

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-050572

02/07/2014

COMM. VERONICA W. BRAME

CLERK OF THE COURT
L. Hart
Deputy

IV-D ATLAS NO. 000099573500
STATE OF ARIZONA, EX REL, DES
DESIREE LISETTE HERNANDEZ

DESIREE LISETTE HERNANDEZ
1400 N ALMA SCHOOL ROAD
APT 248
CHANDLER AZ 85224

AND

ROBERT JACOB NEAL

KARL T SCHOLES

AG-CHILD SUPPORT-EAST VALLEY
OFFICE

MINUTE ENTRY

The Court takes judicial notice of the history of this case, as it pertains to Respondent/
Father's *Petition to Modify Child Support*:

- October 31, 2013: The *Declaration of Service by a Private Process Server* indicates Petitioner/Mother was served with Father's action on October 30, 2013.

The Declaration indicates:

*Note: I called Desiree on her cell phone and she was at a work Halloween party. She stated for me to place the documents in her front door and she would call me when she received them after she arrived home. Desiree called me at 6:55 Petitioner/Mother and stated that she had the papers."

- November 8, 2013: Father files his *Petition for Modification of Child Support (Simplified Process)*. [According to the *Declaration of Service by a Private*

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-050572

02/07/2014

Process Server filed on October 31, 2013, Mother is served with Father's action on October 30, 2013.]

- November 8, 2013: Father files a *Notice of Re-Filing Petition for Modification of Child Support (Simplified Process)*. No filing fee is paid.
- November 20, 2013: The State accepts service of Father's petition to modify and parents worksheet for child support.
- There is no indication in the court record that Mother was served with Father's *Notice of Re-Filing Petition for Modification of Child Support (Simplified Process)*.

Based upon the matters presented herein,

THE COURT FINDS that the Court records indicate that Mother was served with Father's action prior to the filing of Father's action. Therefore, Mother has not been properly served with Father's action. Father must re-serve Mother with his action.

Communication with the Court

The parties are advised that since this is an open Title IV-D case, the State is an interested party; therefore the State must be endorsed on all matters pertaining to child support and must also be served with any petitions that involve child support.

**The Office of the Assistant Attorney General
Department of Economic Security – Child Support Enforcement**

**Physical
2290 W. Guadalupe Road
Building 3
Gilbert, AZ 85233**

**Mailing
P. O. Box 2390
Gilbert, AZ 85299-2390**

A party cannot engage in any *ex parte* communication with the Court (i.e., communication directed to the Court without knowledge of the other party). Therefore, for the Court to consider any request, all copies of any correspondence must be provided to the opposing parties.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2011-050572

02/07/2014

Your pleading/motion must also tell the judicial officer the following:

- That the motion/pleading was filed with the Clerk of the Court.
- That the motion/pleading was mailed/delivered to the judicial officer assigned to this action, as well as the date the motion/pleading was delivered to the judicial officer assigned to this action.
- The date you delivered a copy of the motion to the other parties.
- The address to which the copy was sent to the other parties.
- Whether the delivery was by mail or by hand.

NOTE: If the above instructions are not followed, the pleading/motion will be rejected and not considered by the Court and will subject the filing party to re-filing their request.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>