

**IN THE SUPERIOR COURT OF STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF PROHIBITING
MICHELET SMITH FROM FILING ANY
LAWSUIT IN MARICOPA COUNTY
WITHOUT OBTAINING PRIOR
PERMISSION FROM THE COURT

ADMINISTRATIVE ORDER
No. 2026-103

The request to consider issuing an administrative order declaring Michelet Smith a vexatious litigant was referred to the office of the Presiding Judge by Judge Joseph Mikitish. After considering all 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 self-represented 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 (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 (App. 1997).

Arizona Revised Statutes § 12-2301(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 to previous rulings by a court in the same litigation.

On September 22, 2025, Petitioner in FC2023-092114, Keeley Anne Smith, filed a Motion to Designate Respondent Michelet Smith as a Vexatious Litigant pursuant to A.R.S. § 12-3201 and Rule 92 of the Arizona Rules of Family Law Procedure.

Ms. Smith claimed that Mr. Smith has engaged in a pattern of repeated filings, meritless and harassing pleadings, and that he has unreasonably expanded and delayed the proceedings in FC2023-092114. Ms. Smith requested that the Court declare Mr. Smith a vexatious litigant due to his actions in multiple matters and that he be required to obtain leave of court prior to filing any new pleading, motion, or request.

Ms. Smith previously filed a request to identify Mr. Smith a vexatious litigant on August 26, 2024. In a ruling filed on September 10, 2024, the Court found that “[m]ost of the motions or other filings by Mr. Smith (again excluding the filings of parent time supervision reports) were without merit or were procedurally improper.” The Court further found that many of the filings were without substantial justification and unnecessarily expanded the proceedings.

Giving Mr. Smith leniency, the Court noted that Mr. Smith’s increasing number of pleadings may be motivated by his effort to resolve as many things as possible during the parties’ dissolution trial. Accordingly, at the time, the Court declined to declare Mr. Smith a vexatious litigant.

However, due to the Court’s finding that Mr. Smith’s filings were largely without merit and procedurally improper, thus increasing attorney’s fees for Ms. Smith, the Court ordered that it would review Mr. Smith’s filings to determine whether a response was required. The Court ordered that Ms. Smith was not obligated to respond to Mr. Smith’s filings in FC2023-092114 unless directed to do so by the Court.

On November 5, 2024, the Court again addressed Mr. Smith’s improper, repeated filings regarding previously litigated matters. For example, the Court found that Mr. Smith’s October 15, 2024 filing entitled “Expedited Motion to Address Conduct of Counsel Under Rule 42” raised the same issues in the following filings:

- August 7, 2024, Motion to Address Violations of Professional Conduct pursuant to Rule 42.
- September 4, 2024, Expedited Motion to Clarify or Amend the Court’s Order Approving Substitution of Counsel.
- September 4, 2024, Expedited Motion for Clarification and/or Reconsideration of the Order Granting Motion to Stay all Response Deadlines.
- September 7, 2024, Expedited Motion for Reconsideration: Addressing The Court’s Failure to Acknowledge Respondent’s Notice, Improper Response to Rule 42 Motion, and Misleading Findings.
- September 25, 2024, Expedited Response to Notice to Amend Substitution of Counsel.
- October 4, 2024, Request for Expedited Hearing on Pending Motions Related to Improper Substitution of Counsel.
- October 4, 2024, Expedited Motion to Stay Proceedings Pending Resolution of Motions Related to Improper Substitution of Counsel.
- October 9, 2024, Expedited Request for Judicial Intervention and Amended Ruling on Improperly Recorded Filings.

- October 9, 2024, Expedited Motion for Leave to File Amended Expedited Motion for Reconsideration.
- October 15, 2024, Expedited Motion to Invalidate Filings Prior to 04/29/2024 Due to Defective Substitution of Counsel and to Rescind Implied Judicial Authority Nunc Pro Tunc.

The Court further found that Mr. Smith's October 15, 2024 Motion entitled "Expedited Motion to Strike Filings and Request for Clarification of Representation" sought the same relief he sought in the following filings:

- September 4, 2024, Expedited Motion to Clarify or Amend the Court's Order Approving Substitution of Counsel.
- September 25, 2024, Expedited Response to Notice to Amend Substitution of Counsel.
- October 4, 2024, Request for Expedited Hearing on Pending Motions Related to Improper Substitution of Counsel.
- October 9, 2024, Expedited Request for Judicial Intervention and Amended Ruling on Improperly Recorded Filings.
- October 9, 2024, Expedited Motion for Leave to File Amended Expedited Motion for Reconsideration.
- October 15, 2024, Expedited Motion to Invalidate Filings Prior to 04/29/2024 Due to Defective Substitution of Counsel and to Rescind Implied Judicial Authority Nunc Pro Tunc.

On October 25, 2024, Mr. Smith filed an Amended Expedited Notice of Parallel Proceedings and Request to Remove Counsel due to Conflict of Interest. In these filings, Mr. Smith asserted that he filed a civil action against Ms. Smith and her counsel and demanded removal of Ms. Smith's counsel due to a conflict of interest.

Mr. Smith filed this civil lawsuit against Ms. Smith (CV2024026419) on September 24, 2024. In the Complaint, Mr. Smith alleged breach of the implied contract of marriage, willful misconduct relating to their marriage, and fraudulent misrepresentation. Mr. Smith sought legal and equitable relief based on Ms. Smith's alleged actions that purportedly violated the contractual duties "inherent in the marriage." The Court dismissed the case in January 2025. Immediately Mr. Smith filed a Motion for Reconsideration and Request for Clarification. Mr. Smith appealed the dismissal to the Court of Appeals, and the dismissal was affirmed on appeal.

Mr. Smith also filed a civil action in CV2024-029230 against Ms. Smith's family law lawyer and her paralegal, alleging professional misconduct, negligence, emotional distress and seeking punitive and compensatory damages. The Court again dismissed Mr. Smith's civil action. The Court of Appeals affirmed the Trial Court's decision.

Mr. Smith filed another civil lawsuit in CV2025-065952 against the defendants in CV2024-029230 – Mother's family law lawyer and paralegal and adding a second family lawyer who represented Ms. Smith in FC2023-092114. The lawsuit filed on December 12, 2025, alleged "invasion of privacy and intrusion upon seclusion", "abuse of process – misuse of subpoenas", and infliction of emotional distress. Again, counsel was retained by Defendants to file a Motion to Dismiss. The Court granted a dismissal of Counts 1 through 3 with prejudice as to Mother's lawyer, Jessica Reynolds, and her paralegal. Mr. Smith filed a Motion for Reconsideration and an appeal.

On May 4, 2026, in FC2023-092114, the Court found that Mr. Smith willfully interfered with an order of the Court awarding certain property to Ms. Smith by placing a mechanics lien on the property. At that time, the trial judge referred the issue of declaring Mr. Smith a vexatious litigant to the office of the Presiding Judge, noting that Ms. Smith requested a determination of vexatiousness for filings in all case types.

Since the referral to the office of the Presiding Judge, in FC2023-09114, Mr. Smith has filed:

- On May 17, 2026, a pleading captioned Supplemental Notice in Support of Reconsideration, Request for Limited Conflict Disclosure, Preservation of Due Process/Impartiality Issues, claiming that the pleading was in support of his pending Narrow Motion for Reconsideration of the Order Denying motion to Reassign Judicial Officer, Respondent's Motion to Correct/Clarify Misstatement in the June 16, 2023 Minute Entry under ARFLP 85(A), Respondent's Verified Motion to Reassign Judicial Officer, to Stay Ruling and to Reopen the March 4, 2026 Evidentiary Hearing, or in the Alternative, Motion for Change of Judge for Cause, and Respondent's Expedited Motion for Order Direction Production of Digital Evidence Portal Submission Metadata and Access.
- On May 23, 2026, a pleading captioned Expedited Respondent's Verified Motion to Alter or Amend, Clarify, and/or Correct May 14, 2026, Under Advisement Ruling; Request to Stay Purge Deadlines and Review Hearings; Request to Reopen March 4, 2026 Hearing; and Request for Ruling on Unresolved Rule 91, Rule 85(A), Digital Evidence and Record Correction Motions.

- On June 23, 2026, a pleading captioned Notice of Statement Presented at Purge Review Hearing and Preservation of Pending Motions, DNA/Paternity Objections, and Present-Ability Issue.
- On June 29, 2026, a pleading captioned Notice of Limited Scope of Purge Review Hearing, preservation of Unresolved Motions and Objects and Requests for Clarification.
- On July 4, 2026, a pleading captioned Expedited Motion to Clarify and/or Correct June 23, 2026 Minute Entry; Request to Stay July 15, 202 Purge Deadlines and Request for Express Rulings on Unresolved Motions claiming that his February 26, 2025 Notice of Discrepancy and Request for Judicial Review Regarding Proper Valuation and May 7, 2025 Motion to Complete Property Valuation to Ensure Reviewable Record on Appeal, May 17 and May 23 filings.
- On July 6, 2024, a Petition to Modify a Support Order.
- On July 6, 2024, a pleading captioned Amended Verified Petition to Enforce Decree Paragraphs 155 and 158, which was previously litigated in 2025 and Application for Order to Show Cause Re: Contempt; Request for Accounting, Preservation, Credit/Setoff, and Related Relief.

Arizona Revised Statute §12-3201 provides that in a noncriminal case, a pro se litigant who is designated a vexatious litigant may not file a new pleading, motion or other document without prior leave of the court. As noted above, “vexatious conduct” includes any of the following:

- (a) Repeated filing of court actions solely or primarily for the purpose of harassment.
- (b) Unreasonably expanding or delaying court proceedings.
- (c) Court actions brought or defended without substantial justification.
- (d) Engaging in abuse of discovery or conduct in discovery that has resulted in the imposition of sanctions against the pro se litigant.
- (e) A pattern of making unreasonable, repetitive and excessive requests for information. (f) Repeated filing of documents or requests for relief that have been the subject of previous rulings by the court in the same litigation.

Here, Mr. Smith has established a clear pattern of repeated filings of documents or requests for relief that have been the subject of previous rulings by the court in the same litigation and has unreasonably expanded court proceedings. Moreover, he has brought additional civil actions regarding the dissolution without substantial justification.

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 improper conduct. Mr. Smith is a party in FC2023-092114, and the Court has already ordered that Ms. Smith is not required to file a response unless expressly ordered to do so by the assigned judge. Litigation in CV2024-026419 and CV2024-29230 has concluded. Litigation related to Ms. Reynolds and her paralegal has concluded in CV2025-065952.

The Court find the orders set out below to be the least restrictive orders that will adequately address Ms. Smith's established pattern of abuse.

IT IS THEREOFRE ORDERED as follows:

1. After the date of this order without the approval of the relevant department presiding judge, Mr. Smith is prohibited from filing any new civil causes of action as a self-represented litigant against Keeley Anne Smith, Jessica Reynolds, or any other lawyer, law firm, or member of a law firm representing Ms. Smith.
2. Mr. Smith may not file any further pleading or motion in any of his current lawsuits other than FC2023-092114 as a self-represented 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. Smith 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 relevant presiding judge or their judicial designee.

If approval for filing a new action by Mr. Smith is granted, the Clerk of Court may accept subsequent filings in that cause number from Mr. Smith. This Administrative Order does not preclude Mr. Smith from filing a Notice of Appeal or a Notice of Cross-Appeal in accordance with Arizona Rules of Appellate Procedure.

Dated this 23 day of July, 2026.



Honorable Pamela S. Gates
Presiding Judge

Original: Clerk of the Superior Court

Copies: Nancy Rodriguez, Acting Clerk of the Superior Court
Hon. John Blanchard, Civil Department Presiding
Hon. Amanda Parker, Family Department Presiding
Hon. Josephe Mikitish
Hon. Michael Mandell
Hon. Jason Easterday
Raymond L. Billotte, Judicial Branch Administrator
Luke Emerson, Civil Department Administrator
Adis Bosnic, Family Department Administrator
Michelet Michael Smith, Litigant