of The United States of America.

### **RELATED PROCEEDINGS**

This petition arises from the following proceedings in:

**Arizona Supreme Court No. CV-23-0037-PR:**

On **May 10, 2023** RE: EAST et al v FIX IT AUTO REPAIR Arizona Supreme Court No. CV-23-0037-PR Court of Appeals, Division One No. 1 CA-CV 22-0443 Maricopa County Superior Court No. CV2021-014595

GREETINGS: The following action was taken by the Supreme Court of the State of Arizona on May 10, 2023, in regard to the above-referenced cause: ORDERED: Petition for Review = DENIED. A panel

composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter.

**Court of Appeals Division One No. 1 CA-CV 22-0443:**

On **09/30/2022** ORDER DISMISSING APPEAL The opening brief was due by September 19, 2022, and has not been filed. Therefore, IT IS ORDERED dismissing this appeal.

On **10/03/2022** ORDER VACATING 9/30/22 ORDER On September 30, 2022, the court dismissed this appeal based on the court not receiving an opening brief, which was due on September 19, 2022. The brief, dated September 19, 2022, did not arrive in the mail until September 28, 2022, and was not docketed at the time the court issued the dismissal order. Therefore, on the court's own motion, IT IS ORDERED vacating the September 30, 2022 order dismissing this appeal. IT IS FURTHER ORDERED that the answering brief is due on November 14, 2022. IT IS FURTHER ORDERED directing the clerk of this court to reference this order in the electronic case management system.

On **10/04/2022** The court has considered the motion for an extension of time to file the opening brief, which indicates that the opening brief filed on September 28, 2022, lists an incorrect superior court case number. The court treats the motion as a notice of errata. IT IS ORDERED denying the extension motion as unnecessary.

On **01/05/2023** ORDER STAYING APPEAL The court has reviewed the record pursuant to its duty to determine whether it has jurisdiction over this appeal. See *Sorensen v. Farmers Ins. Co.*, 191 Ariz. 464, 465 (App. 1997). The order being appealed is not final because it does not recite that "no further matters remain pending" and that it is entered under Arizona Rule of Civil Procedure 54(c). *Madrid v. Avalon Care Ctr.-Chandler, L.L.C.*, 236 Ariz. 221 (App. 2014). **Therefore, pursuant to Arizona Rule of Civil Appellate Procedure 3(b)**, IT IS ORDERED staying this appeal until February 3, 2023. IT IS FURTHER

ORDERED revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to consider a motion for a signed order with Rule 54(c) finality language. It is appellants' responsibility to file the motion in the superior court. This court does not express an opinion on whether all matters in the action have been resolved or whether the order is substantively appealable. IT IS FURTHER ORDERED directing the clerk of the Maricopa County Superior Court to transmit a certified copy of the ruling within 10 days after its entry, marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed Rule 54(c) order. IT IS FURTHER ORDERED that if the superior court has not entered a signed Rule 54(c) order by February 3, 2023, appellants must file a motion to continue the stay of this appeal that describes the status of the matter. If appellants do not file a motion to continue the stay and the superior court has not entered a signed Rule 54(c) order, this court will dismiss this appeal. IT IS FURTHER ORDERED directing the clerk of this court to send this order to the Honorable Timothy Thomason and to the Clerk of the Maricopa County Superior Court.

On **01/11/2023** ORDER RE: AT ISSUE FINAL REPLY The court has considered appellants' "At Issue Final Reply & Responses to Court's Order Staying Appeal," which shows appellants filed a motion in superior court on January 6, 2023, for an Arizona Rule of Civil Procedure 54(c) order. IT IS ORDERED taking no action on the filing.

On **01/19/2023** ORDER RE: NOTE TO COURT The court has considered appellants' Note to the Court in which appellants request relief on the merits of the appeal. This appeal, which is fully briefed and at issue, is currently stayed to allow appellants to obtain an Arizona Rule of Civil Procedure 54(c) order from the superior court. After this court receives a Rule 54(c) order, the stay will be lifted, and this appeal will be scheduled for consideration on the merits in due course. IT IS ORDERED denying the relief requested in the Note to Court.

On **01/23/2023** ORDER LIFTING STAY The court has considered appellee's notice of judgment and appellants' second note to the court and motion describing the status of the matter. The court stayed this appeal to allow the superior court to enter an Arizona Rule of Civil Procedure 54(c) order. Appellants state that appellee rather than appellants motioned the superior court for a Rule 54(c) order. On **January 18, 2023**, the superior court entered a signed minute entry with Rule 54(c) language. IT IS ORDERED lifting the stay of this appeal. IT IS FURTHER ORDERED denying the relief requested in the second note to court. IT IS FURTHER ORDERED taking no action on the motion that describes the status.

On **02/08/2023** ORDER DISMISSING APPEAL The court, Presiding Judge Paul J. McMurdie, and Judges Michael J. Brown and Michael S. Catlett participating, has reviewed the record and briefing in this matter, in which Appellants challenge the superior court's order dismissing their lawsuit against Appellee. We have an independent duty to determine whether we have jurisdiction over an appeal. *Baker v. Bradley*, 231 Ariz. 475, 478, ¶ 8 (App. 2013). We lack such jurisdiction when there is no aggrieved party. 1(d) ("Any party aggrieved by a judgment See ARCAP 1 may appeal as provided under Arizona law and by these Rules."); *Farmers Ins. Grp. v. Worth Ins. Co.*, 8 Ariz. App. 69, 71 (1968) ("It is a prerequisite to our appellate jurisdiction that the appellant be a 'party aggrieved' by the judgment or order from which the appeal is taken."). Consistent with that principle, a party "cannot appeal from a judgment to which it consents.

"On **02/23/2023** ORDER DENYING MOTION FOR RECONSIDERATION The court, Presiding Judge Paul J. McMurdie, and Judges Michael J. Brown and Michael S. Catlett participating, has received appellants' motion for reconsideration. After review, IT IS ORDERED denying appellants' motion. *Douglas v. Governing Bd. of Window Rock Consol. Sch. Dist. No. 8*, 221 Ariz. 104, 108, ¶ 9 (App. 2009) In this case, Appellants sued Appellee, alleging it was negligent in performing an oil change. Eventually the parties reached a settlement, as confirmed by the "Stipulation For Dismissal With Prejudice" filed with the



superior court on May 24, 2022. The stipulation provided that the parties agreed that the case “may be dismissed with prejudice as to all claims for the reason that the matter has settled.” Based on the stipulation, the superior court issued an Order for Dismissal With Prejudice. Appellants signed the stipulation; however, each of them wrote “without prejudice” underneath their signatures. But Appellants made no effort to change the language of the stipulation, which plainly states that the parties agreed to a dismissal with prejudice. And on appeal, Appellants do not dispute that they received their settlement checks. The superior court accepted the stipulation when it issued its dismissal order, and nothing in the record indicates that Appellants took any action to set aside the order. v. Hooker See Ariz. R. Civ. P. 60(b); Lowther, 129 Ariz. 461, 463 (App. 1981) (stating that “[i]n the absence of fraud, mistake, or collusion, a judgment by consent is binding and conclusive upon the parties”). Because Appellants consented to entry of the order dismissing their case parties. Accordingly, IT IS ORDERED with prejudice, they are not aggrieved dismissing this appeal. IT IS FURTHER ORDERED vacating conference scheduled on March 1, 2023.

On **February 24, 2023** The Court's ORDER was filed on February 8, 2023. A Petition for Review was filed in the Arizona Supreme Court on February, 15<sup>th</sup>, 2023. The record is transmitted to your Court follows: The record is transmitted to your Court follows: (Opening Brief; Answering Brief; Reply Brief)

**Maricopa County Superior Court No. CV2021-014595:**

On **11/23/2021** IT IS ORDERED that the Motion to Dismiss filed by Fix It Auto Repair, Inc. is denied. The Complaint does allege that defendant owed plaintiff a legal duty, that the defendant breached that duty and that the breached resulted in harm to plaintiff. As such, the Complaint states a viable cause of action.

On **03/17/2022** East Court Building – Courtroom 713 10:30 a.m. This is the time set for a Telephonic Status Conference. Plaintiff, Ebone Leroy East is present on his own behalf. Defendant, Fix It Auto Repair, Inc. is represented by counsel, Brett Steele. The parties appear telephonically. A record of the proceedings is made digitally in lieu of a court reporter. Discussion is held regarding the status of the case. The appeal has been dismissed. The jurisdiction has been re-vested in this Court. Based on the matter presented, IT IS ORDERED that all discovery be completed, no later than May 27, 2022. SUPERIOR COURT OF ARIZONA MARICOPA COUNTY CV 2021-014595 03/17/2022 IT IS FURTHER ORDERED setting a deadline for any case dispositive motions for June 10, 2022. IT IS FURTHER ORDERED that plaintiff may file an amendment to the certificate of compulsory arbitration, no later than March 25, 2022. Defendant's response is due by April 4, 2022. IT IS FURTHER ORDERED that plaintiff may file an amended complaint, no later than March 25, 2022. 10:48 a.m. Matter concludes.

On **04/06/2022** The Court having received and considered the Amended Certificate on Compulsory Arbitration by Defendant, Fix It Auto Repair, Inc., filed March 31, 2022, IT IS ORDERED that this matter is not subject to arbitration.

On **05/03/2022** The Court has considered the filing by plaintiffs dated April 2, 2022, along with April 20, 2022 "Response in Opposition" and the April 27 "Response to Defendant's Opposition." To the extent that the April 2 filing was intended to be a Motion for Summary Judgment, it is denied. The filing does not come close to establishing that there is no dispute of material fact or that plaintiffs are entitled to judgment as a matter of law. Indeed, the filing is a mishmash of many disjointed points that, at times, is incomprehensible. The filing is also not supported by admissible evidence. The filing does not contain a Separate Statement of Facts as required by Rule 56(c)(3).

On **01/13/2023** This case was dismissed on May 24, 2022, with prejudice. IT IS ORDERED affirming the dismissal. IT IS FURTHER ORDERED signing this minute entry as a formal written Order of the Court, this

17th day of January, 2023. The Court notes that no further matters remain pending and the order is entered pursuant to Rule 54(c) of the Arizona Rules of Civil Procedure. HONORABLE TIMOTHY THOMASON JUDICIAL OFFICER OF THE SUPERIOR COURT.

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#### **U.S. FEDERAL STATUTES INVOLVING THIS MATTER:**

##### **Pursuant to 42 U.S. Code § 1983 - Civil action for deprivation of rights:**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.....14-35.

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IN THE  
SUPREME COURT OF THE UNITED STATES  
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

**OPINIONS BELOW**

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix N/A to the petition and is

☐ reported at N/A; or,  
☐ has been designated for publication but is not yet reported; or,  
☐ is unpublished.

The opinion of the United States district court appears at Appendix D to the petition and is

☐ reported at N/A; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A-C to the petition and is

☐ reported at N/A; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

The opinion of the STATE & FEDERAL U.S. DISTRICT court appears at Appendix A-D to the petition and is

☐ reported at N/A; or,  
☐ has been designated for publication but is not yet reported; or,  
☒ is unpublished.

## OPINIONS BELOW

On **01/13/2023** This case was dismissed on May 24, 2022, with prejudice. IT IS ORDERED affirming the dismissal. IT IS FURTHER ORDERED signing this minute entry as a formal written Order of the Court, this 17th day of January, 2023. The Court notes that no further matters remain pending and the order is entered pursuant to Rule 54(c) of the Arizona Rules of Civil Procedure. HONORABLE TIMOTHY THOMASON JUDICIAL OFFICER OF THE SUPERIOR COURT

On **02/08/2023** ORDER DISMISSING APPEAL The court, Presiding Judge Paul J. McMurdie, and Judges Michael J. Brown and Michael S. Catlett participating, has reviewed the record and briefing in this matter, in which Appellants challenge the superior court's order dismissing their lawsuit against Appellee. We have an independent duty to determine whether we have jurisdiction over an appeal. *Baker v. Bradley*, 231 Ariz. 475, 478, ¶ 8 (App. 2013). We lack such jurisdiction when there is no aggrieved party. 1(d) ("Any party aggrieved by a judgment See ARCAP 1 may appeal as provided under Arizona law and by these Rules."); *Farmers Ins. Grp. v. Worth Ins. Co.*, 8 Ariz. App. 69, 71 (1968) ("It is a prerequisite to our appellate jurisdiction that the appellant be a 'party aggrieved' by the judgment or order from which the appeal is taken."). Consistent with that principle, a party "cannot appeal from a judgment to which it consents.

On **02/23/2023** ORDER DENYING MOTION FOR RECONSIDERATION The court, Presiding Judge Paul J. McMurdie, and Judges Michael J. Brown and Michael S. Catlett participating, has received appellants' motion for reconsideration. After review, IT IS ORDERED denying appellants' motion. *Douglas v. Governing Bd. of Window Rock Consol. Sch. Dist. No. 8*, 221 Ariz. 104, 108, ¶ 9 (App. 2009) In this case, Appellants sued Appellee, alleging it was negligent in performing an oil change. Eventually the parties reached a settlement, as confirmed by the "Stipulation For Dismissal With Prejudice" filed with the superior court on May 24, 2022. The stipulation provided that the parties agreed that the case "may be

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dismissed with prejudice as to all claims for the reason that the matter has settled.” Based on the stipulation, the superior court issued an Order for Dismissal With Prejudice. Appellants signed the stipulation; however, each of them wrote “without prejudice” underneath their signatures. But Appellants made no effort to change the language of the stipulation, which plainly states that the parties agreed to a dismissal with prejudice. And on appeal, Appellants do not dispute that they received their settlement checks. The superior court accepted the stipulation when it issued its dismissal order, and nothing in the record indicates that Appellants took any action to set aside the order. v. Hooker See Ariz. R. Civ. P. 60(b); Lowther , 129 Ariz. 461, 463 (App. 1981) (stating that “[i]n the absence of fraud, mistake, or collusion, a judgment by consent is binding and conclusive upon the parties”). Because Appellants consented to entry of the order dismissing their case parties. Accordingly, IT IS ORDERED with prejudice, they are not aggrieved dismissing this appeal. IT IS FURTHER ORDERED vacating conference scheduled on March 1, 2023.

On **February 24, 2023** The Court's ORDER was filed on February 8, 2023. A Petition for Review was filed in the Arizona Supreme Court on February, 15<sup>th</sup>, 2023. The record is transmitted to your Court follows:  
The record is transmitted to your Court follows: (Opening Brief; Answering Brief; Reply Brief)

On **May 10, 2023** RE: EAST et al v FIX IT AUTO REPAIR Arizona Supreme Court No. CV-23-0037-PR Court of Appeals, Division One No. 1 CA-CV 22-0443 Maricopa County Superior Court No. CV2021-014595  
GREETINGS: The following action was taken by the Supreme Court of the State of Arizona on May 10, 2023, in regard to the above-referenced cause: ORDERED: Petition for Review = DENIED. A panel composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter. **NO REAL OPINIONS WERE GIVEN.**

## JURISDICTION

☒ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was N/A.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: \_\_\_\_\_, and a copy of the order denying rehearing appears at Appendix \_\_\_\_\_.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including May 25<sup>th</sup>, 2023 (date) on May 10<sup>th</sup>, 2023 (date) in Application No. A.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was May 10, 2023. A copy of that decision appears at Appendix A & C.

☒ A timely petition for rehearing was thereafter denied on the following date: 5/26/2023, and a copy of the order denying rehearing appears at Appendix D.

☒ An extension of time to file the petition for a writ of certiorari was granted to and including May 10, 2023 (date) on 5/26/23 - 6/14/23 (date) in Application No. A & D.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

Coral Paez



## JURISDICTION

This Court is authorized to hear cases that is authorized by the United States Constitution and federal statutes. The primary means to petition the court for review is to ask it to grant a writ of certiorari. This is a request that the Supreme Court order a lower court to send up the record of the case for review. 28 U.S.C. § 1254(1) & (2).

## STATUTORY AND REGULATORY PROVISIONS INVOLVED

Applying FRCP 54(b) pursuant to rule Arizona Civil Procedure 54(c), Ariz. R. Civ. P. 60(b), ARS 12-2101, federal rule 4, **U.S. Constitution Amendments 1, U.S. Constitution Amendments 7, U.S. Constitution Amendments 14**. All other statutes and regulatory provisions involved are incorporated in reference below located in the **BACKGROUND** of this case.

The Seventh Amendment to the United States Constitution provides for a jury trial in civil cases where the plaintiff—the person bringing the case—requests monetary damages from the defendant for harm caused by the defendant.

The Supreme Court calls the “axiom” of summary judgment—the judge’s function on summary judgment is not to weigh the evidence but to view it in the light most favorable to the non-moving party.

**U.S. Constitution Amendments 1**, Congress shall make no law... prohibiting the free exercise thereof; or abridging the freedom of speech,... or the right of the people... to petition the Government for a redress of grievances.....15,20-35.

**U.S. Constitution Amendments 7**, The Seventh Amendment to the United States Constitution is part of the Bill of Rights. This amendment codifies the right to a jury trial in certain civil cases and inhibits courts from overturning a jury's findings of fact.....15,20-35.

**U.S. Constitution Amendments 14**, No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.....15,20-35.

**FEDERAL CASES INVOLVING THIS MATTER:**

*See: Anderson v. Liberty Lobby: 106 S.Ct. 2505 Supreme Court of the United States: To defeat summary judgment respondents did not have to show that a jury could find actual malice with "convincing clarity." (We noted Rule 56(e)'s provision that a party opposing a properly supported motion for summary judgment " 'may not rest upon the mere allegations or denials of his pleading, but ... must set forth specific facts showing that there is a genuine issue for trial.).....15,32.*

*see Jacobson v. U.S. Department of Homeland Sec., 882 F.3d 879 (9th Cir. 2018) (plaintiff makes showing discovery could result in triable issue.....15.*

*See, e.g., Carlson v. Bos. Sci. Corp., 856 F.3d 320 (4th Cir. 2017) (opponent's, a failure to cite to evidence allows granting of motion).....15.*

*See: Stempel, supra, 49....The Supreme Court's Shimmering View of Summary Judgment.....15.*

The Trial Judge Timothy Thomason bias towards Plaintiffs/Appellants and Court error, that after everything was denied in regards to bad faith Motion and Summary Judgment motion, Defendants Attorney Brett Steele immediately entered into a settlement agreement for the exact amount that was paid for Plaintiff property damages for Plaintiffs Motor Mounts, that should be enough for a reasonable person to believe, that the Court knew Defendants were liable, and the amount for tender should of been order by the superior court for Defendants to tender such amounts per the Defendants policy declaration that was prior sworn testimony submitted by the Plaintiffs. The Superior court entering said judgment and sentence, without jurisdiction to enter said judgment and impose said sentence, and the same are, therefore, a nullity and of no force and effect. Plaintiffs/Appellants are hoping that the Supreme court will see that bias of the State Court and see that the Judge acted outside of his discretion by not taking all the evidence submitted by Plaintiff into account. Also the Judge knew there was a conflict of interest between Plaintiff and the judge, and he violated the law by not taking all the evidence in light of the Plaintiffs or the Defendants. Facts are Plaintiffs were punished even more, for trying to get what Plaintiffs was entitled to by law.

The Conflict of interest to the Plaintiffs, is on record with the Superior Court, for Plaintiffs reporting Honorable Judge Timothy Thomason, to the U.S. Attorney's Office, Arizona Division, for his possible involvement in the January 6th, 2021 Capitol Riot Terrorist attacks that happened in Washington D.C.;

Defendants Liberty used fraudulent statements to get the case against them dismissed. Defendants Liberty conspired with the State, on March 18, 2022. Undersigned counsel, checked the Arizona Department of Insurance, and the website did not reveal any attempts at service of the First Amended Complaint on Liberty. As of the date of the motion, undersigned counsel is not aware of any service attempts on Liberty. ( Plaintiff's tracking number for proof of service on Defendants Liberty Mutual Personal Insurance Company Agents of Process is: 9489009000276139781748 and Date of service was on 03/23/2022 Receipt Number: D2207564)

**FY 2022 SERVICE OF PROCESS (SOP)**

Reference: 100-10741-1744 - (United States Army) : 100-10741-1744



## BACKGROUND

Case No: CV2021-014595



# SEEKING INFORMATION

## VIOLENCE AT THE UNITED STATES CAPITOL

WASHINGTON, D.C.  
JANUARY 06, 2021



Photograph #38

## DETAILS

The Federal Bureau of Investigation's (FBI) Washington Field Office is seeking the public's assistance in identifying individuals who made unlawful entry into the United States Capitol Building on January 6, 2021, in Washington, D.C.

Anyone with information regarding these individuals, or anyone who witnessed any unlawful violent actions at the Capitol or near the area, is asked to contact the FBI's Toll-Free Tipline at 1-800-CALL-FBI (1-800-225-5324) to verbally report tips. You may also submit any information, photos, or videos that could be relevant online at [fbi.gov/USCapitol](https://www.fbi.gov/USCapitol). You may also contact your local FBI office or the nearest American Embassy or Consulate.

**Field Office:** Washington D.C.

[www.fbi.gov](https://www.fbi.gov)

**PLAINTIFFS GIVES NOTICE OF APPEAL TO THE SUPERIOR COURT FINAL  
JUDGMENT AND DISMISSAL PURSUANT TO RULE 54(c) DATED JANUARY 13TH ,**

**2023** Assigned to the Hon. Judge Timothy Thomason

Showing good cause appearing without delay or undue burden of expense, Plaintiffs give NOTICE OF APPEAL Appellate request that the pervious past Appeal(s) in the Matter of Court of Appeals Court, Division One Case(s) No: No. 1 CA-CV 22-0352, 1 CA-CV 22-0443, be consolidated with Appellants new appeal. Joinder occurs when one person has filed two or more appeals and they are united for consideration.

By statute, an appeal may be taken from “a final judgment entered in an action.” A.R.S. § 12-2101(A)(1) (2016).<sup>1</sup> Consistent with this directive, the Arizona Rules of Civil Procedure describe two types of “final judgments:” (1) a “final judgment as to one or more but fewer than all of the claims or parties,” Ariz. R. Civ. P. 54(b), and (2) a final judgment on “all claims and parties,” Ariz. R. Civ. P. 54(c). The former is appealable “only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment.” Ariz. R. Civ. P. 54(b). The latter is appealable when “the court states that no further matters remain pending and that the judgment is entered pursuant to Rule 54(c).” Ariz. R. Civ. P. 54(c); see also Madrid v. Avalon Care Ctr.-Chandler, L.L.C., 236 Ariz. 221, 223-24 ¶ 5 (App. 2014) (requiring Ariz. R. Civ. P. 54(c) statement as a jurisdictional prerequisite for an appeal from a final judgment taken under A.R.S. § 12-2101(A)(1)). From any special order made after final judgment. From any order affecting a substantial right made in any action when the order in effect determines the action and prevents judgment from which an appeal might be taken. From a final order affecting a substantial right made in a special proceeding or on a summary application in an action after judgment. From an order: refusing a new trial.

Although Rule 54(b) has been in place for decades, Rule 54(c) was added effective January 1, 2014. Because no opinion discusses whether a Rule 54(c) declaration is necessary when a statute other than A.R.S. § 12-2101(A)(1) provides the basis for appellate jurisdiction, these appeals have been consolidated sua sponte for the limited purpose of addressing whether this court has appellate jurisdiction in these appeals. See *Sorensen v. Farmers Ins. Co. of Ariz.*, 191 Ariz. 464, 465 (App. 1997) (noting appellate court has an independent duty to examine whether it has appellate jurisdiction over putative appeals. Appellate Jurisdiction And Ariz. R. Civ. P. 54(b) And 54(c).

¶4 This court's appellate jurisdiction is defined, and limited, by the Legislature. See, e.g., Ariz. Const. art. 6 § 9 (“The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law.”); *Garza v. Swift Transp. Co., Inc.*, 222 Ariz. 281, 283 ¶ 12 (2009) (stating this court “derives . appellate jurisdiction wholly from statutory provisions”) (citation omitted). Under A.R.S. § 12-2101(A)(1), the Legislature has directed that a “final judgment” is appealable. Given this directive, Arizona courts repeatedly have found that a judgment must be final before it can be appealed pursuant to A.R.S. § 12-2101(A)(1). See, e.g., *Bollermann v. Nowlis*, 234 Ariz. 340, 341 ¶ 6 (2014); *Musa v. Adrian*, 130 Ariz. 311, 312 (1981); *In re Marriage of Johnson & Gravino*, 231 Ariz. 228, 230 ¶ 5 (App. 2012). The Arizona Supreme Court has promulgated two procedural rules to define what constitutes an appealable “final judgment.”

#### Grounds for Appeal:

1. On January 13th, 2023, The Trial Judge Timothy Thomason Dismissed the Plaintiffs Case with finality language pursuant to Rule 54(c), Stating This case was dismissed on May 24, 2022,

with prejudice. IT IS ORDERED affirming the dismissal. IT IS FURTHER ORDERED signing this minute entry as a formal written Order of the Court, this 17th day of January, 2023. The Court notes that no further matters remain pending and the order is entered pursuant to Rule 54(c) of the Arizona Rules of Civil Procedure.

2. It was Order by the Court of Appeals that it is the Plaintiff's, responsibility, not the Defendants responsibility to motion the Court with a proposed order. While such conflict of interest was already present. The classic case setting forth this type of scenario is Hyatt Regency v. Winston & Strawn, 907 P.2d 506, 184 Ariz. 120 (App. 1995). In that case, an attorney tried to represent both a contractor and sub-contractor, with the contractor being his main client. When the interests of the sub-contractor became adverse to those of the contractor, he badly damaged the interests of the sub-contractor to protect his long-time client. This led to a legal malpractice verdict of several million dollars, which was upheld on appeal. Ariz. R. Sup. Ct. ER 1.7 Rule ER 1.7 -Conflict of Interest: Current Clients, (a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if: (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer. COURT OF APPEALS, NEVER MENTION THE DEFENDANTS WITH THE RESPONSIBILITY TO DO ANYTHING, LET ALONE, ORDER THEM TO FILE A MOTION TO THE SUPERIOR COURT.

Plaintiffs/Appellants believe by knowledge and beliefs that Defendants Attorney's unprofessional conduct is grounds for discipline against their license to practice law, on the basis of such conflicts caused by Defendants Attorney's, on such Stipulation agreement presented to the trial court for Dismissal of Plaintiffs claims., We believe are considered moot, invalid and void,



Defendants current Appeal attorney, now fails to meet and confer with Appellants we believe because of our pro per status, to discuss any further outcomes of the case., and currently created another conflict by disregarding the Appeals Court Order to the Superior Court was by a personal interest of the lawyer. Chelsey M. Golightly, Justin M. Ackerman and Elizabeth B. N. Garcia of the law firm of Jones, Skelton & Hochuli, P.L.C., hereby give notice that they are appearing as co-counsel of record on behalf of Defendant Fix It Auto Repair, Inc. Ms. Golightly, Mr. Ackerman and Ms. Garcia request that all notices be provided to them from the Court as follows: Chelsey M. Golightly JONES, SKELTON & HOCHULI, P.L.C. 40 North Central Avenue, Suite 2700 Phoenix, Arizona 85004 [cgolightly@jshfirm.com](mailto:cgolightly@jshfirm.com) (602) 263-1700 Justin M. Ackerman JONES, SKELTON & HOCHULI, P.L.C. 40 North Central Avenue, Suite 2700 Phoenix, Arizona 85004 [jackerman@jshfirm.com](mailto:jackerman@jshfirm.com) (602) 263-1700 Elizabeth B. N. Garcia JONES, SKELTON & HOCHULI, P.L.C. 40 North Central Avenue, Suite 2700 Phoenix, Arizona 85004 [egarcia@jshfirm.com](mailto:egarcia@jshfirm.com) (602) 263-1700 DATED this 12th day of January, 2023. JONES, SKELTON & HOCHULI P.L.C. By /s/ Elizabeth B. N. Garcia Chelsey M. Golightly Justin M. Ackerman Elizabeth B. N. Garcia 40 N. Central Avenue, Suite 2700 Phoenix, Arizona 85004 Attorneys for Defendant Fix It Auto Repair, Inc. On November 4th, Defendants Appellee Attorney gave notice that she was now assigned to take over this case.

3. On January 18th, 2023 Judge Timothy Thomason Dismissed the case in Full. On January 18th, 2023 Appellants had to contact Deputy Superior Court Supervisor, Kelly Marquez, File Counter Supervisor, for Deputy Superior Court Clerk who handles the, night depository, for Obstruction of Justice and failure to Docket January 6th, 2023 Court filing of Plaintiffs: 1. DEMAND FOR JUDGMENT RELIEF TO BE GRANTED TO THE PLAINTIFFS Pursuant to Rule 54(c); 2. EXHIBITS A-C ATTACHED TO DEMAND FOR JUDGMENT, RELIEF TO BE GRANTED,

TO THE PLAINTIFF'S; 3. PLAINTIFF EBONE LEROY EAST AFFIDAVIT AND VERIFICATION FOR DISCOVERY RESPONSES FOR JUDGMENT TO BE ENTERED AGAINST THE DEFENDANTS FIX IT AUTO REPAIR INC AS A MATTER OF LAW; 4. MOTION FOR A SIGNED ORDER PURSUANT TO RULE 54 (c) FINALITY LANGUAGE, PLAINTIFFS; 5. PROPOSED FORM OF FINAL JUDGMENT, BY THE PLAINTIFFS. All filed with the Superior Court on January 6th, 2023. Although the Superior Court, failure to Docket, Appellants Motions Filed on January 6th, 2023, Appellees/ Defendants filed their response on January 12th, 2023 to such Motions filed on January 6th, 2023 by the Appellants/Plaintiffs. The Superior Court Violating Appellants First Amendment rights to redress a grievance by silence and chilling Appellants rights to access the Superior Court, by order of the Court of Appeals, with the responsibility to motion the Superior Court pursuant to Rule 54(c). A First Amendment chilling effect occurs when a governmental action creates a consequence that deters an individual from exercising expressive rights. [A] plaintiff pursuing a First Amendment retaliation claim must show, among other things, that the government took an "adverse action" in response to his speech that "would not have been taken absent the retaliatory motive." the plaintiff alleges that (1) Appellants engaged in constitutionally protected activity, that was an order given by the Court of Appeals; (2) the Superior Court as a state actor and defendant's actions 'chill Appellants of ordinary firmness' from continuing to engage in the protected activity, from an order given by the Court of Appeals, given Appellants the responsibility to motion the Court pursuant to rule 54(c) and (3) the Appellants protected activity was a substantial or motivating factor of such retaliation to file in Defendants Response to Plaintiffs DEMAND FOR JUDGMENT RELIEF TO BE GRANTED TO THE PLAINTIFFS, by the Superior Court's failure to Docket Plaintiffs January 6th 2023 filings, causing Appellants to

be silenced and chilled. This effect also violated Appellants Liberty Interest pursuant to violations of Due Process and Equal Protection clauses of the 5, and 14th Amendment of the United States Constitution and of the Arizona Constitution, Liberty Interest may be invoked, 1.) by the Due Process Clause itself or 2.) from State law. IN THE COURT OF APPEALS STATE OF ARIZONA DIVISION ONE ( No. 1 CA-CV 22-0443 ) Filed 01/11/2023 ORDER RE: AT ISSUE FINAL REPLY The court has considered appellants' "At Issue Final Reply & Responses to Court's Order Staying Appeal," which shows appellants filed a motion in superior court on January 6, 2023, for an Arizona Rule of Civil Procedure 54(c) order. IT IS ORDERED taking no action on the filing.

4. It is still true, no doubt, that the supreme court continues to use special actions to correct "bad mistakes" where appeal is not considered a sufficient remedy. Since any kind of a case dealing with any area of the law may be the subject of a special action,.... Although Plaintiffs both signed the Stipulation for Dismissal with out prejudice both Plaintiffs were paid in bad faith pursuant the Defendants Compulsory Arbitration denial by this Court, the settlement agreement is invalid and void, and prohibited by law [see Plaintiffs Note to the Court], Plaintiff's timely appealed the courts actions, reinstating and reserving their claims against Defendants Fix It Auto in bad faith, and how Defendants and their Attorney Brett Steele professional misconduct was an aggrieved factor, (It is a prerequisite to our appellate jurisdiction that the appellant be a 'party aggrieved' by the judgment or order from which the appeal is taken."). A party is aggrieved if (1) its interest is direct, substantial, and immediate, (2) its interest would be prejudiced by the judgment or benefitted by reversal of the judgment, and (3) a legal right or its pecuniary interest has been directly affected. *Abril v. Harris*, 157 Ariz. 78, 80-81, 754 P.2d 1353, 1355-56 (App.1987). (id supra) The Court knew that the Defendants settlement was in bad faith, when

Defendants Compulsory Arbitration was denied, and valued Plaintiffs cause of action over \$50,000.00, Defendants bad faith settlement was prohibited by law and violated the Plaintiffs rights in a good faith settlement of all claims. Pursuant to Plaintiff's First Amended Complaint, filed as a Tier 3 Amounts Claimed: \$18,091,700.00 (Eighteen Million, Ninety-one, thousand, Seven Hundred dollars) Pursuant to Defendants Fix It Auto Repair Inc., Disclosure Statements Defendant stated: At the time of the alleged occurrence, there was, in effect, a policy of insurance through Liberty Mutual Insurance Company with limits of \$1,000,000.

5. On Jan 18, 2023, 5:14 PM The File Clerk Supervisor of the Superior Court Stated: Hello, This is Kelly Marquez, from the Clerk of Court. Can you please provide me with copies of the documents from the night depository that you submitted on the 6th. Thank you, On Jan 18, 2023, 7:16 PM Appellants had to pay and resend their January 6th, 2023 filing by email to the File Counter Supervisor to be re filed in and Docketed.

6. On January 19th, 2023 Defendants/ Appellees Attorney respond to Appellants with a MOTION TO WITHDRAW addressed to the Superior Court, After final dismissal of the case. Which reads in part: Pursuant to Rule 5.1, Ariz.R.Civ.P., Brett Steele, Esq., of Liberty Mutual Group Field Legal Offices, moves this Court to grant a withdraw as the attorney of record in this action for Fix It Auto Repair, Inc. Chelsey M. Golightly, Justin M. Ackerman and Elizabeth B. N. Garcia of the law firm of Jones, Skelton & Hochuli, P.L.C. have submitted their Notice of Association of Counsel representing Defendant Fix It Auto Repair, Inc. The withdrawal of undersigned counsel will not result in the prejudice of any party or result in undue delay. See: ORDER SATYING APPEAL: The stay will be lifted automatically when this court receives the signed Rule 54(c) order. Appellees gave notice to the Court of Appeals on January 19th, 2023. Once again the Superior Court lacks jurisdiction to withdraw the Appellees and their Attorney's

from any conflict of interest. The Superior Court Judge refused to rule on any of Appellants Motions Filed on January 6th, 2023. This Complainant alleges that a superior court judge violated Rules 1.2, 2.2, 2.3, 2.4, 2.6, and 2.9 of the Code of Judicial Conduct. The role of the Commission on Judicial Conduct is to impartially determine whether a judicial officer has engaged in conduct that violates the Arizona Code of Judicial Conduct or Article 6.1 of the Arizona Constitution. There must be clear and convincing evidence of such a violation in order for the Commission to take disciplinary action against a judicial officer. Appellants have complied with every order of this Court of Appeals.

7. Rule 50. Judgment as a Matter of Law in Actions Tried by Jury; Alternative Motion for New Trial; Conditional Rulings (2) Motions for judgment as a matter of law may be made at any time before submission of the case to the jury. Such a motion shall specify the judgment sought and the law and the facts on which the moving party is entitled to the judgment. (c) A motion for a new trial under Rule 59 may be joined with a renewal of the motion for judgment as a matter of law, or a new trial may be requested in the alternative. The order thereon does not affect the finality of the judgment. In addition, A.R.S. § 12-1611 discusses renewal of judgment by action and A.R.S. § 12-1612 deals with renewal by affidavit.

8. Justify Final Judgment on this remand from the Court of Appeals. There is basis in law and fact to justify an award of Plaintiffs fees, costs, or any sanctions against Fix It Auto. Indeed, to the extent this remand gives the Court the discretion to correct it err in law. Accordingly, this Court must grant Plaintiffs' requests for relief because it does not lacks jurisdiction to grant any such relief in final judgment relief be granted to the Plaintiffs, and thus, must enter an order that complies with the Court of Appeals' mandate for final judgment pursuant to Rule 54(c). It is

Order by the Court of Appeals that it is the Plaintiff's, responsibility, not the Defendants responsibility to motion the Court with a proposed order.

9. Rule 60 -Relief from Judgment or Order(a) Corrections Based on Clerical Mistakes; Oversights and Omissions. A court must correct a clerical mistake or a mistake arising from oversight or omission if one is found in a judgment, order, or other part of the record. The court may do so on motion or on its own, with notice. But after an appeal has been filed and while it is pending in the appellate court, such a mistake may be corrected only with the appellate court's leave. After a mistake in the judgment is corrected, execution must conform to the corrected judgment. See: Anderson v. Liberty Lobby: 106 S.Ct. 2505 Supreme Court of the United States

10. Pursuant to Orme School v. Reeves Annotate this case 166 Ariz. 301 (1990) 802 P.2d 1000 that this Court have jurisdiction over this appeal on a number of grounds. Special action. This case is one of the exceptions that illustrates the rule. (It is a prerequisite to our appellate jurisdiction that the appellant be a 'party aggrieved' by the judgment or order from which the appeal is taken."). Appellants are aggrieved if (1) its interest is direct, substantial, and immediate, (2) its interest would be prejudiced by the judgment or benefitted by reversal of the judgment, and (3) a legal right or its pecuniary interest has been directly affected. Abril v. Harris, 157 Ariz. 78, 80-81, 754 P.2d 1353, 1355-56 (App.1987). (id supra)

11. The appellants in Barassi filed a notice of appeal from an unsigned minute entry order denying their motion for new trial. 130 Ariz. at 419, 636 P.2d at 1201. Analyzing Arizona Rule of Civil Appellate Procedure 9(a) and Rule 58(a), the court held that "a premature appeal from a minute entry order in which no appellee was prejudiced and in which a subsequent final judgment was entered over which jurisdiction may be exercised need not be dismissed." "A

proceeding in the Supreme Court to review an order of the State Industrial Court divests such court of jurisdiction of the particular matters or issues sought to be reviewed only and the State Industrial Court has continuing jurisdiction over aspects of the cause not directly involved in the action seeking vacation of such order." Reversible error is, "[i]n appellate practice, such an error as warrants the appellate court in reversing the judgment before it; substantial error, that which reasonably might have prejudiced the party complaining." Black's Law Dictionary 543 (6th ed.1990); see State v. Brady, 105 Ariz. 190, 196, 461 P.2d 488, 494 (1969) ("This Court has held many times that in order to justify a reversal an error must be prejudicial under the facts of the case.").

12. Rule 54(b) applies when a judgment has been entered "as to one or more but fewer than all of the claims or parties." So if a party has been dismissed with a dispositive motion, or if one of the claims is knocked out, but other parties or claims remain alive in the action, Rule 54(b) language must be included in the judgment before it can be considered final. For Defendants Liberty Mutual Personal Insurance Company and Defendants Ohio Security Insurance Company was dismissed with a dispositive motion. Judgment on Multiple Claims or Involving Multiple Parties. If an action presents more than one claim for relief--whether as a claim, counterclaim, cross claim, or third-party claim--or if multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines there is no just reason for delay and recites that the judgment is entered under Rule 54(b). If there is no such express determination and recital, any decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.

13. The Court knew that Defendants used bad faith to reach the Settlement agreement, when the Court allowed Defendants Attorney to sign such Stipulation agreement between Plaintiffs and Defendants, on behalf of the Plaintiffs, which Plaintiffs never agreed upon.....lacked jurisdiction to make a ruling while Plaintiff appeal was still pending.( The Superior record reflects two different stipulation filings on May 24th, 2022.

### **BACKGROUND CONTINUES & ENDS:**

**Defendants Fix It Auto Repair Inc., Appeal Attorney's used fraud to get Plaintiffs Petition for Review Denied, when the stated that Plaintiffs said Attorney Brett Steele had forged Plaintiffs signatures. This is a misrepresentation of material fact, Plaintiff stated that Attorney Brett Steele signed for them with his own signature creating a conflict of interest.**

On **May 10, 2023** RE: EAST et al v FIX IT AUTO REPAIR Arizona Supreme Court No. CV-23-0037-PR Court of Appeals, Division One No. 1 CA-CV 22-0443 Maricopa County Superior Court No. CV2021-014595 GREETINGS: The following action was taken by the Supreme Court of the State of Arizona on May 10, 2023, in regard to the above-referenced cause: ORDERED: Petition for Review = DENIED. A panel composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Beene participated in the determination of this matter.

### **STATEMENT OF THE CASE**

**PLAINTIFF GAVE TIMELY NOTICE OF JOINDER OF APPEALS. PLAINTIFFS GAVE NOTICE OF APPEAL TO THE SUPERIOR COURT FINAL JUDGMENT AND DISMISSAL PURSUANT TO RULE 54(c) DATED JANUARY 13TH , 2023 WHERE AS**



REASONS FOR GRANTING THE PETITION

PLEASE SEE ATTACHMENTS BELOW.

✓

111

PAGE 35.

**HERE GAVE THE ARIZONA COURT OF APPEALS DIVISION ONE JURISDICTION ON THE MERITS OF THIS MATTER. The Court knew that Defendants used bad faith to reach the Settlement agreement, when the Court allowed Defendants Attorney to sign such Stipulation agreement between Plaintiffs and Defendants, on behalf of the Plaintiffs, which Plaintiffs never agreed upon.....The Superior Court lacked jurisdiction to make a ruling while Plaintiff appeal was still pending. And This adverse action of the Court caused the Plaintiffs irreparable injuries, that still harm Plaintiffs to this present day.**

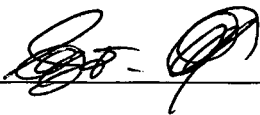
### **REASONS FOR GRANTING THE PETITION**

1. Petitioner has no other plain, speedy and adequate remedy in the ordinary course of law; and
2. Petitioner will suffer irreparable injury if such relief is not granted.
3. Two or more federal circuit courts of appeals have decided the same issue in different ways.
4. The highest court in the state of Arizona, Supreme Court of the State of Arizona, has held a federal and state law to be in violation of the U.S. constitution and has upheld a state law against the claim of Petitioner, that it is in violation of the U.S. constitution.
5. This case involves constitutional issues, compelling interests, and relevant social issues.
6. The Petitioner ask the court to grant review, and issue a decision on the merits.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

 x Mary Cathy

Date: 8/30/2023

Nuc Pro Tunc to 8/23/2023

PLEASE SEE ATTACHMENTS, BELOW.

↓

///

COVER PAGE.

## CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

EBONE LEROY EAST & CATHY MUNOZ

875 S. ESTRELLA PARKWAY UNIT #6472

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IN PRO SE.


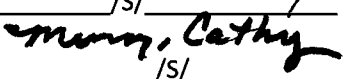
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X. Ebone Leroy East /S/ 5/23/2023 EAST, EBONE LEROY  
  
X. Munoz, Cathy /S/ 5/23/2023 MUNOZ, CATHY

## Certificate of Compliance

I hereby certify that this Petition for A writ of certiorari is 1 of 36 pages and 8941 words. *+pg. 37*

I, declare under penalty of perjury that on: July, 11<sup>th</sup>, 2023. That I severed a copy of the aforementioned writ/petition/ complaint on the Defendants, the Respondents and their Attorney of record, by first class U.S. Mailing. I further certify that on that same day I severed the same Original document with the required copies on the Clerk of the aforementioned Court Above.

Dated: July 11, 2023

X.



EBONE LEROY EAST



DATED: SEP. 16TH, 2023

NUC PRO TUNE, TO 7/11/23.

Id. Supra.