


FILED

DEC 30 2025

AMY J HUNLEY
CLERK OF SUPERIOR COURT
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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**

<p>Eli Dalton-Webb, Plaintiff v. CITY OF SIERRA VISTA, an Arizona municipal corporation, Defendant</p>	<p>Case No. CV202500919 Assigned to: DIV. 4 Complaint for Special Action</p>
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PARTIES, JURISDICTION, AND VENUE

1. Plaintiff, Mr. Dalton-Webb is a resident of Cochise County, in Arizona.
2. Defendant City of Sierra Vista is a municipal corporation under the laws of the State of Arizona, with boundaries wholly in the County of Cochise.
3. This Court has authority to decide on Title 39 public records matters, pursuant to A.R.S. § 39-121.02.
4. Venue and jurisdiction are proper in this Court.

BACKGROUND

5. On 1 December 2025, Plaintiff sent an A.R.S. Title 39 request, commonly referred to as “public records” (see Exhibit A). (NOTE: these requests start with “Item #9”, Plaintiff made other Title 39 requests that are outside this special action)

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6. This Title 39 request was sent on 1 December 2025 via (1) e-mail to Jill.Adams@SierraVistaAZ.gov (the city clerk) (see Exhibit B); and (2) USPS to City Clerk’s Office, 1011 N. Coronado Dr, Sierra Vista, AZ 85635.

7. On 2 December 2025, the City clerk confirmed (via e-mail) receipt of this Title 39 request (see Exhibit C).

8. To this date, on 30 December 2025, zero items have been turned over to Plaintiff, which is a violation of A.R.S. Title 39, among other laws.

9. A delay is a denial. A.R.S. § 39-121.01(E) requires that records be turned over “promptly”.

10. Because it has been 28 days since the City of Sierra Vista has acknowledged receipt of the Title 39 request, the City of Sierra Vista has not promptly turned over records, and therefore the Plaintiff has been wrongly denied records, and may file this special action under A.R.S. § 39-121.02.

11. Further, the Plaintiff may be in preparation for litigation related to other matters, so it is important that the Plaintiff receive these records promptly, as the Plaintiff has various deadlines for litigating other matters that rely on receiving these records.

REQUEST FOR RELIEF

Plaintiff requests the following relief:

12. Injunctive/mandamus relief, requiring that the Defendant(s) turn over public records, as requested in Exhibit A.

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13. Monetary relief, for all costs related to litigation, not excluding process server fees, postage, printing costs, court filing fees, travel expenses to and from the Court, and all other costs related to litigating this matter.

14. Monetary relief, for damages under A.R.S. § 39-121.02(C), and all other laws and legal theories, for the reasonable monetary value of Petitioner's time necessarily and reasonably expended to obtain the records (and other matters subject to Title 39) and to address the denial (including time spent preparing and submitting requests, documenting and following up on noncompliance, reviewing partial productions, researching and preparing filings, preparing for and attending hearings, and otherwise litigating the denial).

15. Monetary relief, for attorney's fees.

16. Awarding the Plaintiff any and all other relief as is just, proper, or equitable under the facts and circumstances of this case.

REQUEST FOR E-MAIL SERVICE

17. Plaintiff requests to be served via e-mail from this Court and Parties of all Court documents and correspondence, instead of USPS mail.

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I, Eli Dalton-Webb, have read the foregoing Complaint and am familiar with the facts and circumstances as alleged therein, and hereby state, under penalty of perjury, that the allegations contained therein are true and correct to the best of my knowledge, information, and belief.

Dated this day, 30 December 2025,

/s/ 

Eli Dalton-Webb, Plaintiff

CV202500919

Exhibit

A

Today's Date: 1 December 2025

City Clerk
City of Sierra Vista
1011 N. Coronado Dr
Sierra Vista, AZ 85635

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To the City of Sierra Vista:

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This may be best forwarded to person(s) that handle public records requests.

“Public Records Law” means “Title 39 of the Arizona Revised Statutes, and the chapters, articles, and sections therein, and any other relevant law”.

Event #1

An adult male was detained on 22 November 2025 at the Ethel Berger Center, located at (or around) 2950 E Tacoma St, Sierra Vista, AZ 85635. There were around 3 peace officers involved in this incident. At such incident, it was alleged by (one of the) peace officer(s) that this adult male might be relevant to a crime committed at “the library”. (Event #1)

Item #9 – Incident at the Library

Related to Event #1, it is hereby requested, pursuant to Public Records Law, of all pertinent information, not excluding police reports, body camera footage, video recordings, written testimony, audio recording, phone records, from both the police department and the library’s physical building, and all other sources, and all other pertinent information related to the alleged crimes (or belief thereof) committed related to the incident at “the library”, related to Event #1. (Item #1)

Item #10 – Incident at the Ethel Berger Center

Related to Event #1, it is hereby requested, pursuant to Public Records Law, of all pertinent information, not excluding police reports, body camera footage, video recordings, written testimony, audio recording, phone records, from both the police department and the physical building, and all other sources, and all other pertinent information related to Event #1. This shall not exclude phone records of inquiries from City of Sierra Vista employees regarding the adult male’s right to petition, all communications between peace officers, and all other pertinent information. (Item #2)

Item #11 – Contact Information

Pursuant to A.R.S. § 39-171, I hereby request the name, telephone number and email address of an employee or department that is authorized and able to provide the information requested or able to forward the request to an employee or department that is authorized and able to provide the information requested in any and all of the items. (Item #3)

1 And to any person and/or entity it may concern

2 And to any person and/or entity it may concern

Please fulfill these records requests on or before 9 December 2025.

This request is not for “commercial purpose” as defined in A.R.S. § 39-121.03.

Requester reserves the right to inspect records and other matters in-person and without payment, pursuant to A.R.S. § 39-121 and other relevant law. Requester additionally reserves the right to obtain copies of records.

Please send records and correspondence on the matter to dw4az@proton.me .

Thank you,
Eli Dalton-Webb
E-mail: dw4az@proton.me
5009 E. Ironwood Circle
Sierra Vista, Arizona 85650

Exhibit

B

Public records - Ethel Berger Incident

From dw4az@proton.me <dw4az@proton.me>

To Jill.Adams@SierraVistaAZ.gov

Date Monday, December 1st, 2025 at 7:05 PM

Hello,

This is a different public records request from the one I just sent. Please accept the attached PDF which is a Title 39 request.

Thank you,
Eli Dalton-Webb

Sent with [Proton Mail](#) secure email.

30.27 KB 1 file attached

PRR-ethelBerger1December2025.pdf 30.27 KB

CV202500919

Exhibit

C

RE: Public records - Ethel Berger Incident

From Jill.Adams@SierraVistaAZ.gov <Jill.Adams@SIERRAVISTAAZ.GOV>

To dw4az@proton.me

CC Maria Marsh<Maria.Marsh@SIERRAVISTAAZ.GOV>,
Jessica Shoupe<Jessica.Shoupe@SIERRAVISTAAZ.GOV>,
Megan L. Sarinana<Megan.Sarinana@SIERRAVISTAAZ.GOV>

Date Tuesday, December 2nd, 2025 at 2:15 PM

Mr. Dalton-Webb,

Your request has been received and will be forwarded to the appropriate divisions for response.

Jill Adams

City Clerk

WARNING: This email originated from outside of SierraVistaAZ.gov. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

This is a different public records request from the one I just sent. Please accept the attached PDF which is a Title 39 request.

Thank you,

Eli Dalton-Webb

CV202500919

Sent with [Proton Mail](#) secure email.

From: Eli <dw4az@proton.me>

Sent: Monday, December 1, 2025 7:06 PM

To: Jill Adams <Jill.Adams@SIERRAVISTAAZ.GOV>

Subject: Public records - Ethel Berger Incident