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In the Matter of

Donald F. Molley,

VS.

Verde Meadows Crest Homeowners Association.

Respondent.

No. 23F-H007-REL

**ORDER VACATING HEARING** 

On September 07, 2022, the Arizona Department of Real Estate ("Department") issued a NOTICE OF HEARING setting this matter for hearing on October 28, 2022. In the NOTICE OF HEARING, the parties were advised of the following:

If you have filed any motions prior to the receipt of this Notice of Hearing, you must re-file the motions with the Office of Administrative Hearings (OAH) electronically or at the address listed above. With this notice, all oral and written communications should be directed to the OAH and a copy must be provided to the opposing party.

(Emphasis in original.)

- 2. On October 17, 2022, Respondent submitted a MOTION TO VACATE to OAH.
- 3. On October 19, 2022, the OAH issued a MINUTE ENTRY that directed Petitioner to reply to Respondent's MOTION TO VACATE by October 26, 2022. Correspondence was not returned as undeliverable by the United States Postal Service or Petitioner's Yahoo domain.
  - 4. To date, no reply has been received by or on behalf of Petitioner.
  - 5. There is no Settlement Order on file for this case at OAH. Therefore,

IT IS ORDERED, Respondent's MOTION TO VACATE is granted.

IT IS FURTHER ORDERED, pursuant to ARIZ. ADMIN. CODE R2-19-111(4), this matter is hereby vacated from OAH's calendar.

IT IS FURTHER ORDERED that this matter be remanded to the referring agency 1 for further action, if any. 2 Done this day, October 27, 2022. 3 4 Office of Administrative Hearings 5 /s/ Jenna Clark 6 Administrative Law Judge 7 8 Transmitted by either mail, e-mail, or facsimile October 27, 2022 to: 10 Louis Dettorre. Commissioner 11 Arizona Department of Real Estate 100 N. 15<sup>th</sup> Ave., Ste. 201 12 Phoenix, AZ 85007 13 AHansen@azre.gov vnunez@azre.gov 14 djones@azre.gov 15 labril@azre.gov 16 Donald F. Molley, Petitioner 17 5051 S. Cherry Ave. Tucson, AZ 85706 18 dfmnolley@yahoo.com 19 Sean K. Moynihan, Esq. 20 Smith & Wamsley, PLLC, Counsel for Respondent 7375E. Tanque Verde Rd. 21 Tucson, AZ 85715 22 sean@smithwamsley.com 23 By c. serrano 24 25 26 27 28

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