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6 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
7 IN AND FOR THE COUNTY OF MOHAVE

8	NANCY KNIGHT,	)	NO.: CV-2018-04003
9	Plaintiff,	)	<b>OPPOSITION TO CHANGE OF JUDGE</b>
10	vs.	)	
11	GLEN LUDWIG and PEARL LUDWIG, et al.,	)	
12	Defendants.	)	

13  
14 COME NOW, the LUDWIG, FAIRWAY and AZARMI Defendants, and pursuant to  
15 the provisions of ARCP Rule 42.2(e)(1), oppose Plaintiff’s “Claim of Court Bias.” Plaintiff  
16 has long since waived the right to a change of judge under Rule 42 and A.R.S. §12-409.

17 ARCP Rule 42.1 applies. Plaintiff, upon Jantzen’s appointment, specifically agreed  
18 to the Jantzen assignment. Judge Jantzen has ruled on no fewer than 50 motions.

19 ARCP Rule 42.2(d) a change for cause mandates that “A party **MUST** file an affidavit  
20 seeking a change of judge for cause within 20 days after discovering that grounds exist for  
21 a change.” No affidavit was filed and 20 days expired at least three to four years past.

22 Plaintiff’s grounds on p. 1, lines 21-23, of the Motion states: “... she has cause to  
23 believe, and does believe, that on account of bias or prejudice against women or prejudice  
24 against self-represented parties, she cannot get a fair and impartial trial.” Plaintiff’s Motion  
25 is devoid of a single objective fact, action, or statement of the assigned Judge that shows bias  
26 against “women” or “pro per plaintiffs.” Plaintiff’s Motion shows simply that the Court has  
27 not always ruled favorably on Plaintiff’s behalf. Plaintiff has not filed an affidavit  
28 supporting Plaintiff’s premise nor Rule 42.2 compliance. Plaintiff simply disagrees with

1 Judge Jantzen’s interpretation and application of the law (see, also, Plaintiff disagrees with  
2 Judge Napper’s ruling on consolidation of the 2018 case with the 2021 case stating that  
3 Judge Napper’s “assumption” of facts is wrong (see, p. 2, line 1 of the pending Motion).

4 Plaintiff claims granting her “bias” motion will clear Judge Napper’s confusion and  
5 erroneous thought process and effectuate Plaintiff’s reconsideration motions that have been  
6 denied by both Judges.

7 Plaintiff’s believes that claiming “bias” will cure the Jantzen Court’s error that the  
8 Defendants filing of an unsuccessful Motion for Summary Judgment in 2019, transformed  
9 the Defendants into Plaintiffs (see, p. 2, lines 6-21).

10 Plaintiff’s unsuccessful filing of repetitive injunction motions equates to prejudice  
11 because Plaintiff believes Plaintiff is right and the Court is wrong (see, p. 2, lines 22-28 and  
12 p. 6, lines 13-20).

13 Plaintiff references that the Jantzen Court found Plaintiff “vexatious” in a 2016 case  
14 (see, p. 4, lines 1-8). Judge Jantzen specifically advised Plaintiff of the Court’s prior  
15 “vexatious” ruling at the outset of this case and that if requested, Judge Jantzen would recuse  
16 himself. Plaintiff waived her right in 2019.

17 Plaintiff’s Motion argues evidence of bias on Plaintiff’s failed motion to dismiss the  
18 “defense of abandonment” based on alleged “unclean hands” and alleged fraudulent  
19 affidavits in Defendants’ Motion for Summary Judgment (see, p. 4, lines 13-20, p. 5, lines  
20 14-25, p. 6, lines 21-26, p. 7, lines 15-28 and p. 8, lines 1-20).

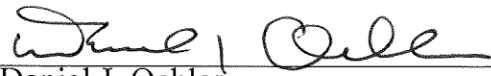
21 A “bias” claimant citing A.R.S. §12-409 is mandated to show ARCP Rule 42.2  
22 compliance. Plaintiff’s own Motion states that at least by May 2020, almost three years ago,  
23 that “there exists a real possibility that bias is affecting court ruling” (p. 6, lines 1-6). Rule  
24 42.2 requires Plaintiff to act within 20 days of bias discovery, not within three-plus years.  
25 Plaintiff has continuously claimed “bias” when Plaintiff receives a negative ruling from the  
26 Court (see the case history). We see the identical threats of A.R.S. §12-409 in the Yavapai  
27 County 2021 case where threats by Plaintiff to the trial court that Plaintiff would be  
28 “...bringing allegations of bias...” before the Court of Appeals stating that: “There exists a

1 real possibility that bias in Mohave County has affected court rulings” referring to Yavapai  
2 County. (See, 08/09/2022 Plaintiff’s Motion for Reconsideration of Dismissal, p. 6, lines 23-  
3 24, Yavapai County Superior Court, Case No. CV-2022-00177.) Similar and more inclusive,  
4 A.R.S. §12-409 statements were made in Plaintiff’s Motion for Reconsideration of Dismissal  
5 on August 13, 2022, directed at Judge Napper, “... something is amiss in Yavapai County  
6 Court ... all dismissals defy the rule of law” (see, p. 9, lines 15-16).

7 A review of Plaintiff’s Motion shows that Plaintiff is using A.R.S. §12-409 and ARCP  
8 Rule 42 as a means to bring before a new judge the re-litigation of Plaintiff’s failed motion  
9 practice. The request approximately four years post this Court’s consented appointment is  
10 untimely. There is no basis to grant Plaintiff’s Motion. Plaintiff’s Motion is based  
11 exclusively on Plaintiff’s subjective beliefs as set forth in Plaintiff’s non-compliant Motion.

12 RESPECTFULLY SUBMITTED this 27<sup>th</sup> day of February, 2023.

13 LAW OFFICES OF DANIEL J. OEHLER

14   
15 Daniel J. Oehler,  
Attorney for Defendants

16 **COPY** of the foregoing emailed  
17 this 27<sup>th</sup> day of February, 2023, to:

18 Honorable Rick Lambert  
19 Mohave County Superior Court  
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By: 