

NOTICE: NOT FOR OFFICIAL PUBLICATION.  
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL  
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE  
**ARIZONA COURT OF APPEALS**  
DIVISION ONE

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CITIBANK, N.A., *Plaintiff/Appellee*,

*v.*

CRAIG A. LAMBERT, *Defendant/Appellant*.

No. 1 CA-CV 21-0181  
FILED 12-23-2021

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Appeal from the Superior Court in Maricopa County  
No. CV2019-000659  
The Honorable Christopher A. Coury, Judge

**AFFIRMED**

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COUNSEL

The Moore Law Group, Phoenix  
By Nicolena Milicevic, Darren Tallman, Devin Izenberg  
*Counsel for Plaintiff/Appellee*

Craig A. Lambert, Phoenix  
*Defendant/Appellant*

CITIBANK v. LAMBERT  
Decision of the Court

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**MEMORANDUM DECISION**

Judge Jennifer M. Perkins delivered the decision of the Court, in which Presiding Judge Cynthia J. Bailey and Judge Maria Elena Cruz joined.

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**P E R K I N S**, Judge:

¶1 Craig Lambert appeals the superior court’s order denying his motion for relief from judgment for credit card debt owed to Citibank. For the following reasons, we affirm.

**FACTUAL AND PROCEDURAL BACKGROUND**

¶2 We set out this case’s underlying facts in our earlier memorandum decision. *See Citibank, N.A. v. Lambert*, 1 CA-CV 20-0212, 2021 WL 58140 (Ariz. App. Jan. 7, 2021) (mem. decision). We summarize here only those facts relevant to this appeal.

¶3 In January 2021, Lambert moved to vacate the superior court’s February 2020 judgment under Arizona Rule of Civil Procedure 60(b)(2), arguing the court lacked subject matter jurisdiction. The court denied Lambert’s motion but amended its previous order *nunc pro tunc* to correct clerical errors. Lambert timely appealed, and we have jurisdiction under A.R.S. §§ 12-120.21(A)(1) and -2101(A)(2).

**DISCUSSION**

¶4 Lambert argues the superior court erred by denying his motion for Rule 60 relief. We review the court’s denial of Rule 60 relief for an abuse of discretion and will affirm “unless undisputed facts and circumstances require a contrary ruling.” *City of Phoenix v. Geyley*, 144 Ariz. 323, 330 (1985) (cleaned up). We review the interpretation of court rules *de novo*. *See Bobrow v. Herrod*, 239 Ariz. 180, 182, ¶ 7 (App. 2016).

¶5 Lambert contends the superior court should have set aside its February 2020 judgment based on newly discovered evidence. *See Ariz. R. Civ. P. 60(b)(2)*. But Lambert effectively argues the February 2020 judgment is void because the superior court lacked subject matter jurisdiction. *See Ariz. R. Civ. P. 60(b)(4)*. Any relief Lambert seeks under Rule 60(b)(2) is time-barred. *See Ariz. R. Civ. P. 60(c)(1)* (parties must file Rule 60(b)(2)

CITIBANK v. LAMBERT  
Decision of the Court

motions “no more than 6 months after the entry of the judgment or order or date of the proceeding, whichever is later”). In contrast, “there is no time limit in which a motion for a void judgment must be brought under [Rule 60(b)(4)], and the court must vacate such a judgment even in the case of unreasonable delay by the party seeking relief.” *Master Fin., Inc. v. Woodburn*, 208 Ariz. 70, 74, ¶ 19 (App. 2004).

¶6 Subject matter jurisdiction is a court’s authority to hear the class of cases involved. *See Glover v. Glover*, 231 Ariz. 1, 5–6, ¶ 18 (App. 2012). We review the superior court’s subject matter jurisdiction *de novo*. *Id.* at 6, ¶ 18.

¶7 The Arizona Constitution vests the superior court with original jurisdiction in “cases in which the demand or value of property in controversy amounts to one thousand dollars or more” if exclusive jurisdiction is not “vested by law in another court.” Ariz. Const. art. 6, § 14(1), (3). Citibank’s original complaint alleged Lambert defaulted on his credit card and owed \$10,916.95. *See Citibank*, 1 CA-CV 20-0212, at \*1, ¶ 2. The legislature vested justices of the peace with “exclusive original jurisdiction of all civil actions when the amount involved . . . is ten thousand dollars or less.” A.R.S. § 22-201(B). Lambert’s debt to Citibank exceeds the amount in A.R.S. § 22-201, and we have found no other relevant statute vesting jurisdiction in another court. The superior court thus had subject matter jurisdiction to adjudicate this dispute.

¶8 Lambert’s remaining arguments lack merit.

**CONCLUSION**

¶9 We affirm. Citibank is entitled to its taxable costs upon compliance with ARCAP 21.



AMY M. WOOD • Clerk of the Court  
FILED: AA