



SCOTT BALES
CHIEF JUSTICE

JANET JOHNSON
CLERK OF THE COURT

Supreme Court

STATE OF ARIZONA
ARIZONA STATE COURTS BUILDING
1501 WEST WASHINGTON STREET, SUITE 402
PHOENIX, ARIZONA 85007-3231

TELEPHONE: (602) 452-3396

November 6, 2017

RE: SAMUEL E HAMPTON v STEVEN STRAIGER et al
Arizona Supreme Court No. CV-17-0181-PR
Court of Appeals, Division One No. 1 CA-CV 16-0269
Navajo County Superior Court No. CV-2013-00301

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on November 6, 2017, in regard to the above-referenced cause:

ORDERED: Motion of Table of Content = DENIED.

FURTHER ORDERED: Motion to Subpoena Defendant,s (sic) Mr. Steve Straiger & Mrs. Aren Straiger of Camel In = DENIED.

FURTHER ORDERED: Motion of Declaration of Income = DENIED.

FURTHER ORDERED: Motion to Have Personal Injury Court Case S0900CV201300301 Moved = DENIED.

FURTHER ORDERED: Motion on Plaintiff Attorney Note,s (sic) = DENIED.

FURTHER ORDERED: Motion on Definetion (sic) of Civil from Weslaw! (sic) = DENIED.

FURTHER ORDERED: Motion to Erie Insurance Company P.O. Box 80129 Indianapolis, IN 46280 = DENIED.

FURTHER ORDERED: Motion to Subpoena Deuce (sic) Tecum Attorney Patrica Meester and Co-Attorney Collin Earl Esq .. = DENIED.

FURTHER ORDERED: Motion on Copy of Defendant,s (sic) Mr. Steve Straiger & Mrs Aren Straiger [Deposition]? (sic) = DENIED.

FURTHER ORDERED: Motion on Attorney Note,s (sic) = DENIED.

FURTHER ORDERED: Motion on Attorney Liens, Split Fee,s (sic) & USB Stick,s (sic) = DENIED.

FURTHER ORDERED: Motion to Settle Personal Injury With Defendant Mr. Steve Straiger R I S Ins, Sedgwick C M S Ins, Erie INS, & Pierson Education Ins.. = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

A panel composed of Vice Chief Justice Pelander, and Justice Brutinel, and Justice Timmer and Justice Bolick participated in the determination of this matter.

Janet Johnson, Clerk

TO:

Samuel E Hampton

Venessa J Bragg

Tico A Glavas

Amy M Wood

kd

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 4/25/17
AMY M. WOOD,
CLERK
BY: RB

SAMUEL E HAMPTON,) Court of Appeals
) Division One
Plaintiff/Appellant,) No. 1 CA-CV 16-0269
)
v.) Navajo County
) Superior Court
STEVEN STRAIGER, et al.,) No. S0900CV201300301
)
Defendants/Appellees.)
_____)

ORDER DISMISSING APPEAL

The court has considered appellees' Request to Dismiss Appeal Pursuant to the Court's February 17, 2017 order. No response has been filed.

The court stayed this appeal on December 8, 2016, to allow appellant to apply to the superior court for a signed judgment with a certification of finality pursuant to Arizona Rule of Civil Procedure (Rule) 54(c). On January 20, 2017, appellant filed a document in the superior court titled "Certificate of Finality."

By order dated February 17, 2017, this court noted the Certificate of Finality did not comply with what was directed in the December 8, 2016 order and continued the stay of the appeal. The order provides that if the superior court has not entered a Rule 54(c) judgment prior to March 21, 2017, and appellant does not file a request to continue the stay of the appeal, the appeal shall be dismissed.

To date, the superior court has not entered a Rule 54(c) judgment and appellant has not requested a continuation of the stay. In addition, although it appears appellant filed another document in the superior court titled "Certificate of Finality," that document does not comply with what the court directed. Therefore,

IT IS ORDERED granting appellees' motion and dismissing this appeal.

_____/s/_____
Melina Brill, Judge Pro Tempore

A copy of the foregoing
was sent to:

Samuel E Hampton (mailed)
Venessa J Bragg
Tico A Glavas
Hon Ralph E Hatch

IN THE
Court of Appeals
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 12/8/16
AMY M. WOOD,
CLERK
BY: RB

SAMUEL E HAMPTON,) Court of Appeals
) Division One
Plaintiff/Appellant,) No. 1 CA-CV 16-0269
)
v.) Navajo County
) Superior Court
STEVEN STRAIGER, et al.,) No. S0900CV201300301
)
Defendants/Appellees.) DEPARTMENT M
)

ORDER DENYING MOTION TO DISMISS APPEAL AND STAYING APPEAL

Judges Michael J. Brown, Lawrence F. Winthrop, and Kent E. Cattani have considered appellees' Second Motion to Dismiss Appeal, the response, and reply.

Appellees move to dismiss the appeal because appellant's amended opening brief, filed on November 4, 2016, does not fully comply with the Arizona Rules of Civil Appellate Procedure in violation of this court's October 6, 2016 order.

IT IS ORDERED denying the motion to dismiss.

Additionally, the panel has reviewed the record pursuant to the court's duty to determine whether it has jurisdiction over this appeal. See *Sorensen v. Farmers Ins. Co.*, 191 Ariz. 464, 465, 957 P.2d 1007, 1008 (App. 1997).

The judgment that appellant seeks to appeal includes a certification of finality pursuant to Arizona Rule of Civil Procedure 54(b) purporting to enter final judgment as to one or more, but fewer than all, claims or parties. However, the record indicates that all

claims against all parties have been resolved and that no further matters remain pending. If this review of the record is correct, the certification of finality under Rule 54(b) would appear to be incorrect, as the judgment should instead contain a statement by the superior court that no further matters remain pending and that the judgment is entered pursuant to Arizona Rule of Civil Procedure 54(c). *Madrid v. Avalon Care Center-Chandler, L.L.C.*, 236 Ariz. 221, 338 P.3d 328 (App. 2014). Therefore, pursuant to Arizona Rule of Civil Appellate Procedure 3(b),

IT IS ORDERED staying this appeal to and including January 30, 2017, and revesting jurisdiction in the Superior Court of Navajo County to permit that court to consider an application by appellant for a signed judgment with a certification of finality pursuant to Rule 54(c). It is appellant's responsibility to promptly apply to the superior court for such judgment. This order does not constitute an expression of opinion by this court as to the merits of the application.

IT IS FURTHER ORDERED that the superior court shall rule on the application.

IT IS FURTHER ORDERED that if the superior court grants appellant's application, appellant shall file a copy of the signed judgment within ten (10) days after its entry. Once the clerk of this court has received the judgment, the appeal will be automatically reinstated.

IT IS FURTHER ORDERED that if the appeal has not been reinstated by the filing of a signed judgment with reference to Rule 54(c) by January 30, 2017, appellant shall file a request to continue the stay of the appeal that describes the status of the application. If appellant does not file a request to continue the stay, the appeal may be dismissed.

IT IS FURTHER ORDERED that if a signed judgment has been filed prior to January 30, 2017, the answering brief shall be due on March 1, 2017.

IT IS FURTHER ORDERED that, in addition to the usual distributions, the clerk of this court shall send copies of this order to the Honorable Ralph E. Hatch and to the clerk of the superior court.

/s/
Michael J. Brown, Presiding Judge

To:
Samuel E Hampton (mailed)
Venessa J Bragg
Tico A Glavas
Ralph E Hatch
Hon Ralph E Hatch
Hon Deanne Romo

Venessa J. Bragg, Esq., #025948
ELARDO, BRAGG & ROSSI, P.C.
3001 East Camelback Road, Ste 130
Phoenix, Arizona 85016
(602) 889-0272 File No.: 30-03
e-mail: court@ebarlaw.com
vbragg@ebarlaw.com
Attorneys for Defendants

DOCKETED
MAR 30 2016
SUPERIOR COURT

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF NAVAJO

SAMUEL E. HAMPTON,

Plaintiff,

vs.

STEVEN STRAIGER, and AREN
STRAIGER, individually and as husband and
wife; JOHN DOES 1-100; JANE DOES 1-
100, ABC PARTNERSHIPS 1-100, AND
XYZ CORPORATIONS 1-100,

Defendants.

) Case No.: CV2013-00301

) **ORDER REGARDING**
) **DEFENDANTS' MOTION FOR**
) **JUDGMENT AGAINST PLAINTIFF**

) (Assigned to the Honorable Ralph E. Hatch)

Having received Defendants' Motion for Judgment Against Plaintiff, and good cause shown;

IT IS HEREBY ORDERED, granting Defendants' Motion for Judgment Against Plaintiff.

Dated this 30th day of March, 2016.

By 
Honorable Ralph E. Hatch

cc: Vanessa Bragg – CFM
Samuel Hampton (hamptonsam944@gmail.com) – P. O. Box 704 – Colorado Springs, CO 80901

DOCKETED
MAR 30 2016
SUPERIOR COURT

Case No.: CV2013-00301

JUDGMENT

(Assigned to the Honorable Ralph E. Hatch)

Defendants.

Having found in favor of Defendants; and Defendants having submitted to Plaintiff an Offer of Judgment pursuant to Rule 68, Arizona Rules of Civil Procedure; and Defendants being entitled to sanctions pursuant to Rule 68, Arizona Rules of Civil Procedure; and, pursuant to Rule 54(b), Arizona Rules of Civil Procedure, finding that there is no just reason for delay; and in expressly directing the entry of judgment as to Defendants pursuant to Rule 54(b), Arizona Rules of Civil Procedure.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED; that final judgment be entered in favor of Defendants and against Plaintiff in the amount of \$ 7,525.54 in costs and sanctions pursuant to Rule 68, Arizona Rules of Civil Procedure, and pursuant to Defendants' separately submitted Statement of Costs.

IT IS FURTHER ORDERED that Defendants are also entitled to interest from Plaintiff at the rate of 4.25% per annum until the judgment against Plaintiff has been fully satisfied.

Dated this 30th day of March, 2016.

By MM

Original and Copy mailed this _____
day of March, 2016, to:

Venessa J. Bragg, Esq.
3001 East Camelback Road, Ste 130
Phoenix, Arizona 85016
Attorneys for Defendants

Samuel Hampton
P.O. Box 704
Colorado Springs, CO 80901
Plaintiff Pro-Per

**Additional material
from this filing is
available in the
Clerk's Office.**