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CONFORMED
 COPY OF ORIGINAL FILING
 MAR - 6 2017

NAVAJO COUNTY SUPERIOR COURT
 DEANNE M. ROMO, CLERK

6 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
 7 **IN AND FOR THE COUNTY OF NAVAJO**

8 In the Matter of:
 9 \$27,627.67 in U.S. Currency; Real Property
 10 Located at 818 E. Bullduck, Taylor, Arizona
 11 Navajo County Parcel No. 22-25-006A
 12 STATE OF ARIZONA,
 13 Plaintiff
 14 v.
 15 HARVEY LEON PALMER AND GLORIA
 16 ANN PALMER, AND JOHN DOES 1
 17 THROUGH 3, AND JANE DOES 1
 18 THROUGH 3,
 19 Defendants.

Case No.: CV2016-00154
 700058
**ANSWER FOR
 DEFENDANTS HARVEY LEON
 AND GLORIA ANN PALMERS**

JON H. SALINE
 SALINE LAW GROUP

17 COMES NOW Defendants, Harvey Leon Palmer and Gloria Ann Palmer
 18 (hereinafter "Defendants"), by and through counsel undersigned and hereby Answers
 19 Plaintiff's Complaint and allegations as follows:

- 20 1. Defendants Admit, the allegations in Plaintiff's paragraph I.
 21
 22

- 1 2. Defendants ADMIT that they are husband and wife but explicitly DENY any other
2 allegations in Plaintiff's paragraph II.
- 3 3. Defendants ADMIT that this action is brought pursuant to the statutes alleged, but
4 DENY the allegations that Defendants committed any of the conduct described or
5 referenced in Plaintiff's paragraph III.
- 6 4. Defendants ADMIT Plaintiff's authority to bring this action, but DENY any
7 implication or inference of improper conduct on their part which may be found in
8 Plaintiff's paragraph IV.
- 9 5. Defendants ADMIT that the Silver Creek Irrigation District is a political subdivision
10 of the State of Arizona, but DENY any allegation of crimes committed by Harvey
11 Leon Palmer found in Plaintiff's paragraph V.
- 12 6. Defendants ADMIT the allegations found in Plaintiff's paragraph VI.
- 13 7. Defendants ADMIT that venue is proper in this County, but explicitly DENY any
14 allegations of crimes committed by Defendants found in Plaintiff's paragraph VII.
- 15 8. Defendants ADMIT the allegations found in Plaintiff's paragraphs VIII through XI.
- 16 9. Plaintiff's paragraph XII is not an allegation and Defendants can neither ADMIT
17 nor DENY the statement made therein.
- 18 10. Defendants DENY the allegations found in Plaintiff's paragraphs XIII.
- 19 11. Defendants DENY the allegations found in Plaintiff's paragraphs XIV(a) through
20 XIV(e).
- 21 12. Defendants ADMIT the allegations found in Plaintiff's paragraphs XIV(f) and
22 XIV(g).

1 13. Defendants DENY the allegations found in Plaintiff's paragraphs XIV(h) through
2 XIV(o).

3 14. Defendants ADMIT the allegations found in Plaintiff's paragraphs XIV(p) through
4 XIV(q).

5 15. Defendants DENY the allegations found in Plaintiff's paragraphs XIV(r) through
6 XIV(u).

7 16. Defendants ADMIT the allegations found in Plaintiff's paragraphs XIV(v).

8 17. Defendants do not have sufficient information to ADMIT or DENY the allegations
9 found in Plaintiff's paragraphs XIV(w) through XIV(ii) and therefore DENY said
10 allegations.

11 18. Defendants DENY the allegations found in Plaintiff's paragraphs XV.

12 19. Defendants DENY the allegations found in Plaintiff's paragraphs XVI.

13 20. Defendants DENY the allegations found in Plaintiff's paragraphs XXIV.

14 21. Defendants ADMIT the allegations found in Plaintiff's paragraphs XXV.

15 22. Defendants DENY the allegations found in Plaintiff's paragraphs XXVI.

16 23. Defendants DENY the allegations found in Plaintiff's paragraphs VIII.

17 24. Defendants DENY the allegations found in Plaintiff's paragraphs IX.

18 25. Defendants DENY any allegations not specifically admitted to.

19 **AFFIRMATIVE DEFENSES**

20 1. Although Defendant does not presently have specific facts in support of the
21 remaining defenses, he wishes to put counsel for Plaintiffs on notice that Defendant
22 hereby raises the following defenses which, through subsequent discovery may,

1 indeed, be supported by the facts: arbitration and award, discharge in bankruptcy,
2 duress, estoppel, failure of consideration, failure to mitigate damages, fraud,
3 illegality, laches, license, payment, release, res judicata, statute of frauds, statute of
4 limitations, insufficiency of process, and insufficiency of service of process, and
5 waiver.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Defendants pray for judgment in favor of Defendants as follows:

- 8 1. Denial of all prayers for relief found in paragraph XI of Plaintiff's Complaint;
9 2. For Defendant's reasonable Attorney's fees and costs pursuant to A.R.S. § 12-
10 341.01, in no event less than \$5000.00, and attorney's fees and costs pursuant to
11 A.R.S. § 14-3413(E).
12 3. That the captioned funds and real property at issue be returned to Defendants.

13
14 RESPECTFULLY SUBMITTED this 6 day of March, 2017.

15 SALINE LAW GROUP

16 

17 Jon H. Saline

18 *Attorney for Defendant*

1 ORIGINAL of the foregoing filed
this 6 day of March, 2017 to:

2 Navajo County Superior Court
3 Clerk of the Court
4 P.O. Box 668
5 Holbrook, AZ 86025

6 And a copy delivered to:

7 Jason Moore, Esq.
8 Navajo County Attorney's Office
9 P.O. Box 668
10 Holbrook, AZ 86025

JON H. SALINE
SALINE LAW GROUP

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JON H. SALINE
SALINE LAW GROUP

1 VERIFICATION

2 STATE OF ARIZONA)
3) ss.
4 County of Navajo)

5 Harvey Leon Palmer, being first duly sworn upon his oath, deposes and says:
6 That he is the Respondent in the foregoing ANSWER; that he has read the same and
7 knows the contents thereof; that the same is true, except as to those allegations made
8 upon information and belief, and as to those he believes them to be true.

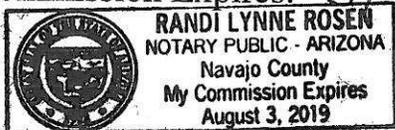
9 DATED THIS 6th day of March, 2017.

10 Harvey Leon Palmer
11 Harvey Leon Palmer

12 SUBSCRIBED AND SWORN, to before me this 6th day of March, 2017,
13 by Harvey Leon Palmer.

14 Randi Lynne Rosen
15 CLERK/NOTARY PUBLIC

16 My Commission Expires: 8/3/19



1 VERIFICATION

2 STATE OF ARIZONA)
3) ss.
4 County of Navajo)

5 Gloria Ann Palmer, being first duly sworn upon his oath, deposes and says:
6 That he is the Respondent in the foregoing ANSWER; that she has read the same
7 and knows the contents thereof; that the same is true, except as to those allegations
8 made upon information and belief, and as to those she believes them to be true.

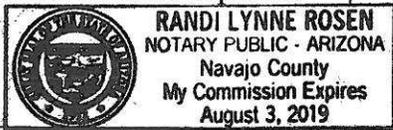
9 DATED THIS 6th day of March, 2017.

10 Gloria Ann Palmer
11 Gloria Ann Palmer

12 SUBSCRIBED AND SWORN, to before me this 6th day of March, 2017,
13 by Gloria Ann Palmer.

14 Randi Lynne Rosen
15 CLERK/NOTARY PUBLIC

16 My Commission Expires: 8/3/19



JON H. SALINE
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