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AUG 23 2024  
CLERK SUPREME COURT



**Court of Appeals**  
STATE OF ARIZONA  
DIVISION TWO  
CLERK OF THE COURT  
**BETH C. BECKMANN**

FILED  
AUG 13 2024  
TRACIE K. LINDEMAN  
CLERK SUPREME COURT  
BY

Arizona State Office Complex  
400 W. Congress, Suite 200  
North Building  
Tucson, AZ 85701-1374

(520) 628-6954  
Fax: (520) 628-6959  
Email: [beckmann@appeals2.az.gov](mailto:beckmann@appeals2.az.gov)  
Website: [www.appeals2.az.gov](http://www.appeals2.az.gov)

August 21, 2024

ASC: CV-24-0201-AP/EL

Tracie Lindeman  
Clerk of the Arizona Supreme Court  
1501 W. Washington Street  
Phoenix, AZ 85007

RE: ELI DALTON-WEBB v. STEPHANIE MONEY..., COCHISE COUNTY BOARD OF SUPERVISORS

Ms. Lindeman,

It has been determined that jurisdiction of the attached document lies in the Arizona Supreme Court.

The Notice of Appeal is transferred to the Arizona Supreme Court, pursuant to A.R.S. § 12-120.22, 16-351, and Rule 10.

The Clerk of Cochise County Superior Court shall forward the record to the Arizona Supreme Court.

Please contact the Clerk's Office at the Court of Appeals, Division Two if you have any questions. (520) 628-6954.

Thank You!

Itza French  
Chief Deputy Clerk  
Court of Appeals, Division Two  
Tucson, AZ 85701

Enc.

Page Two  
Copies to:

Tracie Lindeman  
Clerk of the Court  
Arizona Supreme Court  
1501 W. Washington Street  
Phoenix, AZ 85007

Eli Dalton-Webb  
5009 E. Ironwood Circle  
Sierra Vista, AZ 85650

Marisol Renteria Elections Director  
Agent for Stephanie Money  
1415 Melody Lane, Building E  
Bisbee, AZ 85603

Stephanie Money  
P.O. Box 652  
Bisbee, AZ 85603

Stephanie Money  
33 Shearer Avenue  
Bisbee, AZ 85603

Hon. David Thorn, Judge  
Cochise County Superior Court, Div. III  
4 Ledge Avenue, Administration Bldg.  
Bisbee, AZ 85603

Amy Hunley  
Clerk of the Court  
Cochise County Superior Court  
P.O. Drawer CK  
Bisbee, AZ 85603

ASC: CV-24-0201-AP/EL

FILED

AUG 09 2024

NO. AMY J. HURLEY  
CLERK OF SUPERIOR COURT  
BY: NO

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Eli Dalton-Webb  
5009 E. Ironwood Circle  
Sierra Vista, Arizona 85650  
email: dw4az@proton.me  
Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

Eli Dalton-Webb, a qualified elector;	Case No. CV202400439
Plaintiff	Election Nomination Challenge
y.	RE: Notice of Appeal
STEPHANIE MONEY, as a candidate for Cochise College District Board Member; MARISOL RENTERIA, as Director of the Cochise County Elections Department; DAVID STEVENS, the Cochise County Recorder; and THE COCHISE COUNTY BOARD OF SUPERVISORS and its members, in their official capacities,	
Defendants	

NOTICE OF APPEAL

Notice is hereby given that the Plaintiff appeals to the Arizona Supreme Court from the Order and/or Judgment made and entered in this case on 7 August 2024.

1. Plaintiff and all parties agree the Defendant Stephanie Money did not file a statement of interest.
2. Plaintiff and all parties agree the Defendant Stephanie Money did not file a financial disclosure statement.

**NOT FOR SETTLEMENT**  
 Notice of Appeal Rec'd: 8/13/24  
 Record of Appeal Due: 9/2/24

emailed 8/13/24 SB

**RECEIVED**  
 AUG 13 2024  
 ARIZONA COURT OF APPEALS  
 DIVISION TWO

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3. This Court and Defendants believe a statement of interest is not required. Plaintiff disagrees and appeals this interpretation of law.

4. This Court and Defendants believe a financial disclosure statement is not required. Plaintiff disagrees and appeals this interpretation of law.

5. This Court and Defendants rely on this interpretation (as described in paragraphs 3 and 4) to render the decision to deny the Plaintiff's request for relief, with such relief requested to have Ms. Stephanie Money removed from the ballot and preclude her from running as a write-in for the same office. Plaintiff disagrees and appeals this denied relief. Plaintiff asserts that Stephanie Money should be removed from the ballot, and should be precluded from running as a write-in as a matter of law.

6. Supreme Court of Arizona is correct venue and jurisdiction, pursuant to A.R.S. § 16-351.

**CORRESPONDENCE**

Plaintiff continues to request correspondence continue to be made via e-mail to [dww4az@proton.me](mailto:dww4az@proton.me) (the same e-mail address).

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**A copy of this has been sent to:**

**SBrott@cochise.az.gov**

**CVAttymeo@cochise.az.gov**

**Christine J. Roberts  
Chief Civil Deputy County Attorney  
P.O. Drawer CA  
Bisbee, AZ 85603**

**(Counsel for defendants county recorder, board of supervisors, county elections  
director)**

**mrenteria@cochise.az.gov**

**elections@cochise.az.gov**

**Marisol Renteria  
Elections Director  
Agent for Stephanie Money  
1415 Melody Lane, Building E  
Bisbee, Arizona 85603**

**(Agent for defendant Stephanie Money)**

**Stephanie Money  
PO Box 652  
Bisbee, Arizona 85603**

**Stephanie Money  
33 Shearer Avenue  
Bisbee, Arizona 85603**

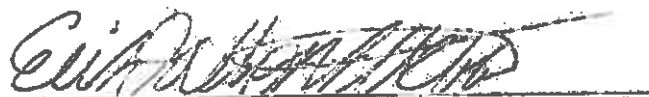
**bisbeesteph@yahoo.com**

**(Defendant Stephanie Money)**

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SIGNATURE

Dated this day, 9 August 2024



Eli Dalton-Webb

**SUPERIOR COURT, STATE OF ARIZONA, In and for the County of Cochise**

<p><b>ELI DALTON-WEBB,</b> Plaintiff,  vs.  <b>STEPHANIE MONEY, as a candidate,</b> for Cochise College District Board Member; <b>MARISOL RENTERIA, as</b> Director of the Cochise County Elections Department; <b>DAVID STEVENS, the</b> Cochise County Recorder; and <b>THE</b> <b>COCHISE COUNTY BOARD OF</b> <b>SUPERVISORS</b> and its members, in their official capacities, Defendants.</p>	<p>August 7, 2024  Case No. CV202400439  ORDER  (Under Advisement Ruling)</p>	
<p><b>HONORABLE DAVID THORN</b> <b>DIVISION THREE</b></p>	<p>By: <b>Lauren Begnoche</b> Judicial Administrative Assistant</p>	

This case is an Election Nomination Challenge to preclude the Defendant's name from appearing on a ballot for a seat on the Cochise County Community College District Board. For the following reasons the relief sought by the Plaintiff is **DENIED** and the matter is **DISMISSED**.

Defendant Stephanie Money submitted a Nomination Paper and Declaration of Qualifier along with Nonpartisan Nominating Petitions to the Cochise County Elections Department on July 5<sup>th</sup>, 2024. Plaintiff brought this lawsuit on July 17<sup>th</sup>, 2024 alleging that Defendant failed to file a Statement of Interest prior to obtaining nominating petitions and therefore none of the signatures she submitted were valid. Plaintiff also asserted that because Ms. Money failed to submit a financial disclosure statement, the Elections Director erred in accepting her nominating petitions which, he alleged, she was also required to file pursuant to Arizona Revised Statute §16-311(I)(1).

A.R.S. §15-1442 provides the procedure for candidates who wish to run for the district board of a community college. §15-1442(A) states that "[c]andidates for the district board must file nominating petitions, conforming to section 16-314, with the appropriate county officer. §15-1442(B) states that "[m]embers of the district board shall be elected at the time and place, and in the manner, of general elections as provided in title 16.

A.R.S. §16-314 refers to the filing and form of nomination petitions. The gravamen of Plaintiff's complaint is that A.R.S. §16-311 is part of Title 16 and section 311 requires, among other things, that a candidate for office must file a statement of interest for the office they seek (311 (H)). §16-311(I) states that the "filing officer" shall not accept the nomination petitions unless the candidate has provided a financial disclosure

statement "as prescribed for candidates for that office" and the declaration of qualification and eligibility referenced in §16-311(D).

The Court disagrees. The word "manner" is "[a] way, mode, method of doing anything, or mode of proceeding in any case or situation." *Black's Law Dictionary*, 6<sup>th</sup> Ed. In this case, A.R.S. §15-1442 simply states that someone who wants to run for a seat on the community college district board must file nominating petitions with the requisite number of valid signatures. Once that is done, the election for the board is handled the same way as the election for any other elected official; that is, on the second Tuesday of November, using the correct ballot, at the authorized polling places etc. This result is consistent with the statutory interpretive canon of *generalialia specialibus non derogant*; the idea that if there is a conflict between a general provision of a statute and a specific provision, the specific provision prevails.

The legislature could have certainly stated that a candidate who wished to run for a seat on a community college board must do so in accordance with A.R.S. §16-311. It did not. The legislature simply stated that a candidate must file nominating petitions and then the election would be held like all other elections are held.

This is a final and appealable **ORDER** and no matters remain undecided. Judgment is entered pursuant to Arizona Rule of Civil Procedure 54(C).



signed by DAVID THORN 09/07/2004 11:07:04 WWSJ-JCL

Honorable David Thorn

mailed/distributed:

xc: Eli Dalton-Webb ([Dw4az@proton.me](mailto:Dw4az@proton.me))  
Christine Roberts, Chief Civil Deputy County Attorney ([cvattyme0@cochise.az.gov](mailto:cvattyme0@cochise.az.gov))  
Paul Correa, Civil Deputy County Attorney ([cvattyme0@cochise.az.gov](mailto:cvattyme0@cochise.az.gov))  
Stephanie Money ([bisbeeSTEPH@yahoo.com](mailto:bisbeeSTEPH@yahoo.com))  
Rebecca Porter ([rporter@courts.az.gov](mailto:rporter@courts.az.gov))

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
**In and for the County of Cochise**

**JUDGE: HONORABLE DAVID THORN**  
**DIVISION: THREE**  
**COURT REPORTER: LIBERTY DIGITAL**  
**INTERPRETER: NONE**

**AMY J. HUNLEY, Clerk of the Superior Court**  
by: SARAH SOUTH (8/6/2024), Deputy Clerk

**HEARING DATE: 08/05/2024**

**ELI DALTON-WEBB**  
Plaintiff,

**VS**

**STEPHANIE MONEY et al.,**  
Defendant(s).

**CASE NO: S0200CV202400439**

**MINUTE ENTRY: PETITION - SPECIAL ACTION**

**HEARING START TIME: 01:33 PM**  
**HEARING END TIME: 04:15 PM**

**Plaintiff present in Pro Per**  
**Defendant present in Pro Per**

This matter came before the Court this date for an Election Challenge.

The Plaintiff's and Defendant's exhibits were mislabeled, they were relabeled. Plaintiff's exhibits 1-5 were marked for identification purposes. Defendant's exhibits A-E were marked for identification purposes.

Mr. Dalton-Webb gave an opening statement.

The Court inquired of Mr. Dalton-Webb, as to his position.

The Court went off the record at 2:12 p.m., to allow Mr. Dalton-Webb time to read prior cases.

\*\*\*\*\*

The Court went back on the record at 2:39 p.m., with all aforementioned parties present.

Plaintiff's exhibit 5 was entered into evidence.

Defendant's exhibits B-D were entered into evidence.

Mr. Dalton-Webb addressed the court and further explained his position.

Ms. Money addressed the Court and stated her position.

Mr Correa addressed the Court and stated the position of County.

The Court **DENIED** the motion for Summary Judgement.

The Court informed the parties the complaint was going to be **DISMISSED**.

**DATE: 08/05/2024 Case No.: S0200CV202400439**

**Minute Entry- Hearing-Petition Special Action**

The Court shall take this matter *UNDER ADVISMENT* at this time.

The Court shall prepare a ruling by Friday, August 09, 2024, by close of business.

Proceedings concluded.

xc: e-mailed (e) by: ss date: 08/06/2024

Plaintiff:(e)(dw4sz@proton.me)  Defendant:(e)(bisbeesteph@yahoo.com)

CCSO/Civil(e)(cvattyme0@cochise.az.gov)

DIV THREE JAA(e)

Rebecca Porter(e)(rporter@courts.az.gov)

Please do not visit the courthouse if you are experiencing a communicable illness. Contact your attorney or the Court to reschedule your court appearance or to request a telephonic appearance.



**Cochise County  
Clerk of the Superior Court**

Public Programs...Personal Service  
www.cochise.az.gov

**AMY J. HUNLEY**  
Clerk of the Superior Court  
Jury Commissioner  
Probate Registrar

**RACHEL D. GRAY**  
Chief Deputy Clerk

**FILED**

**AUG 13 2024**

**AMY J. HUNLEY  
CLERK OF SUPERIOR COURT**

BY: ajh

**CLERK'S NOTIFICATION RE: NOTICE OF APPEAL FILED**

**TO:** Court of Appeals, Division Two (via Dropbox)  
Eli Dalton-Webb [Dw4az@proton.me](mailto:Dw4az@proton.me)  
Stephanie Money [blsbeesteph@yahoo.com](mailto:blsbeesteph@yahoo.com)  
Cochise County Attorney [cvattymeo@cochise.az.gov](mailto:cvattymeo@cochise.az.gov)

**FROM:** Amy J. Hunley, Clerk of the Superior Court

**DATE:** August 13, 2024

**RE:** Dalton-Webb vs. Money, et al., Cochise County Case No. CV202400439

The attached Notice of Appeal was filed in the above-referenced matter on August 9, 2024, by the Plaintiff, Eli Dalton-Webb.

**NOT FOR SETTLEMENT**  
Notice of Appeal Filed: 8/13/24  
Record of Appeal Due: 9/12/24

**RECEIVED**  
AUG 13 2024  
ARIZONA COURT OF APPEALS  
DIVISION TWO

**Bisbee**  
100 Quality Hill  
PO Drawer CK  
Bisbee, Arizona 85803  
520-432-8600

**Sierra Vista**  
100 Colonia de Salud, Suite 200  
Sierra Vista, Arizona 85635  
520-803-3060

**Assistant Jury Commissioner**  
PO Drawer DE  
Bisbee, Arizona 85803  
520-432-8585  
[ccjc@courts.az.gov](mailto:ccjc@courts.az.gov)

*emailed 8/13/24 SB*