

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-156830-001 DT

12/14/2007

THE HONORABLE ANNA M. BACA

CLERK OF THE COURT
A. Gonzalez
Deputy

STATE OF ARIZONA

CAROLYN J ROBINSON

v.

OZIE WASHINGTON (001)

JAMES P LEONARD
MICHELE M IAFRATE

JUDGE MROZ
VICTIM SERVICES DIV-CA-CCC

RULING

The court has received Defendant's Request for Order to Show Cause alleging that on December 13, 2007 the Maricopa County Sheriff's Office closed its jail facilities in violation of this court's order.

THE COURT FINDS that the Request fails to comply with the statutory and procedural requirements for Civil Contempt. Civil Contempt is the disobedience of a court order directing an act for the benefit or advantage of the opposing party to a litigation. *Van Dyke v. Superior Court*, 24 Ariz. 508, 211 P. 576 (1992); *Riley v. Superior Court* 124 Ariz. 498, 605 P 2d 900 (Ct. App. 1979). More specifically, defendant has not filed a verified petition with a recitation of the facts that evidence the failure of the Sheriff to comply with the court's order and Sheriff's knowledge of the order and the means by which the Sheriff can bring the Sheriff's Office into compliance (to purge the contempt). Further, no form of Order to Show Cause was submitted for the court's signature. (An Order must be served pursuant to A.R.Civ.P. 4 and A.R.Civ.P. 5.)

Therefore,

IT IS ORDERED denying Defendant's Request for an Order to Show Cause, without prejudice.