

**SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY**

IN THE MATTER OF PROHIBITING
JOHN DANKO III FROM FILING ANY
LAWSUIT IN MARICOPA COUNTY
WITHOUT OBTAINING PRIOR
PERMISSION FROM THE COURT

} ADMINISTRATIVE ORDER
No. 2023-135

This matter was referred by the Honorable Peter Thompson to consider issuing an administrative order declaring John Danko III a vexatious litigant. Upon review of other matters filed in this Court, and considering all the matters presented, the Court makes the following findings and orders.

Pursuant to A.R.S. § 12-3201, the Presiding Judge of the Superior Court may designate a pro se litigant who engages in vexatious conduct as a vexatious litigant. In addition, courts “possess inherent authority to curtail a vexatious litigant’s ability to initiate additional lawsuits.” *Madison v. Groseth*, 230 Ariz. 8, 15, 279 P.3d 633, 639 (App. 2012). The filing excesses of vexatious litigants interfere with the orderly administration of justice by diverting judicial resources from those cases filed by litigants willing to follow court rules and those meritorious cases that deserve prompt judicial attention. See *Acker v. CSO Chevira*, 188 Ariz. 252, 934 P.2d 816 (App. 1997). A.R.S. § 12-3201(E) defines vexatious conduct to include repeated filing of court actions solely or primarily for the purpose of harassment, filing claims unreasonably expanding or delaying court proceedings, bringing court actions without substantial justification, and filing claims or requests for relief that have been the subject of previous rulings by a court in the same litigation.

Judge Thompson’s referral is a result of his order designating Mr. Danko a vexatious litigant in the case of *John Danko III v. Jonathan Adam Dessaulles, et. al.*, CV2022-092712. Judge Thompson noted that Mr. Danko had filed over forty lawsuits in various courts which “are unsupported by facts as alleged, argue legal positions which are not founded in the law or reasonable interpretations of the law, re-argue the same positions again and again with no regard for rulings of the Court, and promote abuse of process.” Judge Thompson further noted that Mr. Danko’s cases make the same far-fetched allegations against the defendants; including that they committed assault, battery, negligent infliction of emotional distress, trespass, slander, defamation and abuse of process, without alleging factual bases for these allegations. Judge Thompson ordered that Mr. Danko “may not file any new pleading, motion or other document in this case or any other pending civil action without prior leave of the judge assigned to that case.”

Mr. Danko appealed Judge Thompson’s order to Division One of the Arizona Court of Appeals under case number 1 CA-CV 23-0017. Judge Thompson ordered a stay of proceedings in CV2022-092712 pending resolution of the appeal. On August 15, 2023, the Court of Appeals affirmed Judge Thompson’s order finding that, while Mr. Danko

waived the issues at appeal by failing to cite to any legal authority or appropriate references to the record, the Court reviewed the record itself and found Judge Thompson properly designated Mr. Danko a vexatious litigant.

Attachment "A" to this Order is a table that the Clerk of the Superior Court has provided reflecting all lawsuits filed by Mr. Danko in the Superior Court over the past three years: While Mr. Danko's appeal has been pending before the Court of Appeals, in the past four months he has filed 27 additional civil complaints in the Superior Court against various defendants in which he appears to allege the same types of allegations as in his previous cases. Many of these cases have been dismissed by the Court. Many appeals taken by Mr. Danko have been denied by the Court of Appeals. Many of the lawsuits have never been served on the defendants.

For the reasons set forth above and incorporating the findings of fact and conclusions of law of both Judge Thompson and the Court of Appeals, the Court finds that Mr. Danko has engaged in vexatious conduct by filing claims or requests for relief that have been subject to previous rulings in previous litigation; has unreasonably expanded court proceedings; and has brought court actions without "substantial justification" as defined in A.R.S. §12-349.

The Court may issue an order limiting such a litigant's ability to file future lawsuits, motions, and requests for relief to the extent necessary to curtail the improper conduct. The Court finds the orders set out below to be the least restrictive orders that will adequately address Mr. Danko established pattern of abuse.

IT IS THEREFORE ORDERED as follows:

1. Mr. Danko may not file any new causes of action as a pro se litigant after the date of this order without leave of the Civil Presiding Judge or his/her designee.
2. Mr. Danko may not file any further pleading or motion in any of his current lawsuits as a pro se litigant without first seeking leave from the judicial officer assigned to that lawsuit.
3. Any motion for leave to file any lawsuit, pleading or motion shall be captioned "Application Pursuant to Court Order Seeking Leave to File." Mr. Danko must either cite this order in his application, or attach as an exhibit a copy of this order.
4. Any request for fee waiver or deferral may only be granted by the Civil Presiding Judge or his/her designee.

If approval for filing a new action by Mr. Danko is granted, the Clerk of Court may accept subsequent filings in that cause number from Mr. Danko. This Administrative

Order does not preclude Mr. Danko from filing a Notice of Appeal or a Notice of Cross-Appeal in accordance with Arizona Rules of Civil Appellate Procedure Rule 8(a) and (b).

Dated this 6th day of September, 2023.

/S/
Honorable Joseph C. Welty
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Jeffrey Fine, Clerk of the Superior Court
Hon. Danielle Viola, Civil Department Presiding Judge
Hon. Peter Thompson
Raymond L. Billotte, Judicial Branch Administrator
Luke Emerson, Civil Department Administrator
Jessica Fotinos, Office of the Clerk of the Superior Court
John Danko III
Johnathan A. Dessaulles, Dessaulles Law Firm

ATTACHMENT "A"
Summary of Civil Cases Filed in Superior Court by John Danko III

Case Number	Case Initiated		Status
CV2020-093942	7.2.2020	Brian Dumas	10.25.2021 Mandate filed of Court of Appeals affirming Superior Court's dismissal of injunction against harrassment.
CV2021-012469	8.6.2021	Sally Cotton, Cordell & Cordell PC, Whitney Thwaites	4.21.2023 Court of Appeals order dismissing appeal filed.
CV2021-091836	4.14.2021	Government Employees Insurance Company and Geico Casualty Company	1.10.2023 ME dismissing case with prejudice.
CV2022-003426	3.21.2022	Brian Oliver Dumas	5.5.2022 ME denying motion for protective orders.
CV2022-090853	2.28.2022	Carol Joy Elkins Faris	12.19.2022 Order granting change of venue to Pima County; 3.23.23 ltr from Pima Court abandoning case due to non-payment of filing fees.

CV2022-090899	3.2.2022	Jennifer Ann Naimolski and David Gerard Manzi	Transferred to Pima County; 8.16.2022 Ruling by Judge Gary Cohen dismissing case and returning the file to Maricopa County.
CV2022-090957	3.5.2022	Brooklyn Danielle Yancey	4.19.2023 Pltf filed a motion for default judgment
CV2022-091236	3.22.2022	Brian Oliver Dumas	9.12.2022 Pltf filed a motion for service by email from defs counsel.
CV2022-091257	3.23.2022	Erica Leann Gadberry Leavitt and Berkshire Law Firm	4.3.2023 Case transmitted to Court of Appeals Div One.
CV2022-091325	3.29.2022	Brooklyn Danielle Yancey, Trava Danielle Yancey and Insureco Insurance Agency	2.2.2023 ME staying proceedings pending resolution of appeal.

CV2022091377	3.30.2022	Katherine Ann Py Wainscott, John Robert Clayton, James Bradley Wainscott, Barbara Ann Barker, Bloodhound Investigation Services, Jacklyn B. Clayton, Loretta Dupree Clayton, Lowcountry PI Services, Daniel Carson Boles, Andrew Sims Radeker, John Martin Grandland, Mark Andrew Peper and Christopher Michael Ramsey	5.10.2023 appeals index filed.
CV2022091418	4.4.2022	Amanda Stacia Chua	3.24.2023 Court of Appeals order dismissing appeal.
CV2022091498	4.11.2022	Craig Louis Cline and Udall Law Firm	5.11.2023 Letter from Court of Appeals to COC dismissing appeal.
CV2022091521	4.7.2022	Mark D. Lammers	1.5.2023 transmitted to Court of Appeals.
CV2022091558	4.12.2022	Donald Darr Colburn	5.18.2023 ME vacating ADR referral.
CV2022091584	4.14.2022	Craig L. Cline	5.17.2023 Court of Appeals order dismissing appeal for lack of jurisdiction.

CV2022091631	4.18.2022	Jon T. Clabaugh, Jr.	2.1.2023 ME staying case pending resolution of appeal filed.
CV2022091667	4.19.2022	Catherine Townes Johnson	2.2.2023 ME staying case pending resolution of appeal filed.
CV2022091728	4.22.2022	Amanda Jones Johnson	12.30.2022 Scheduling order followed by return mail for both pltf and def.
CV2022091833	4.29.2022	Danielle N. Chronister	4.4.2023 Court of Appeals order consolidating appeal and staying appeal.
CV2022091901	5.4.2022	Sitar J. Bhatt	3.6.2023 Court of Appeals order dismissing appeal.
CV2022091921	5.5.2022	Craig L. Cline	4.17.2023 appeals index filed.
CV2022091994	5.10.2022	Suzanne L. Hawkins Duff	4.4.2023 Court of Appeals order consolidating appeal and staying appeal.
CV2022092051	5.12.2022	Craig L. Cline	5.1.2023 ME denying pltf's motion for final signed order.
CV2022092321	5.31.2022	James Benjamin Stevens	4.4.2023 Court of Appeals order consolidating appeal and staying appeal.

CV2022092369	6.3.2022	Stephanie Lasiter Jackson	5.19.2023 ME granting defs motion to dismiss.
CV2022092712	6.22.2022	Jonathan Adam Dessaulles, Dessaulles Law Firm and Douuglas Michael Imperi, , Jr.	4.27.2023 appeals index filed.
CV2022093956	9.6.2022	Susan Rawls Edwards Strom	5.9.2023 appeals index filed.
CV2022094224	9.22.2022	Jennifer Ann Naimolski Manzi	5.19.2023 Defs request for removal from dismissal calendar and request to dismiss.
CV2022094850	11.2.2022	Stephanie Ruotolo Fajardo	4.18.2023 Letter from Court of Appeals to Jeff Fine re dismissal of appeal.
CV2023091914	4.25.2023	Cordell & Cordell PC, Whitney Thwaites and Sally Colton	8.31.23 - Some defs served and some just attempted. 8.16.23 Def filed response to motion to dismiss.
CV2023091973	4.28.2023	Carol Joy Elkins Faris	8.31.23 - Some defs served and some just attempted.

CV2023092021	5.2.2023	Gary W. Reash, Jr., Paul Charles Larosa, II, Logan Armbruster, Ashley Nicole Phillips Croy, Brandon K. Croy, Joshua W. Ballentine, Vance Alan Stephenson, Matthew W. Kinard, Denise S. Jones, Jason A. Jones, Bary Dean Sowards and Neil Power	8.31.23 - Some defs served and some just attempted.
CV2023092128	5.8.2023	Charles Marion Grant, Inter-State Investigative Services Inc. and Randolph Lee Downer, Jr.	8.31.12 Some defs served and some just attempted.
CV2023092173	5.10.2023	Daniel Carson Boles	Def served 8.6.2023.
CV2023092255	5.15.2023	Richard Giles Whiting	Def served 8.23.2023.
CV2023092320	5.17.2023	Margaret Antley Collins	Def served 8.16.2023.
CV2023092344	5.18.2023	Ashley Elizabeth Ameika	Def served 8.17.2023.
CV2023092612	6.5.2023	Gregory Samuel Forman	Def served 8.23.2023.
CV2023092715	6.9.2023	Jean Perrin Derrick	8.23.23 non-service attempts; 8.30.23 ME - notice of intent to dismiss.
CV2023092772	6.13.2023	Katherine Rose Myers Wilson	No service as of 8.31.23; 8.30.23 ME - notice of intent to dismiss.
CV2023092835	6.16.2023	David Pierce Uffens	No service as of 8.31.23; 8.30.23 ME - notice of intent to dismiss.

CV2023092883	6.20.2023	George Robin Alley	Def served 8.29.2023; 8.30.23 ME - notice of intent to dismiss.
CV2023093005	6.27.2023	Kenneth Eldon Peck	No service as of 8.31.23; 8.28.23 motion to extend service.
CV2023093014	6.28.2023	James Thomas McLaren	No service as of 8.31.23; fees waived.
CV2023093090	7.3.2023	John Robert Bolt	No service as of 8.31.23; fees waived.
CV2023983122	7.6.2023	Christopher Michael Ramsey, John Maartin Grandland, Andrew Sims Radeker, Mark Andrew Peper	No service as of 8.31.23; fees waived.
CV2023093159	7.7.2023	Tracy D. Amos Fulmer	No service as of 8.31.23; fees waived.
CV2023093202	7.11.2023	Michael Douglas Miller	No service as of 8.31.23; fees waived.
CV2023093341	7.18.2023	Ketti Elizabeth McCormick, Ketti McCormick PLLC	No service as of 8.31.23; fees waived.
CV2023093347	7.18.2023	James Luis Csontos, Black W. Whiteman	No service as of 8.31.23; fees waived.
CV2023093393	7.21.2023	Aaron Matthew Finter	No service as of 8.31.23; fees waived.
CV2023093439	7.25.2023	Bernadette Angelica Ruiz	No service as of 8.31.23; fees waived.
CV2023093516	7.28.2023	Alyssa Nicole Haladay Richardson	No service as of 8.31.23; fees waived.

CV2023093592	8.1.2023	Edina Alexia Tanja Strum	No service as of 8.31.23; fees waived.
CV2023093823	8.10.2023	Jennifer Carr Savitz, Michelle Patricia Cruz, Michelle Smith Gorski, Alicia G Isaac Hoyt Pellegrin, Deborah Kirk Elder, Shelby Dorton, Cami Lynne Antrim, Debbie Trayham, Steven Gerald Lopz, Eduardo G. Cifuentes	No service as of 8.31.23; fees waived.
CV2023093875	8.14.2023	Paul E. Willman	No service as of 8.31.23; fees waived.