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KEITH A HARTL
13810 N 47TH AVE
GLENDALE AZ 85306



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CLERK OF THE SUPERIOR COURT MARICOPA COUNTY

To: **KEITH A HARTL**
13810 N 47TH AVE
GLENDAL AZ 85306

THE ATTACHED DOCUMENTS ARE BEING RETURNED TO YOU FOR THE FOLLOWING REASON(S):

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| <input type="checkbox"/> | Cover sheet is missing. |
| <input type="checkbox"/> | To request forms, please see attached document. |
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| <input type="checkbox"/> | \$35.00 handling fee is missing. |
| <input type="checkbox"/> | Affidavit setting forth last known address for both the judgment creditor and the judgment debtor is missing (A.R.S. 12-1703). |
| <input type="checkbox"/> | Authenticated copy of the judgment from the foreign jurisdiction is missing (A.R.S. 12-1702, 25-1055, 25-1302). |
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| <input type="checkbox"/> | Pursuant to Administrative Order 2016-006 <i>Clerk of Court cannot accept Parent Information Program certificates for paper filing for any program that was attended after January 15, 2016.</i> You may return to the class provider and request that they eFile the certificate or file a motion requesting an order from your assigned Judge to allow you to file. |
| <input type="checkbox"/> | Affidavit of Proposed Appointee needs to be provided before a case number can be assigned (ARS 14-3108). |
| <input type="checkbox"/> | PB letters cannot be issued: _____ |
| <input type="checkbox"/> | Other: _____ |

ADDITIONAL INFORMATION:

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| <input type="checkbox"/> | Documents are not signed and/or notarized. |
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| <input type="checkbox"/> | Please review Maricopa County Local Rule 2.15 for required formatting of forms and documents. |
| <input type="checkbox"/> | The case captions are incorrect. |
| <input type="checkbox"/> | Proposed orders that go along with this filing are missing. |
| <input type="checkbox"/> | Other: _____ |
| Location: <input checked="" type="checkbox"/> Central Court <input type="checkbox"/> Law Library <input type="checkbox"/> Southeast <input type="checkbox"/> Northeast <input type="checkbox"/> Northwest | |

Date: **10/15/2025**

Deputy Clerk: **K WHITSON**

L.R.D 07/28/2023

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KEITH A. HARTL 13810 N. 47th Ave. Glendale, AZ 85306 Defendant Appearing Pro Se
**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE
COUNTY OF MARICOPA**

JAX ADVISORY, as Custodian for WEST COAST TAX AUCTION LLC, for the benefit of
Firsttrust Bank, Plaintiff,

vs.

KEITH A. HARTL, et al., Defendants.

Case No. CV2025-010167

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

(Rule 56, Arizona Rules of Civil Procedure)

Defendant Keith A. Hartl ("Mr. Hartl"), appearing on his own behalf (pro se), respectfully
moves this Court for an Order granting Summary Judgment in his favor pursuant to Rule 56
of the Arizona Rules of Civil Procedure.

This Motion seeks to vacate the default judgment for attorneys' fees and costs entered against
Mr. Hartl on June 11, 2025. As established by the undisputed facts in the record, the
underlying cause of action became moot when Mr. Hartl redeemed the tax lien at issue,
thereby divesting this Court of jurisdiction to enter any further judgment. As a matter of law,
the judgment is void and must be vacated.

STATEMENT OF UNDISPUTED FACTS

There is no genuine dispute as to the following material facts, which are established by the
record in this case and the official records of the Maricopa County Treasurer:

1. Plaintiff JAX ADVISORY ("Plaintiff"), represented by the law firm Manoil Kime,
PLC, initiated this action to foreclose Mr. Hartl's right to redeem a tax lien, identified

as Certificate of Purchase No. 20014234, on the property located at 13810 N. 47th Ave., Glendale, AZ.

2. On **April 4, 2025**, Mr. Hartl paid the full redemption amount for the tax lien directly to the Maricopa County Treasurer. This action fully satisfied the underlying tax debt and extinguished Certificate of Purchase No. 20014234.
3. After Mr. Hartl had already redeemed the tax lien, on **April 7, 2025**, Plaintiff's counsel sent Mr. Hartl a letter demanding payment of \$2,992.11 in attorneys' fees and costs.
4. Despite the full redemption of the tax lien, Plaintiff proceeded to apply for an entry of default against Mr. Hartl for the attorneys' fees and costs.
5. On **June 11, 2025**, this Court entered a default judgment against Mr. Hartl, awarding Plaintiff \$4,871.24 in attorneys' fees and costs.

LEGAL ARGUMENT

Summary judgment is appropriate when "there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law." Ariz. R. Civ. P. 56(a). Here, the undisputed facts demonstrate that the judgment against Mr. Hartl is void as a matter of law.

I. The Court Lacked Subject Matter Jurisdiction to Enter the Judgment Because the Case Became Moot Upon Redemption of the Tax Lien.

A court's authority to act, its subject matter jurisdiction, is limited to live controversies. When the underlying issue in a case is resolved, the case becomes moot, and the court loses jurisdiction to proceed further. *See Contempo-Tempe Mobile Home Owners Ass'n v. Tempe*, 222 Ariz. 574, 578 (App. 2009).

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The sole basis for this lawsuit was the existence of Plaintiff's tax lien and its statutory-right to

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foreclose Mr. Hartl's right of redemption. On April 4, 2025, Mr. Hartl redeemed the tax lien by paying the County Treasurer. At that moment, the lien was extinguished, Plaintiff's right to foreclose was eliminated, and the entire controversy at the heart of the complaint ceased to exist.

The case became moot. The only proper and lawful action remaining for the Court was to dismiss the case. Any action taken by the Court after the case became moot, including the entry of a judgment for attorneys' fees, was an act taken without subject matter jurisdiction. A judgment entered without jurisdiction is void. *See Cockerham v. Zikratch*, 127 Ariz. 230, 234 (1980).

II. Plaintiff Was Not Entitled to a Judgment for Fees as a Matter of Law.

Plaintiff obtained its judgment for fees pursuant to A.R.S. § 42-18206, which allows a party to redeem a tax lien "during [the] pendency of an action to foreclose." The statute allows a plaintiff in such a case to recover its costs and reasonable attorneys' fees.

However, this right is predicated on the existence of a valid, pending foreclosure action. Once Mr. Hartl redeemed the lien on April 4, 2025, the action to foreclose was no longer substantively pending; its legal basis had been entirely resolved. Plaintiff's continued use of the court process to seek a default judgment for fees after its primary claim was extinguished constitutes an abuse of process. The law is intended to reimburse costs for a necessary legal action, not to create a secondary cause of action for fees after the primary dispute has been fully and finally settled by the defendant's direct payment to the taxing authority.

As a matter of law, Plaintiff was not entitled to a judgment because its claim was rendered moot before the judgment was ever sought or entered.

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III. There is No Genuine Dispute of Material Fact.

The material facts that dictate the outcome of this motion are all established by verifiable

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records. The date of Mr. Hartl's redemption payment is a matter of official record with the Maricopa County Treasurer. The date of Plaintiff's demand letter and its application for default judgment are established by the filings in this Court's own docket. Because these facts are not in dispute, this matter can be resolved as a matter of law.

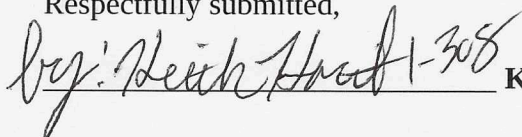
CONCLUSION

The undisputed facts show that this Court's judgment for attorneys' fees and costs was entered on June 11, 2025—more than two months *after* the underlying tax lien was redeemed and the case became moot. Because the Court lacked jurisdiction to act further once the controversy was resolved, the judgment is void.

For the foregoing reasons, Defendant Keith A. Hartl respectfully requests that the Court grant this Motion for Summary Judgment and enter an Order vacating the default judgment of June 11, 2025, in its entirety.

DATED this 8th day of October, 2025.

Respectfully submitted,

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KEITH A. HARTL Defendant Appearing Pro Se