

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

MELINDA G. VALENZUELA,
Plaintiff/Appellant,

v.

THE STATE OF ARIZONA,
Defendant/Appellee.

No. 2 CA-CV 2016-0073
Filed August 31, 2016

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION

See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Civ. App. P. 28(a)(1), (f).

Appeal from the Superior Court in Pinal County
No. S1100CV201500965
The Honorable Stephen F. McCarville, Judge

APPEAL DISMISSED

COUNSEL

Melinda G. Valenzuela, Buckeye
In Propria Persona

Mark Brnovich, Arizona Attorney General
By Michael E. Gottfried, Assistant Attorney General, Phoenix
Counsel for Defendant/Appellee

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MEMORANDUM DECISION

Judge Espinosa authored the decision of the Court, in which Presiding Judge Howard and Judge Staring concurred.

ESPINOSA, Judge:

¶1 Melinda Valenzuela appeals the trial court’s judgment dismissing her case without prejudice for failure to submit proof of service. Because we lack jurisdiction, we dismiss the appeal.

Factual and Procedural History

¶2 Valenzuela, an inmate in the Arizona Department of Corrections (ADOC), filed a complaint against the state and others, alleging it “deliberately den[ied her medical] care” after she was assaulted by another inmate. Valenzuela failed to “submit verification that the Defendants had been properly served,” and the trial court dismissed her complaint without prejudice. This appeal followed.

Jurisdiction

¶3 An appellant has a duty to identify the jurisdictional basis of an appeal under Rule 13(a)(4), Ariz. R. Civ. App. P., and “[w]e, in turn, have an independent duty to confirm our jurisdiction over the appeal before us,” *Anderson v. Valley Union High Sch., Dist. No. 22*, 229 Ariz. 52, ¶ 2, 270 P.3d 879, 881 (App. 2012). Our jurisdiction is purely statutory and is generally limited to appeals from final judgments. *See Madrid v. Avalon Care Ctr.-Chandler, L.L.C.*, 236 Ariz. 221, ¶ 3, 338 P.3d 328, 330 (App. 2014).

¶4 “A dismissal without prejudice is not a final judgment and is therefore generally not appealable.” *Canyon Ambulatory Surgery Ctr. v. SCF Ariz.*, 225 Ariz. 414, ¶ 14, 239 P.3d 733, 737-38 (App. 2010). Valenzuela does not specify the basis of this court’s jurisdiction or explain why, in this particular case, the “dismissal . . . without prejudice is appealable.” *Id.* Nor does she provide any

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“citations of legal authorities and . . . references to the . . . record.” Ariz. R. Civ. App. P. 13(a)(7)(A). It is not incumbent on this court to develop legal arguments and discharge a party’s obligations. See *Ace Auto. Prods., Inc. v. Van Duyne*, 156 Ariz. 140, 143, 750 P.2d 898, 901 (App. 1987); see also *In re Marriage of Williams*, 219 Ariz. 546, ¶ 13, 200 P.3d 1043, 1046 (App. 2008) (parties who represent themselves held to same standards as attorneys in complying with procedural rules).

Disposition

¶5 Because Valenzuela has failed to establish appellate jurisdiction, the appeal is dismissed.