

EXHIBIT 6

ARIZONA SUPREME COURT

CV-25-0279-PR

Bob Parsons, et al.
[Name of Plaintiff],

CA-CV 25-0285

[Appellant/Appellee],

Superior Court
Case No. 2023-002276

v.

Toby Harris
[Name of Defendant],

MOTION FOR RULING AND
MOTION TO WITHDRAW
PETITION FOR REVIEW

[Appellant/Appellee].

MOTION FOR RULING

Comes now the Defendant and respectfully moves this Court to issue rulings currently pending Motions filed on or about, Nov 23rd, 2025 and currently awaiting adjudication. These motions were properly filed, properly served and remain unresolved. Thier disposition is necessary for the orderly progression of this matter. These are the Motion for Recusal and Motion to Vacate Order and Reinstate Reply Brief.¹

A Court has the duty to rule on Motions that are properly before it. The absense of rulings prevents the parties from understanding the governing standards, impedes the ability to prepare or respond, and obstructs meaningful participation in the proceedings. Without rulings, no issues can be joined, no record can be developed, and no appellate review is possible.

Even assuming the Justice was unaware of the actions of her business partners, the resulting entanglements nonetheless create an appearance of impropriety that must be addressed through a timely ruling . Judicial ethics do not require actual knowledge of a conflict, they require avoidance of the circumstances in which a

¹ The Supreme Court held that when a Judge with a financial or structural conflict participates in a case, due process is violated, **Caperton v. Massey**, 556 U.S 868 (2009) however Caperton deals with a Judge refusing to recuse and still making rulings. In this matter there is no ruling at all. This blocks certification of panel, adjudication, leaves unresolved motions, traps a litigant in a forum with an unresolved financial conflict. Since this is a house keeping motion, Defendant will not argue due process rights here.

reasonable observer could question impartiality. The Justices continued refusal to rule on the pending motions leaves these concerns unresolved and prevents the Court from proceeding.

The Defendant therefore requests that the Court issue rulings on the pending motions or in the alternative, provide a written explanation for any continued refusal or inability to rule. The request is made solely to clarify the procedural posture of the case and ensure the matter proceeds in a manner consistent with due process and the Court's obligations.

MOTION FOR WITHDRAW OF PETITION FOR REVIEW

The Defendant respectfully moves to withdraw the Petition for Review and return the case to the lower Court with no appellate determination. The Courts unresolved conflicts and refusal to rule on motions necessary to create a complete and Constitutionally adequate record have made meaningful litigation impossible. In short it is a collapse of jurisdictional structure. Continued participation would require acquiescence to standards incompatible with due process and the rule of law. Ironically a litigant does not come to the Supreme Court to have his rights further violated, and ignored, but the trial Court will have to dispense the proper penalty and consequences for what has occurred.

Without rulings, the defendant cannot respond to allegations and engage with the process. The absence of rulings creates a procedural vacuum in which no rights can be exercised and no issues can be adjudicated.

The trial Court can address the collapse of appellate Court Jurisdiction and address the consequences of the destroyed evidence and evaluate the pleadings under the proper standard and reissue its Judgment. Because the Jurisdictional prerequisites for adjudication no longer exist, the Court lacks the authority to proceed and dismissal is the only procedurally available outcome.

By returning jurisdiction to the lower Court without a mandate it creates an unusual situation where nothing is final, nothing is executable, nothing is directed. There is no binding appellate command. The trial Court then must address all unresolved defects: destroyed evidence, incorrect pleading standards, unresolved motions, incomplete record, jurisdictional defects

Since the Trial Court is the only Court capable of repairing the defects. On return to the trial Court the Plaintiffs cannot argue against the absence of jurisdiction since it is a condition that that Court must possess, even if jurisdictional structure collapsed after the Judgment was rendered and on appeal, vacatur and dismissal

become mandatory. Without jurisdiction all claims must be dismissed.

CONCLUSION

The Court can take it's pick, either rule on the pending motions and the Motion for Withdraw of Petition for Review becomes moot. Or Grant the Motion for Withdraw of Petition for Review and the Motion for Ruling becomes moot.

Dated: 1/10/2026

/s/

Toby Harris, Pro Se

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Address

PROOF OF SERVICE

The undersigned Toby Allen Harris [Appellant/Appellee] on the 10th day of Jan. 2026, filed Petition for Review in the Supreme Court; and served a copy to the following parties in compliance with Rule 5(c)(2) of the Arizona Rules of Civil Procedure as follows:

Method of Service: AZ Turbo Court

/s/

Toby Harris, Pro Se

13602 N. 44th St. #149, Phoenix AZ

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Address

CERTIFICATE OF COMPLIANCE

1. This certificate of compliance concerns:
A petition for review, Submitted under Rule 23(h)
2. The Undersigned certifies that the petition for review uses 14 point Times New Roman font is double spaced and contains 894 words.
3. The document which this Certificate is attached does not exceed the word limit set by Rule 14, Rule 22, Rule 23 or Rule 29, as applicable.

Signature

/s/

Toby Harris, Pro Se

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