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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 and

12 GLEN LUDWIG and PEARL LUDWIG,
13 Trustees of THE LUDWIG FAMILY TRUST;
14 FAIRWAY CONSTRUCTORS, INC.;
15 MEHDI AZARMI; JAMES B. ROBERTS and
16 DONNA M. ROBERTS, husband and wife;
17 JOHN DOES 1-10; JANE DOES 1-10; ABC
18 CORPORATIONS 1-10; and XYZ
19 PARTNERSHIPS 1-10.

20 Defendants.

Case No.: CV 2018 04003

**ACTION FOR
DECLARATORY JUDGMENT ON
NON-AVOIDANCE OF SECOND
ORDERS BY JUDGE JANTZEN DATED
FEBRUARY 17, 2023**

**Hon. Judge Nielson
Visiting Judge**

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22 COMES NOW Plaintiff Pro Per, NANCY KNIGHT, respectfully requests a
23 Declaratory Judgment, pursuant to Rule 57, to end the controversy over whether Plaintiff
24 disobeyed, avoided or failed to follow Hon. Judge Jantzen's Second Order for her to
25 Serve Indispensable Parties as dated on or about 17 February 2023 (approximately one-
26 year after the First Order failed completion of the Court's requirements by defense and
27 plaintiff's counsels to author documents for the Service Packet).
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 1. After the First Order had failed to provide the Plaintiff with necessary
3 documents for the Service Packet and due to the Plaintiff's attorney withdrawing from
4 the matter on or about October 26, 2022, the Court Ordered that the Plaintiff, who was
5 now self-represented, receive a copy of documents as written by defense counsel and her
6 former attorney.
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9 2. On November 14, 2022 Plaintiff had timely filed her Notice of Proposed
10 Final Orders and the Proposed Final Orders that was comprised of Plaintiff's October 28,
11 2022 Proposed Order and Defense Counsel Oehler's Proposed Final Form Order.
12 Plaintiff included a Proposed Summons and Proposed Waiver of Service Form designed
13 for service on Indispensable Parties that was intended to be clear that the necessary and
14 indispensable parties were being joined in the matter because the outcome of the case
15 could affect their rights but they were not being sued. Plaintiff, being unaware that the
16 Court had a responsibility to author and sign a Notice to Property Owners, had worked
17 diligently to provide the Court with appropriate language for what she believed was a
18 necessary modified Waiver of Service of Summons and a modified Summons to assure
19 that the Rule 19 Parties were informed that they were not being sued by the Plaintiff.
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22 3. When Hon. Judge Jantzen signed the 17 February 2023 second Order as
23 written by defense counsel Oehler, the document again did not meet the necessity of a
24 Notice to Property Owners signed by the Court and stated that the Plaintiff was suing the
25 Rule 19 Parties. A claim for which Plaintiff had no Grounds for so doing and due to some
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1 of those Rule 19 parties already being sued in CV 2022 00177, Plaintiff was placed in a
2 position of entrapment by the Court for suing these parties in two concurrent cases.
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4 a. A Summons is a court order that gives the Defendant notice that a
5 lawsuit has been filed against him or her.

6 b. The Clerk of the Court issues the Summons to each Defendant after the
7 Complaint is filed.

8 c. The delivery of the Summons and Complaint is called “service of
9 process”.

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11 d. Plaintiff has no grounds for a Complaint against the majority of Rule 19
12 Parties and especially no grounds against the seven Rule 19 Parties who
13 were already being sued in CV 2022 00177. Judge Jantzen was well
14 aware of these Defendants since he denied the Plaintiff Leave to Amend
15 and therefore was well aware that a second law suit had to be filed by
16 the Plaintiff against those property owners who had continuing
17 violations of the CC&Rs. That second law suit was filed in his court in
18 2021 and then had a change of venue to Yavapai County in 2022.
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22 4. Judge Jantzen recused himself on April 27, 2023. The Hon. Judge Lambert
23 was never allowed to complete his evaluation of Plaintiff’s Rule 42.2 Affidavit of Judge
24 Jantzen’s long history of Bias against the Plaintiff. Judge Jantzen removed Judge
25 Lambert. Judge Moss, who had recused himself from this case, reassigned the case to the
26 Hon Judge Nielson of Navajo County as a visiting judge to Mohave County on May 4,
27 2023.
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