

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2008-000621-001 DT
CC2007176431

12/10/2008

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
S. LaMarsh
Deputy

JOHN W STONE
SHIRLEY D STONE

JOHN W STONE
18025 N 88TH DR
PEORIA AZ 85382
SHIRLEY D STONE
18025 N 88TH DR
PEORIA AZ 85382

v.

HON DAVID FLETCHER (001)
KENT C HARDING (001)

LISA C STELLY-WAHLIN

FINANCIAL SERVICES-CCC
MANISTEE JUSTICE COURT
REMAND DESK-LCA-CCC

HIGHER COURT RULING / REMAND

The Court has before it the Petitioner's Petition for Special Action and the corresponding appendix of the record thereto served on respondents with affidavit of said service filed with the Court representing the respondents were served, September 13, 2008.

The Court having reviewed the Petitioner's Application for Entry of Default filed, October 27, 2008, issued a minute entry order on November 26, 2008, granting the Petitioner's application after no response having been filed.

Accordingly, by operation of the law,

SUPERIOR COURT OF ARIZONA
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IT IS ORDERED a default judgment in favor of Petitioners and against the Respondents.

IT IS FURTHER ORDERED granting the Petitioner's special action that the respondent *Pro Tem* Judge David Fletcher's orders rendered August 13, 2008, are vacated as void for lack of jurisdiction and authority of law.

IT IS FURTHER ORDERED remanding this case to the Manistee Justice Court to remove *Pro Tem* Justice of the Peace, David Fletcher's August 13, 2008 orders from the docket, all in accordance with the formal written order signed by the Court on December 8, 2008 and filed by the Clerk on December 10, 2008.