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7
8 **IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF YAVAPAI**

10 ELI DALTON-WEBB,

11
12 Plaintiff,

13 v.

14 CITY OF PRESCOTT, a municipal
15 corporation in Arizona; OFFICER
CARON (#517); OFFICER TRUILLO;
16 SGT. GERLACH; LT. NOVAK;
OFFICER BRAMBILA; CHIEF
17 BONNEY, peace officers of the Prescott
18 Police Department, JOHN DOESI-X;
JANE DOES I-X; ABC
19 CORPORATIONS 8-X; XYZ
20 PARTNERSHIPS I-X; UNKNOWN
ENTITIES I-X,
21

22 Defendants.

Case No. S1300CV202500445

**DEFENDANT CITY OF PRESCOTT'S
ANSWER TO COMPLAINT**

(Jury Trial Demanded)

(Assigned to Honorable Kristyne M. Schaaf-
Olson)

23
24 Defendant City of Prescott (the "Defendant"), by and through counsel undersigned,
25 hereby admits, denies, and alleges as follows in response to Plaintiff's Complaint.

26 1. Defendant admits the allegations contained in the following paragraph of the
27 Complaint: **2.**

28 //

1 2. Defendant denies the allegations contained in the following paragraphs of the
2 Complaint: **11, 12, 16, 19, 20, 21, 27, 28, 29, 30, 35, 37, 40, 44, 45, 46, 47, 49, 50, 51, 53, 54,**
3 **55, 56, 57, 58, 60, 62, 64, 66, 67, 71, 72, 76, 77, 79, 96, 104, 105 and 106.**

4 3. Defendant denies Plaintiff's requests for relief contained in the following
5 paragraphs of the Complaint: **107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118,**
6 **119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137**
7 **and 138.**

8 4. Defendant is without sufficient information to admit or deny the allegations
9 contained in the following paragraphs of the Complaint and, on that basis, denies the
10 allegations: **1, 3, 4, 9, 10, 22, 23, 31, 32, 33, 34, 48, 63, 65, 74, 80, 99, 100, 101, 102 and**
11 **103.**

12 5. Defendant contends the allegations contained in the following paragraphs of
13 the Complaint are legal conclusions and/or religious citations, and not statements of fact, and
14 therefore are subject to neither admission nor denial: **3, 26 (pg. 6 of 33, lls. 25-46; pg. 7 of**
15 **33, lls. 1-5), 36, 38, 39, 41, 42, 43, 59, 61, 68, 69, 70, 73, 75, 78, 81, 82, 83, 84, 85, 86, 87,**
16 **88, 89, 90, 91, 92, 93, 94, 95, 97 and 98.** To the extent any of the allegations are deemed
17 factual or are intended to allege, or serve as a basis for, any liability or wrongdoing on the
18 part of the Answering Defendant, the allegations are specifically denied. Notwithstanding
19 the responses contained herein as to paragraph **5** of the Complaint, the Answering Defendant
20 agrees that jurisdiction and venue are proper in this Court upon remand from the U.S. District
21 Court and, further, affirmatively allege that Plaintiff has waived, and is estopped from,
22 asserting any federal claim in this matter. Notwithstanding the responses to paragraphs **59**
23 **and 61** of the Complaint, Defendant asserts probable cause that Plaintiff's activities violated
24 the material, criminal provisions of Prescott City Code 4-4.

25 6. As to the allegations contained in paragraphs **6, 7 and 8** of the Complaint,
26 Defendant City of Prescott admits only that on or about May 22, 2024, Officers Caron and
27 Trujillo engaged in a consensual encounter with Plaintiff.

1 law principle. Defendant further asserts that none of the acts, omissions, or other conduct
2 alleged as to it rise to the level authorizing an award of punitive damages, even if allowed.

3 6. Defendant asserts Plaintiff is wholly, comparatively, and/or contributorily at
4 fault.

5 7. Defendant asserts that other parties, either named or not named, are wholly,
6 comparatively, and/or contributorily at fault.

7 8. Defendant asserts it acted lawfully at all times.

8 9. Defendant pleads intervening and/or superseding causes.

9 10. Defendant asserts failure to exhaust administrative remedies including, but
10 not limited to, those administrative remedies and/or notices required by A.R.S. 12-821.01.

11 11. Defendant asserts lack of standing, mootness, or other similar defenses as to
12 any claim for injunctive, declaratory or other equitable relief.

13 12. Defendant does not presently have specific facts in support of the following
14 defenses, but wishes to put Plaintiff on notice that it raises these defenses which, through
15 subsequent discovery may, indeed, be supported by the facts: lack of jurisdiction over the
16 subject matter, lack of jurisdiction over the person, accord and satisfaction, arbitration and
17 award, discharge in bankruptcy, duress, estoppel and/or waiver, set-off, failure to join an
18 indispensable party, failure of consideration, fraud, illegality, laches, license, payment,
19 release, *res judicata*, collateral estoppel or issue preclusion, and statute of frauds.

20 WHEREFORE, Defendant City of Prescott respectfully prays that Judgment be
21 entered in its favor, and against Plaintiff, and that the City be awarded all attorneys' fees,
22 costs, and other forms of relief authorized by law or deemed just by this Court.

23 DATED this 5th day of June, 2025.

24 JELLISON LAW OFFICES, PLLC

25
26 /s/ James M. Jellison

27 James M. Jellison, Esq.

28 *Counsel Defendant City of Prescott*

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CERTIFICATE OF FILING & SERVICE

I hereby certify that on June 5, 2025. I electronically transmitted the attached document to the Clerk’s Office using the TurboCourt System for filing with e-service and mail on the following:

Eli Dalton-Webb
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E: dw4az@proton.me
Plaintiff pro se

By: /s/ Rebecca L. Craft