

1 **WO**

2

3

4

5

6

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

7

8

9

M. Theresa de Mol; and Robert G. Turrill II,

No. CV-10-1895-PHX-DGC

10

Plaintiffs,

ORDER

11

12

vs.

13

Grand Canyon Title Agency Inc;
Phoenix Settlement Services LLC;
Empire West Title Agency; Biltmore
Bank of Arizona; Lawyers Title of
Arizona; and Coppercrest Leveraged
Mortgage Fund LLC,

16

Defendants.

17

18

Plaintiffs have filed a motion to correct “falsified docket description and falsified notice of filing” (Doc. 8) and a motion to change venue to the District Court in San Diego (Doc. 11). The motions will be denied.

21

Plaintiffs assert that they sued the Maricopa County Clerk of Court Office and the docket erroneously lists “Maricopa County Superior Court” as a defendant. Doc. 8 at 2. This issue is moot given that the amended complaint names neither one as a defendant. Doc. 15. Plaintiffs complain that under the “Nature of Suit” heading, the docket falsely states “Real Property: Foreclosure.” Doc. 8. at 6. They further complain that information listed under the “Cause” and “Jurisdiction” headings is incorrect. *Id.* Finally, Plaintiffs assert that the notice of filing they received in the mail contains typos and other errors. *Id.* at 11-13. The issues to be litigated in this matter are controlled not by any docket description

28

1 or information provided in the notice of filing, but by the issues raised in the pleadings and
2 other documents properly made part of the record. Plaintiffs' motion to correct the docket
3 and notice of filing (Doc. 8) will be denied.

4 Plaintiffs seek to have this case transferred to the District Court in San Diego on the
5 ground that "they do not believe that they can obtain a fair trial in the District Court in
6 Phoenix or in any other District Court in the state of Arizona." Doc. 11 at 2. Plaintiffs
7 present no argument or legal authority in support of the request for a change of venue. If
8 they do not believe they can obtain a fair trial in this District, they may voluntarily dismiss
9 this action without prejudice under Rule 41(a)(1) of the Federal Rules of Civil Procedure.
10 The motion for change of venue (Doc. 11) will be denied.

11 **IT IS ORDERED:**

- 12 1. Plaintiffs' motion to correct falsified docket description and falsified notice of
13 filing (Doc. 8) is **denied**.
- 14 2. Plaintiffs' motion to change the venue (Doc. 11) is **denied**.

15 DATED this 9th day of December, 2010.

16
17 

18
19 _____
20 David G. Campbell
21 United States District Judge
22
23
24
25
26
27
28