

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND MAY NOT BE CITED
EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c);
Ariz. R. Crim. P. 31.24



DIVISION ONE
FILED: 5/21/2013
RUTH A. WILLINGHAM,
CLERK
BY: mjt

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

SCOTT HOLMBERG,) No. 1 CA-SA 13-0098
)
Petitioner,) DEPARTMENT C
)
v.) Maricopa County
) Superior Court
) No. FC2006-052712
THE HONORABLE WENDY MORTON,)
Commissioner of the SUPERIOR)
COURT OF THE STATE OF ARIZONA,) **DECISION ORDER**
in and for the County of)
MARICOPA,)
)
Respondent Commissioner,)
)
ARIZONA DEPARTMENT OF ECONOMIC)
SECURITY, JULIA MRAOVICH)
)
Real Parties in Interest.)
_____)

The court, Judge Peter B. Swann presiding and Judges Diane M. Johnsen and Randall M. Howe participating, has considered this matter at conference on May 14, 2013.

IT IS ORDERED accepting jurisdiction and granting relief, as follows:

1. In its response, the state concedes that the court lacked power to issue the Child Support Arrest Warrant because Petitioner was not provided with adequate notice. The record also indicates that Petitioner has paid the purge amount. We therefore conclude that no

cause exists for the continued force of the January 3, 2013 Child Support Arrest Warrant.

2. The trial court has been ordered to quash the Child Support Arrest Warrant on a provisional basis. That order is hereby affirmed as a final decision of the Court of Appeals.

3. This Decision Order shall not operate to deprive the superior court of jurisdiction to conduct all necessary proceedings in this case, including proceedings to enforce Petitioner's child support obligations.

/s/

PETER B. SWANN, Presiding Judge