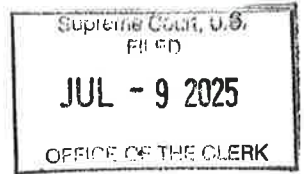


No. 25-

**A182**



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**In The  
United States Supreme Court**

Morgan Joseph Langan,

*Applicant/Petitioner,*

v.

Elected Yavapai County Arizona Officers *in personam*

*Respondents,*

---

**Emergency Application to Stay Orders of the Arizona Supreme Court  
and Remand this Case in  
Support of this Court Appellate Jurisdiction**

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Morgan Joseph Langan, Applicant  
Post Office Box 741  
Cornville, Arizona  
The United States of America  
(928) 649-1921  
[morganlangan@yahoo.com](mailto:morganlangan@yahoo.com)

i.

### **QUESTIONS PRESENTED**

When a local government, imposes excessive fines in violation of Amendment VIII to the Constitution; can the right to petition the government for redress be denied by local courts and the highest court in the state?

Does an Arizona citizen, acting in good faith, give up private property rights guaranteed to citizens of other states by the Constitution when a lower court determines he did not comply with court rules and procedures?

Does the United States avoid its guarantee of a Republican form of government to Arizona and its citizens when it allows the Arizona supreme court to knowingly condone lower state court orders that impose excessive fines contrary to both the Constitution and this Court's order?

ii.

**PARTIES TO THE PROCEEDINGS**

Morgan Joseph Langan was the Petitioner in the Arizona Supreme Court. Respondents in that court were elected Yavapai County officers *in personam*: Chip Davis, Treasurer; Judd Simmons, Assessor; Mary Mallory, Chairman Board of Supervisors; Dennis McGrane, County Attorney

**CORPORATE DISCLOSURE STATEMENT**

No corporate entities are parties in these proceedings.

**RELATED PROCEEDINGS**

Arizona Supreme Court No. CV-25-0108 Petition for Reconsideration (denied 5/21/25)  
Arizona Supreme Court Case No. CV-25-0108 Petition for an original jurisdiction mandamus to state officers; (dismissed May 5, 2025)  
This application is not intended to appeal any of the multiple related cases, state or federal.

**TABLE OF AUTHORITIES**

**Cases:**

*Tyler v. Hennepin County*, (22-166).  
*Austin v. United States*, 509 U. S. 602, 610 (1993)  
*Rudisill v. Whitener*, 146 N.C. 403 (1907),  
*Ex Parte Sedillo*, 34 N.M. 98 (1929)  
*Hack v. Concrete Wall Company*, 350 Mich. 118 (1957),  
*Fairey v. Gardner*, 233 S.C. 297 (1958),  
*Jaffe-Spindler Co. v. Genesco, Inc.*, 747 F.2<sup>nd</sup> 253 (4<sup>th</sup> Circuit N.J. 1984)  
*Georgia v. Brailsford*, 3 U.S. (3 Dall.) 1 (1794)

**Authorities:**

*The New Equity Rules of 1912, James Love Hopkins as Promulgated by this Court* and to invoke this Court Equitable rules and equity power as protected by Rule 48.2 of this Court because when “applying them (the rules) would not be feasible or would result in an injustice”  
*Commentaries on the Constitution (1838)*, Justice Joseph Story  
*The Federalist Papers*, No. 80, 83 Alexander Hamilton  
*Commentaries on Equity Jurisprudence (1836)* Justice Joseph Story  
*Judicature Act of 1875 and 1 Pomeroy Equity Jurisdiction (5<sup>th</sup> ed. p. xxiv)*

**Arizona Constitution:**

Article II Section 3: The Constitution for the United States is the supreme law of the land

Article II Section 5: The right of petition... shall never be abridged.

Article II Section 15: Excessive fines...shall not be imposed.

Article II Section 17: No private property shall be taken...for public or private use without just compensation having first been made.

Article VI Section 3. The supreme court shall have administrative supervision over all the courts of the state.

Article VI Section 5: The supreme court shall have: original jurisdiction of...mandamus writs... to state officers.

**Constitution for The United States of America:**

Amendment I: Right to petition the government for a redress of grievances.

Amendment V: Takings Clause

Amendment VIII: Excessive fines clause

Article IV Section 4: Guarantee of a republican form of government to Arizona

**INTRODUCTION**

**Amendment V** of the Constitution for The United States of America (the Constitution) prohibits the taking of private property for public use without just compensation. Article II Section 17 of the Arizona Constitution requires that just compensation be made **before** taking private property for public or private use. In this case, respondents are elected officers in Yavapai County Arizona who operate a local taxation scheme that not only granted the surplus of Petitioner's private property to a third party without compensation; local courts also denied redress to obtain the surplus value above the tax amount which resulted in *res judicata*. In *Tyler v. Hennepin County* 22-166 Justices Gorsuch and Jackson concurred with a unanimous Court that the government cannot take more from an owner than what is due otherwise it amounts to a "classic taking".

Additionally, Justices Gorsuch and Jackson went on to explain to the Eighth Circuit, the County and Respondents in this case how state statutes will be interpreted if contrary to Amendment VIII. In this case, Respondent's actions were taken under legislation designed in part to punish and in part to deter willful noncompliance with Yavapai County's taxation scheme. Whether local government keeps the surplus from sale of the entire property or grants by deed the surplus to another party; both must be considered a taking and thereby the imposition of excessive fines using the "toehold of taxation".

Amendment VIII of the Constitution prohibits the imposition of excessive fines as does Article II Section 15 of the Arizona Constitution. Although this Court opinioned in *Tyler* that Hennepin County had the power to sell the property for the unpaid taxes, the constitutional problem was that Minnesota State statutes did not provide the former property owner with the opportunity to obtain the surplus funds after the transfer of title. In Yavapai County Arizona statutes require the former owner to ask the judge for the surplus proceeds. In this case, the court not only denied the right to a hearing on the matter, the judge denied Petitioner the right to ask questions of the judge or Respondents. The record in that case clearly exhibits that there were no responses to multiple inquiries.

Respondents' taxation scheme transferred possession of Petitioner's entire homestead to another party without hearing, without just compensation, without notice regarding just compensation and without the opportunity to obtain or even claim the surplus value of the property above the tax amount asserted as due. In the *Tyler* case, the County kept the surplus proceeds of a sale. In this case, Respondents took the title to Petitioner's entire real property then deeded the surplus value of the real property to a private third

party while granting the right of possession. In both cases the surplus value was taken from the Petitioners using the toehold of taxation. Both schemes serve another goal of punishment that is deterrence. Justice Gorsuch stated: “*this Court has said that the Excessive Fines Clause applies to any statutory scheme that “serv[es] in part to punish.”* Austin v. United States, 509 U. S. 602, 610 (1993) (emphasis added).

In both Hennepin County Minnesota and Yavapai County Arizona the tax-forfeiture schemes hold the ultimate possibility of loss of property. This is a threat that serves as a deterrent to taxpayers who, like Petitioner, are belligerent enough to challenge an erroneous tax bill and a likely unconstitutional local taxation scheme. Justice Gorsuch concluded: “*Economic penalties imposed to deter willful noncompliance with the law are fines by any other name. And the Constitution has something to say about them: They cannot be excessive.*”

Respondents are once again repeating this scheme and the record in the Arizona supreme court documents that there is no administrative or legal redress in the State of Arizona for Petitioner to correct erroneous tax rolls. Respondents’ tax bills consider the use of Petitioner’s land as “mixed” with a higher tax rate than the actual use which is his private homestead protected by a land patent issued by the United States and signed by the President under an act of congress and the treaty of Guadeloupe Hidalgo. This Court’s emergency action is Petitioner’s last line of legal defense.

In this case, Respondents filed erroneous tax records and affidavits onto the record in the local court without a hearing or the need to even defend the accuracy of a tax bill or correct errors on the tax rolls thereby leading to the ultimate dispossession of Petitioner’s entire homestead. Despite filing dozens of notices of a legitimate dispute upon the record

and in the lower court; Petitioner was forced to purchase his property from the parties who unjustly received the surplus. Respondents recorded deeds onto the public record with no means for Petitioner to obtain the surplus value as title was granted to a private third party.

Article IV Section 4 of the Constitution for the United States of America guarantees to Arizona its Counties and its Citizens a Republican form of government. The Arizona Constitution Article VI Section 3 confirms that the Arizona supreme court shall exercise “administrative supervision over all the courts of the state”. It appears therefore, that in order for The United States to guarantee a republican form of government, local courts and especially the highest court in the state must comply with the Constitution.

#### **OPINIONS BELOW**

The Arizona supreme court dismissed Petitioner’s original jurisdiction Mandamus filed in this case under the Arizona Constitution Article VI Section 3. The court did not hold a hearing and took “no position on the merits of the petition”. Instead, the court relied upon its rule 6(c) to transform the mandamus into a special action that makes jurisdiction discretionary. The court then determined that the case “might have been properly initiated in the lower court”. However, the mandamus and the record in that court document that lower courts ordered the taking of Petitioner’s private property and authorized Respondents to transfer by deed the entirety of Petitioner’s land and property to private third parties without any compensation resulting in excessive fines of over \$1,000,000.00 and an undeniable injury in fact. The orders of the court are attached hereto and are made a part hereof as Appendices A and B.

The Arizona supreme court stated, contrary to the record, that: “it is not clear if Petitioner has sought relief in any lower court”. However, the record documents specific case numbers and the petition clearly documents that Petitioner has not slumber upon his rights. The record confirms the facts and the petition clearly documents Petitioner’s prior appeals to the Arizona court of appeals then to the Arizona supreme court in one case and to the district court of Arizona in another with no legal relief or remedy due in part to *res judicata*. In addition to being made aware of Respondents’ Constitutional violations, the Arizona supreme court was shown the rulings by lower courts that uphold the violations. Yet the supreme court found; “these reasons insufficient” for not filing in the lower court. The Arizona Constitution Article VI Section 3 charges that court with a duty to oversee potential violations of the constitution by lower state courts.

This writ of mandamus to command Respondents’ specific performance is not intended as an appeal and is the only remaining option after seven years of unsuccessfully petitioning the local government for administrative remedy. Appealing to state courts to correct the tax rolls as required by state statutes provided no legal remedy. The Arizona supreme court dismissed this case without hearing the merits of the case and denied reconsideration. Although the record in that court documents that the superior court has twice imposed excessive fines contrary to the Constitution; the Arizona supreme court ordered Petitioner to file again into the same court. In order to aid this Court’s appellate jurisdiction, this application requests this Court to stay the orders of Arizona supreme court and remand this case to that court for hearing and to review of the Constitutionality of the lower court’s action.



Given this Court's unanimous opinion in *Tyler v. Hennepin County* it is likely that at least 4 justices of this Court would grant a writ of certiorari in order to clarify Justice Gorsuch's concurrence regarding the excessive fines clause of the Constitution in relation to multiple County taxation schemes in multiple circuits. A compelling reason for granting certiorari exists when the state court of last resort continues to decide an important federal question in a way that conflicts with a relevant decision of this Court.

### **JURISDICTION**

This is a case in equity under Article III Section 2 Subsection 1 of the Constitution and Subsection 2, under the Court's discretion, where elected officers of a state municipal corporation are parties. This case arises under Amendment VIII of the Constitution where Respondents impose excessive fines using the "toe hold" of taxation and there is no remedy at law. Petitioner seeks this Courts' judicial power and invokes exclusive equity jurisdiction to provide relief in this extraordinary case involving violations of rights secured by The Constitution to which the law and even the Arizona supreme court provide no remedy. In 1833, Justice Story clarified the remedy to this issue in Section 852 of *Commentaries on the Constitution* the definitive rule that applies to this and every case::  
*"The propriety of the delegation of jurisdiction, "in cases arising under the constitution," rests on the obvious consideration, that there ought always to be some constitutional method of giving effect to constitutional provisions."* This application shall be considered to be timely filed as it is being delivered to the clerk within 60 days after entry of the order denying discretionary review.

The County of Yavapai Arizona and Respondents appear to have been enabled by the State of Arizona to enforce a taxation scheme that, in this case, imposed excessive fines contrary to Amendment VIII of the Constitution. Petitioner's enforcement of this taxation scheme resulted in an injury in fact to Petitioner when the entirety of his land, homestead and private property were deeded by Respondents to a third person. Petitioner therefore has the standing to bring this application while holding the status of a private American.

Granting this application and holding a *Brailsford v Georgia* 3 U.S. (3 Dall.) 1 (1794) type hearing would allow this Court an opportunity to clarify the law while allowing the American people a rare opportunity to witness and experience this Court's protection of our great Constitution and the rights secured to each and every American. Whereas, remanding this case to the Arizona supreme court for hearing would aid this Court's appellate jurisdiction. The record in that court documents the undisputed facts that Respondents imposed the excessive fine of taking the surplus value of Petitioner's land and private property. The highest court in the state ignored the facts and constitutional violations cautioning Petitioner that he failed to comply with the applicable rules of the court. The Judicature Act of 1875 and 1 Pomeroy Equity Jurisdiction (5<sup>th</sup> ed. p. xxiv) provide precedent for the remedy in this application: "*Generally, in all matters in which there is any conflict or variance between the rules of equity and the rules of common law with reference to the same subject matter, the rules of equity shall prevail*" Quoted in *Rudisill v. Whitener*, 146 N.C. 403 (1907), *Ex Parte Sedillo*, 34 N.M. 98 (1929) *Hack v. Concrete Wall Company*, 350 Mich. 118 (1957), *Fairey v. Gardner*, 233 S.C. 297 (1958), *Jaffe-Spindler Co. v. Genesco, Inc.*, 747 F.2<sup>nd</sup> 253 (4<sup>th</sup> Circuit N.J. 1984) and countless

other case. In particular, the orders issued by the Arizona supreme court in this case conflict with this Court's ruling in *Tyler v. Hennepin County*. The conflicts and variances between the rules of law and the rules of equity have been noticed on the record in multiple courts state, local and federal including several filings in this Court.

Petitioner seeks this Courts' judicial power and invokes exclusive equity jurisdiction as outlined by the *Federal Equity Rules of 1912* and promulgated by this Court to provide relief in extraordinary cases like this involving private property rights and violations of the Constitution to which the law provides no remedy. The County of Yavapai Arizona enforces laws that eliminate substantive rights guaranteed by the constitution and that impair the obligations of private contracts. As Alexander Hamilton explained in *Federalist*, No. 80, "*there is hardly a subject of litigation between individuals, which may not involve those ingredients of fraud, accident, trust, or hardship, which would render the matter an object of equitable rather than of legal jurisdiction.*" Hamilton elaborated in *Federalist*, No. 83, that "*the great and primary use of a court of equity is to give relief in extraordinary cases, which are exceptions to general rules.*" Supreme Court Justice Joseph Story, echoed Hamilton, in *Commentaries on Equity Jurisprudence* (1836) writing that "*cases must occur to which the antecedent rules cannot be applied without injustice, or to which they cannot be applied at all.*" Petitioner also invokes rule 48.2 of this Court written to avoid injustice and protect unalienable rights.

Additionally, jurisdiction could be said to arise under 28 U.S. Code § 1257 where a final judgment or decree may be reviewed by the Supreme Court pending filing of a writ of certiorari. Petitioner intends to file a writ of Certiorari if necessary pending the outcome

of a hearing on the merits of this case in the Arizona supreme court. As the highest court of Arizona it shall not be excluded from such review where the validity of the County of Yavapai Arizona's taxation scheme enforced by Respondents is drawn into question on the ground that it is repugnant to Amendment VIII to the Constitution.

Upon information and belief, under 28 U.S. Code § 2101(f) (f); any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and enforcement of such judgment or decree may be stayed for a reasonable time to enable the party aggrieved to obtain a writ of certiorari from the Supreme Court. The stay may be granted by a judge of the court rendering the judgment or decree or by a justice of the Supreme Court.

### **STATEMENT OF THE CASE**

Befittingly, this statement is written on July 4, 2025, the 249<sup>th</sup> celebration of independence for this great Union. The issue in this case is the same as it was 249 years ago... taxation without representation. In this case Respondents, as elected officers of County of Yavapai Arizona, tax Citizens and refuse to represent their interests by providing redress of grievances regarding their taxation scheme. Without hearing, Respondents punished Petitioner by taking the surplus value of his land, private property and homestead far in excess of the proportionally small tax they claimed was due. Respondents then issued a deed conveying Petitioners private land and property to another private person without any compensation for the surplus value contrary to Amendment V of the Constitution. This action imposed excessive fines in violation of Amendment VIII of the Constitution.

On May 25, 2023 this Court explained the law in case No.22-166 to the eighth circuit, Hennepin County and Respondents. However, the record in this case reflects that Respondents mistakenly used the “toehold of taxation” in part to punish and in part to deter Petitioner’s non-compliance. Respondents then moved to impose the ultimate excessive fine... the actual dispossession of Petitioner’s entire land, private property and homestead over a tax bill remaining in dispute. Respondents refused to correct errors appearing on the tax rolls as required by state statute and denied multiple requests for a hearing before taking Petitioner’s home. He was forced to repurchase his home from those unjustly enriched. The Arizona supreme court ordered to dismiss these claims against Respondents without remedy for an undisputed injury in fact that violated rights secured by the Constitution. Absent the intervention by this Court in equity, there is no remedy.

It is shocking to the conscience that the injury in fact has already occurred twice and is now being repeated. Respondents once again claim Petitioner owes delinquent tax even though they are aware that his private property and land are erroneously classified. The Arizona supreme court’s dismissal of this case paves the way for another taking because Respondents issued notice on 06/1/2025 threatening to once again sell liens on Petitioners homestead without a means to correct the record. Petitioner is in willful noncompliance and refuses to pay a tax on his homestead that is still being erroneously classified with a “mixed” use resulting in higher taxes. As you read these words, this Court is witnessing the injury taking place and observing the local tyranny in real time that will potentially lead once again to a multiplicity of suits as Petitioner continues to navigate the legal rules and procedures that bar a hearing on the merits and the jurisdiction of a court of equity.

Absent this Court's jurisdiction, the Arizona supreme court has empowered the local courts to ignore this Court's opinion in *Tyler*. The Arizona court system has twice violated Petitioners rights secured by the Constitution. In Yavapai County, the three branches of local government are aligned to circumvent the Constitution's prohibitions. This local taxation system permits Respondents to deprive private Citizens of possession and ownership of their home and private property if they challenge the local taxation scheme. Pursuant to local law and custom, Petitioner and those similarly situated can be deprived of possession of their property. The surplus value above the tax can also be extracted from them. Respondents tax scheme is ongoing, self-perpetuating and provides no remedy. See Appendix C attached hereto and made a part hereof providing notice of delinquency.

Justice Story in *Commentaries on the Constitution* (1838) § 856 identifies precedent applicable to this case: *"It seems to be the general opinion, fortified by a strong current of judicial opinion, that since the American revolution no state government can be presumed to possess the transcendental sovereignty to take away vested rights of property; to take the property of A and transfer it to B by a mere legislative act. A government can scarcely be deemed to be free, where the rights of property are left solely dependent upon a legislative body, without any restraint."* This emergency results from tyranny over Constitutional principles without remedy. Equity must follow the law to act *in personam* to command Respondent's performance to fulfill obligations required by the Constitution.

This record in the Arizona supreme court proves beyond a reasonable doubt that there is no administrative or at law remedy in the State of Arizona. Petitioner is once again

stuck without redress in a legal system that has become a hamster wheel designed to take private property owned by the people of Arizona and impose excessive fines upon people with the audacity to challenge taxes assessed. This Court must determine if Petitioner, Arizonans and Americans similarly situated actually own their home as most believe, or if they are merely paying rent in the form of taxes to a municipal corporation run by Respondents that consider the county the legal owner of the real property. Respondents must be required to produce a title that is superior to a land patent granted by The United States, signed by the President under an act of Congress and is derived from a Treaty. This Court must say whether the Constitution or State statutes are the supreme law of the land.

This current case is resultant from local tyranny over Constitutional principles without remedy. Equity will not suffer a wrong to be without a remedy and will follow the law to avoid a multiplicity of suits by acting *in personam* to impute an intention to fulfill obligations that Respondents took an oath to uphold. Petitioner comes with clean hands, seeking and doing Equity with public rescission of all contracts with Respondents

The County of Yavapai enforces through Respondents a taxation scheme contrary to the concept that a man's home is his castle where he and his family are safe and secure from a government seizure when violating no criminal law or harming another. Local municipal corporations created by the State of Arizona are political subdivisions charged to enforce this unconstitutional scheme. The County of Yavapai and Respondents when prior appearing in the district court, acknowledged that they held negotiable instruments delivered to discharge all debt in this matter. They acknowledged receiving dozens of Notices that they are currently in commercial dishonor. Local officials holding the elected



offices of Treasurer, Assessor, County Supervisor, County Attorney and superior court judge have been made aware that their collective actions conspire to be contrary to the Constitution and its obvious prohibitions imposed upon the local government and their specific action as outlined herein. These injuries require the *in personam* jurisdiction of this Court in Equity that abhors a forfeiture.

Article IV section 4 of the Constitution guarantees a republican form of government to Petitioner, the people of Arizona and Yavapai County. The County of Yavapai taxation scheme, however, is designed so that all three branches of government, state and local, are designed to work in lockstep to make certain that “taxpayers” who contest the government’s power to tax in whatever manner they determine are ultimately punished. Those Citizens so bold, face the ultimate penalty of dispossession of their entire home and private property. Petitioner commenced this action *sui juris* after being turned down by every local attorney approached, many stating that County of Yavapai never loses a taxation case. They unanimously stated: “Pay your taxes and shut up because an attorney will charge more than the tax and you may even lose your entire real property.” In this way local customs result in an actual tyranny over the people and their private property.



## CONCLSION

At issue in the case before the Arizona supreme court, was whether jurisdiction is discretionary or mandatory. Justice Story clarified the definitive rule that applies to this and every case based upon the constitution in Section 852 of *Commentaries on the Constitution* (1833),: “*The propriety of the delegation of jurisdiction, "in cases arising under the constitution," rests on the obvious consideration, that there ought always to be some constitutional method of giving effect to constitutional provisions.*”. This Court has jurisdiction over clear violations of the Constitution which are confirmed on the record in the Arizona supreme court and are clarified in this Court’s unanimous decision in *Tyler* regarding similar property rights in Hennepin County Minnesota. Yavapai County Arizona and Respondents actions conflict with the clear statement of the law by Justices Gorsuch and Jackson regarding excessive fines. There must be a remedy for these repeating violations of the Constitution, patented contracts, and the principles of equity.

Petitioner’s standing to claim rights under Article III of the Constitution arising under Amendment VIII has been denied by the Arizona supreme court. The record in this case documents the following facts: 1) Petitioner suffered an actual injury in fact when respondents took title to his land, deeded the remaining surplus to another and thereby imposed an excessive fine, 2) that the injury can fairly be traced to the actions of Respondents that utilized the “toehold of taxation”, 3) that the injury is likely to be redressed by compelled performance and 4.) failure to redress the injury to Petitioner and others similarly situated, results in ongoing threats, intimidation and the likelihood that the

exact injury will in fact be repeated contrary to both the Arizona and United States Constitutions.

Similar local taxation schemes in several circuits may also violate private property rights. This case presents an opportunity for this Court to bring states, Respondents and counties into alignment with its unanimous opinion and in particularity with Justice Gorsuch's concurrence issued to the eight circuit. Not only did Hennepin County take Tyler's home, it kept the surplus value for its own use which this Court opinioned created the Constitutional problem. Similarly, Yavapai County Arizona took title to Petitioner's land and homestead then granted the surplus value a private third party. Respondents seem to justify the taking because they didn't keep the surplus, however, they did unjustly enriched another person by granting the surplus value with no just compensation for that value.

Both schemes resulted in an excessive fine imposed as a deterrent and punishment for failure to pay the county's tax bill. Respondents' actions ultimately forced Petitioner to repurchase his own property in order to protect his surplus interests. This instant application is arriving at your desk as Respondents are repeating this egregious action with no redress of the underlying grievance to simply correct the tax rolls.

### Affidavit

I, Morgan Joseph Langan do certify, verify and state under penalty of perjury and under the laws aligned with this Constitution for the united States of America, that the statements and claims set forth in the forgoing petition and the references to records, exhibits and appendices in related cases are true and accurate to the best of my knowledge and belief and are based upon an undying love for America and allegiance to this Constitution as executed without the United States. I appear by special appearance before this Court to remove the clog upon the equity of redemption for myself and all those similarly situated.

This is an Emergency Application to hear this case in this Court's original jurisdiction or to remand it to the highest court in the state of Arizona in aid of this Court's Appellate Jurisdiction where the officers of a municipal corporation created by the State are parties. If this Court deems it necessary to remand this case to the Arizona supreme court, the case must be heard as an Equity case arising under the Constitution. This case arises from Respondents' violation of Amendment VIII and refusal to properly assess, classify and tax Plaintiff's property, done in violation of Arizona state statutes and its Constitution. Petitioner holds paramount title to the land, private property and homestead related to this case and pursuant to a land patent, as confirmed by the Bureau of Land Management. That contract predates the existence of the State of Arizona and provides allodial title. Despite repeated notices, Respondents have failed to correct the erroneous tax rolls, leading to the unlawful imposition of liens, excessive fines, and ongoing threats of another foreclosure on Plaintiff's private homestead. In this exceptional case, Petitioner humbly requests the suspension of the rules of this Court by invoking Rule 48.2 when "applying them (the rules) would not be feasible or would result in an injustice"; I hereby reserve all rights.

May God Bless The United States of America,

 , Petitioner

### CERTIFICATE OF SERVICE

Pursuant to Rules 29.3 and 29.5 of the Rules of this Court, I certify that all parties required to be served have been served. On July 8, 2025, I caused a copy of the foregoing Emergency Application to Stay Orders of the Arizona Supreme Court and Remand this Case in Support of this Court Appellant Jurisdiction, Pending The Filing And Disposition Of A Petition For Writ of Certiorari And Request For Immediate Administrative Stay to be served by Certificate of Mailing: Attached hereto, made a part hereof as signed by the Postmaster.

/s/ Morgan Joseph Langan, Petitioner  
Post Office Box 741  
Cornville, Arizona The United States of America

SUPREME COURT OF ARIZONA

Respondents.

FILED 5/2/2025

By Court rule, mandamus actions are to be brought under the Special Action Rules of Procedure. See Ariz. R.P. Spec. Act 2(c) ("The writs of certiorari, mandamus or prohibition ... are now called special actions."). Pursuant to Rule 6(c), "If an original special action is filed in an appellate court and the action might have been

properly initiated in a lower court, the complaint must state the reasons for not filing in the lower court. If the appellate court finds these reasons insufficient, it will dismiss the complaint without prejudice."

Petitioner contends that a foreclosure is imminent, and "threats are ongoing and litigation is pending, thereby creating the need for this Court's action." (Petition at page 9) Although Petitioner advises that, "The record reflects that the lower court ruled to render Petitioner homeless," (Petition at page 8), it is not clear if Petitioner has sought relief in any lower court. Petitioner mentions, but does not provide, a superior court judgment entered September 27, 2023. To the extent Petitioner challenges a 2023 superior court judgment, in this proceeding, "With few exceptions, jurisdiction is discretionary in appellate special actions and may be accepted only if the remedy by appeal is not equally plain, speedy and adequate." Ariz. R.P. Spec. Act 2(b)(2). "Special actions may not be used as a substitute for an appeal." *Jordan v. Rea*, 221 Ariz. 581, 586 ¶ 8 (App. 2009) (internal citation omitted). Appeals are governed by the Arizona Rules of Civil Appellate Procedure.

Although this Court has original jurisdiction, it does not have exclusive jurisdiction over writs to state officers. See *Arizona Corp. Comm'n v. Superior Court In & For Maricopa Cnty.*, 107 Ariz. 24, 26 (1971) (stating, "We conclude, therefore, that the jurisdiction of the Supreme Court over extraordinary writs to state officers is not

exclusive but concurrent with that of the superior court.")  
Petitioner does not establish why this action cannot proceed in the  
superior court in the first instance.

Therefore,

**IT IS ORDERED** dismissing the Petition for Special Action without  
prejudice to filing a proper proceeding in superior court.  
Petitioner is cautioned that any proceeding must comply with the  
applicable court rules. The Court takes no position on the merits or  
timing of the petition.

DATED this 2<sup>nd</sup> day of May, 2025.

\_\_\_\_\_/s/  
JOHN R. LOPEZ IV  
Duty Justice

TO:  
Dennis M McGrane  
Morgan Joseph Langan

# Appendix B

## SUPREME COURT OF ARIZONA

MORGAN JOSEPH LANGAN,	)	Arizona Supreme Court
	)	No. CV-25-0108-SA
Petitioner,	)	
	)	
v.	)	<b>FILED 5/21/2025</b>
	)	
CHIP DAVIS, Treasurer Yavapai	)	
County; JUDD SIMMONS, Assessor,	)	
Yavapai County; MARY MALLORY,	)	
Chairman of the Yavapai County	)	
Board of Supervisors; DENNIS	)	
MCGRANE, Yavapai County Attorney,	)	
	)	
Respondents.	)	
	)	
	)	

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## O R D E R

On May 2, 2025, the Court dismissed Petitioner's "Petition for Special Action Original Jurisdiction Mandamus" without prejudice to filing a proper proceeding in superior court. In that order, the Court advised, "Petitioner is cautioned that any proceeding must comply with the applicable court rules."

On May 16, 2025, Petitioner filed a "Petition for Reconsideration" with an accompanying letter, "Please file and make note that this is an original not appellate action and the subject matter arises under the Arizona Constitution." Petitioner argues in his request for reconsideration that "This is an original action and is not intended as a substitute for an appeal."

However, Petitioner concedes that "he has in good faith prior appealed a lower court judgment," and attaches a copy of a judgment entered in September 2023.

As Petitioner was advised in this Court's May 2, 2025 order,

To the extent Petitioner challenges a 2023 superior court judgment, in this proceeding, "With few exceptions, jurisdiction is discretionary in appellate special actions and may be accepted only if the remedy by appeal is not equally plain, speedy and adequate." Ariz. R.P. Spec. Act 2(b)(2). "Special actions may not be used as a substitute for an appeal." *Jordan v. Rea*, 221 Ariz. 581, 586 ¶ 8 (App. 2009) (internal citation omitted).

Original special actions are governed by the Rules of Procedure for Special Actions. Rule 6(c) provides, "If an original special action is filed in an appellate court and the action may have been properly initiated in a lower court, the complaint must state the reasons for not filing in the lower court. If the appellate court finds these reasons insufficient, it will dismiss the complaint without prejudice." Therefore,

**IT IS ORDERED** denying the request for reconsideration.

**IT IS FURTHER ORDERED** closing this matter and directing the Clerk to accept no further pleadings.

DATED this 21<sup>st</sup> day of May, 2025.

\_\_\_\_\_  
/s/  
JOHN R. LOPEZ IV  
Duty Justice



TO:

Dennis M McGrane

Morgan Joseph Langan



CHIP DAVIS  
YAVAPAI COUNTY TREASURER  
1015 FAIR ST  
PRESCOTT, AZ 86305-1807

## DELINQUENT PROPERTY TAX NOTICE

5525\*16\*\*G50\*\*0.574\*\*3/4\*\*\*\*\*AUTO5-DIGIT 86325  
LANGAN MORGAN JOSEPH  
PO BOX 741  
CORNVILLE AZ 86325-0741

Appendix C

## PROPERTY INFORMATION

PARCEL	407-29-013C8
ADDRESS	1280 N WILLOW POINT RD CORNVILLE 86325
LEGAL	A rectangle portion of the NE4SE4 NE parcel corner is the E4 corner said section S 26 16N 4E

## DELINQUENT TAX INFORMATION

DELINQUENT YEAR(S)	2022 - 2024		
TAX/CERT	\$31,854.01	INT/FEE	\$1,440.81
<b>TOTAL</b>			<b>\$33,294.82</b>

Amounts listed are accurate as of 05/16/2025.

[taxinquiry.yavapaiaz.gov](http://taxinquiry.yavapaiaz.gov)  
(928) 771-3233

NEED TO UPDATE YOUR MAILING ADDRESS?

Visit [yavapaiaz.gov/assessor/Change-of-Address](http://yavapaiaz.gov/assessor/Change-of-Address)  
to update online.

Property taxes are due even if a bill is not received.

**\* SEE REVERSE SIDE FOR  
PAYMENT OPTIONS \***

## IMPORTANT NOTES REGARDING THIS DELINQUENCY:

(2) Cashier's check or money order and Certificate of Legal Right to Redeem required. Certificate form can be found at: [www.yavapaiaz.gov/Treasurer](http://www.yavapaiaz.gov/Treasurer) under Forms. Partial payments cannot be accepted. Please contact the Treasurer's Office for more information.

(4) A tax lien exists for property with 2023 and prior delinquent taxes.

(6) Per ARS 42-18053, delinquent taxes not involving a certificate bear simple interest at the rate of 16% per year.

(7) 2024 and prior taxes are subject to additional fees per ARS 42-18121. Please contact the Treasurer's Office to verify the amount due prior to remittance.

Please fold on perforation BEFORE tearing

DETACH AND MAIL THIS STUB WITH YOUR PAYMENT  
DO NOT STAPLE, TAPE, OR CLIP PAYMENT STUB OR CHECK

LANGAN MORGAN JOSEPH  
PO BOX 741  
CORNVILLE AZ 86325

PAYMENTS MADE  
PAYABLE AND MAILED TO:

YAVAPAI COUNTY TREASURER  
1015 FAIR ST  
PRESCOTT AZ 86305

PAYMENT MUST BE IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER



40729013C8

Mailed: 06/03/2025

2/2 5525