

FILED

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2020 MAR 13 PM 2:08

WYLYNN TINNELL
SUPERIOR COURT CLERK

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6 Plaintiff Pro Per

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

8 **IN AND FOR THE COUNTY OF MOHAVE**

9 NANCY KNIGHT,

10 Plaintiff,

11 vs.

12 GLEN LUDWIG AND PEARL LUDWIG,
13 TRUSTEES OF THE LUDWIG FAMILY
14 TRUST; FAIRWAY CONSTRUCTORS, INC.;
15 MEHDI AZARMI; JAMES B. ROBERTS
16 AND DONNA M. ROBERTS, HUSBAND
17 AND WIFE; JOHN DOES 1-10; JANE DOES
18 1-10; ABC CORPORATIONS 1-10; AND XYZ
19 PARTNERSHIPS 1-10.

20 Defendants.

CASE NO.: CV 2018-04003

**REPLY TO DEFENDANTS' MAR. 11
NOTICE REGARDING PLAINTIFF'S
FEB. 28 MOTION FOR
RECONSIDERATION OF
DISMISSAL OF COUNT ONE
BASED ON NEW EVIDENCE AND
ADJUDICATE COUNT TWO BY
AUTHORITY OF THE ARIZONA
CONSTITUTION**

(Assigned to Hon. Judge Jantzen)

21 COMES NOW Nancy Knight, Plaintiff Pro Per, Replying to Defendants' Notice
22 that appears to have created confusion for the Defendant's and possibly on the Court.
23 Defendants are correct that they should not have responded to the Plaintiff's subject
24 Motion.

25 The Constitution issue is merely a refresher on the Court's powers and authority
26 under the Arizona Constitution in regards to a portion of Plaintiff's Count Two for
27 preliminary and permanent Injunctive Relief from advertising signage and the safety risk
28

REPLY TO NOTICE DATED MARCH 11 - 1



1 from sheet metal signs and the rider upon which these signs sit. In no way is the County
2 or State involved in the Court's powers and authority to take control of the situation.

3
4 There exists two issues that the Court has the power to evaluate and take action
5 upon. 1) The Defendant's business advertising on unimproved residential lots with sheet
6 metal signs that rust and deteriorate due to long-term exposure to the elements. 2) All
7 Real Estate for sale signs on unimproved lots that also deteriorate due to long-term
8 exposure to the elements and have been shown by the Defendant's own exhibit as being
9 totally uprooted from the ground.
10

11 Both of these issues of safety have been shown to occur in Desert Lakes Golf
12 Course and Estates Subdivision Tract 4076 with photos specifically cited for the
13 alphabetically suffixed phase of development entitled Tract 4076-B.
14

15 For clarity of the two parts to the Court's Reconsideration. 1) Reconsideration of
16 the Dismissal of Count One in regards to the alphabetically suffixed phase of
17 development in Subdivision Tract 4076 that is identified as Phase I Tract 4076-A and is
18 based on evidence. 2) Reconsideration of the Court's presumed inability to rule on the
19 separate issues of fact versus law with respect to defining the Defendant's signage as
20 business advertising that has now been reminded to the Court of its powers and authority
21 under the Arizona Constitution to rule, after all, on these advertising signs.
22
23

24 Statute 33-441 is separate and apart from this law suit as the Defendants are finally
25 admitting in their March 11 Notice; however, the Plaintiff has included this area of law
26 that the Court has the power and authority to strike down whether in the interest of safety
27
28

1 or for ambiguous and capricious language that infers the statute only applies to developed
2 lots since it is impossible to have indoor signs on undeveloped lots.

3
4 This differentiation would also benefit all property owners throughout the State of
5 Arizona who have CC&Rs with comparable language to those found in the Desert Lakes
6 Golf Course and Estates' Declaration "that an owner may place on his improved lot "For
7 Sale" signs, "For Lease" signs or "For Rent" signs so long as they are of reasonable
8 dimensions." (Emphasis supplied)
9

10 RESPECTFULLY SUBMITTED this 13th day of March, 2020.

11
12 
13 NANCY KNIGHT, Plaintiff Pro

14 COPY of the foregoing emailed on this 13th day of March, 2020 to:

15 djolaw@frontiernet.net
16

17 Attorney for Defendants

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