



**Cochise County
Clerk of the Superior Court**

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APR 04 2025

AMY J. HUNLEY
CLERK OF SUPERIOR COURT
BY: 

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

RACHEL D. GRAY
Chief Deputy Clerk

CLERK'S NOTIFICATION RE: NOTICE OF APPEAL FILED

TO: Court of Appeals, Division Two (via Dropbox)
Eli Dalton-Webb dw4az@proton.me
Jones, Skelton & Hochuli, P.L.C.: ctavis@ishfirm.com, cwong@ishfirm.com
Derek Graffious, Esq, dgraffious@ishfirm.com
Michele Molinario, Esq., mmolinario@ishfirm.com
Lauren Begnoche, Judicial Assistant for Division 3, lbegnoche@courts.az.gov

FROM: Angela Moreno, Deputy Clerk, Appeals

DATE: April 4, 2025

RE: Eli Dalton-Webb v. City of Sierra Vista et al.
Cochise County Case No. CV202400628

The attached Notice of Appeal was filed in the above-referenced matter on 03/21/2025, by the Plaintiff, Eli Dalton-Webb.

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100 Quality Hill
PO Drawer CK
Bisbee, Arizona 85603
520-432-8600

Sierra Vista
100 Colonia de Salud, Suite 200
Sierra Vista, Arizona 85635
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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, Plaintiff v. CITY OF SIERRA VISTA, a municipal corporation in Arizona, OFFICER E. SLUSSER, R. Hertman, OFFICER S. McHunting, M. Partidge, peace officers of the Sierra Vista Police Department, Defendants	Case No. CV202400628 Assigned to: Hon. David Thorn Civil Rights Violations; Article 2 § 5 of the Arizona Constitution, etc. RE: Notice of Appeal
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NOTICE OF APPEAL

Notice is hereby given that the Plaintiff appeals to the Arizona Court of Appeals
(Division 2) from the judgment and/or order entered in this case on 28 February 2025.

1. Plaintiff alleges that he commenced this civil action on 4 October 2024, which
would make this civil action timely and not time-barred.

2. The Defendant City, through Counsel, moved to dismiss this civil action as
untimely, alleging that this civil action was commenced on 9 October 2024.

1 3. Plaintiff filed a Motion for Leave to Amend Complaint, which this Court has twice
2
3 deemed “moot” and “futile”, explaining that this civil action is untimely.
4

5 4. Plaintiff hereby appeals the interpretation of the relevant court rules, Arizona
6
7 Constitution, state law, and the facts regarding the determination of the commencement date
8
9 of this civil action. Plaintiff hereby disagrees with the assertion that the civil action was
10
11 commenced on 9 October 2024. Plaintiff hereby asserts that the civil action was commenced
12
13 on 4 October 2024.
14

15 5. Plaintiff reads the 7 February 2025 order as **ONLY** dismissing the civil action as
16
17 untimely and all other matters (including Motion for Leave to Amend) moot. Plaintiff reads
18
19 the 7 February 2025 order (dismissing the civil action) as disregarding all other arguments as
20
21 **MOOT** because of the alleged untimeliness of the action. Plaintiff reads the 7 February
22
23 2025 order as non-final and non-appealable.
24

25 6. Plaintiff reads the 28 February 2025 order as **ONLY** dismissing the civil action as
26
27 untimely and the Motion to Amend Complaint as “futile”.
28

29 7. Plaintiff reads the 7 February 2025 order as denying the Motion for Leave to
30
31 Amend Complaint as moot.
32

33 8. Plaintiff reads the 28 February 2025 order as denying the Motion for Leave to
34
35 Amend Complaint as futile.
36

37 9. Plaintiff explained his position in his Motion for Leave to Amend Complaint
38
39 regarding that the action was commenced on 4 October 2024, **NOT** 9 October 2024. This
40
41 Court has determined that this amendment is “moot” and “futile”. Plaintiff asserts that this
42
43 argument is extremely important, is not “moot” and is not “futile”, and that this Court erred
44
45 in deeming the Motion for Leave to Amend as “moot” and/or “futile”.
46
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48

1 10. Plaintiff hereby appeals the Motion for Leave to Amend Complaint being deemed
2 "moot" and/or "futile".
3

4 11. Plaintiff hereby requests the appellate court to narrow the subject on appeal to
5 only (1) timeliness of this civil action; and (2) the Motion for Leave to Amend Complaint
6 being "moot" and/or "futile" and/or the motion being denied.
7
8

9 12. Plaintiff hereby requests the appellate court to read the 7 February 2025 order as
10 non-final and non-appealable.
11
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13 13. Plaintiff hereby requests the appellate court to read the 28 February 2025 order
14 as, according to the Superior Court, **ONLY** (1) deeming the civil action as untimely; and (2)
15 deeming the Motion for Leave to Amend Complaint as futile.
16
17

18 14. Plaintiff hereby requests the appellate court to read the 28 February 2025 order as
19 **NOT** deciding any of the other matters, including (1) the alleged no private cause of action
20 issue; and (2) alleged failure to state a claim for which relief may be provided. Plaintiff
21 requests the appellate court to deem these issues as non-decided, non-final, and non-
22 appealable.
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30 **CORRESPONDENCE**

31 Plaintiff requests that all correspondence and service in this matter continue to be
32 made with Plaintiff via e-mail at the same e-mail provided and that has been used at
33 dw4az@proton.me .
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A copy of this will be sent to:

DGraffious@JSHFIRM.COM

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CWong@jshfirm.com

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lbegnoche@courts.az.gov

JONES, SKELTON & HOCHULI P.L.C.
40 N. Central Avenue, Suite 2700
Phoenix, Arizona 85004

Submitted respectfully this day, 21 March 2025,

A handwritten signature in cursive script, appearing to read "Eli Dalton-Webb", written over a horizontal line.

Eli Dalton-Webb