

1 **WOODNICK LAW, PLLC**
2 1747 E. Morten Avenue, Suite 205
3 Phoenix, Arizona 85020
4 [REDACTED]

5 *Gregg R. Woodnick,* [REDACTED]
6 *Isabel Ranney,* [REDACTED]
7 *Attorney for Respondent*

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 In Re the Matter of:

Case No.: **FC2023-052114**

11 **LAURA OWENS,**

**RESPONDENT'S REPLY TO
PETITIONER'S RESPONSE TO
EXPEDITED MOTION TO EXTEND
DISMISSAL DATE ON INACTIVE
CALENDAR AND SCHEDULE AN
EVIDENTIARY HEARING**

12
13 Petitioner,

14 and

15 **CLAYTON ECHARD,**

(Assigned to The Honorable Julie Mata)

16
17 Respondent,

18
19 Respondent, **CLAYTON ECHARD**, by and through undersigned counsel, hereby files
20 his Reply to Petitioner's Response to Expedited Motion to Extend Dismissal Date on Inactive
21 Calendar and Schedule an Evidentiary Hearing. As and for his Reply, Respondent states as
22 follows:
23

24 1. **Whether or not Petitioner is currently pregnant does not divest this Court**
25 **of subject matter jurisdiction.** As detailed in depth in Respondent's Response/Objection to
26 Petitioner's Motion to Dismiss Petition to Establish Paternity, Legal Decision-Making,
27 Parenting Time and Child Support with Prejudice, jurisdiction attached when Petitioner filed
28

1 her underlying Petition to Establish on August 1, 2023. *Fry v. Garcia*, 213 Ariz. 70 (noting
2 subject matter is established “*at the time of filing of the lawsuit and cannot be ousted by*
3 *subsequent actions or events.*”) Nothing has occurred that would divest this Court of subject
4 matter jurisdiction. There is (1) no statute that explicitly and clearly divests this Court of
5 jurisdiction, (2) jurisdiction cannot be ousted by subsequent events, and (3) Arizona law
6 presumes retention of jurisdiction unless divestiture is clearly and unambiguously found. *See*
7 *Fry v. Garcia*, 213 Ariz. 70, 72-3 (Ariz. App. 2006).
8
9

10 **2. Respondent is seeking an extension so Petitioner can comply with her Rule**
11 **49 obligations and this Court has adequate time to adjudicate (in addition to his Motion**
12 **for Sanctions and attorney’s fees) that he is, and never was, the father of Petitioner’s**
13 **alleged fictitious twin fetuses.** This Court set a dismissal date for February 2, 2024, ostensibly
14 because no proof of paternity had been filed. *See also* Minute Entry dated 11/29/23 (denying
15 Petitioner’s Request for Pre-Decree Mediation as premature “absent a finding that Respondent
16 is the father of the unborn children”). To date, all Petitioner has provided as “proof” that she
17 was pregnant are positive HCG tests and fabricated sonograms, both used to perpetuate fraud
18 upon the court as Petitioner was never pregnant by Respondent. As explained in all of
19 Respondent’s recent filings, he is seeking an adjudication by this Court of **non-paternity**, as it
20 is the only way to prevent Petitioner from continuing to perpetuate her false narrative that she
21 *was* pregnant by Respondent.
22
23
24

25 **3. Respondent is entitled to his reasonable attorney’s fees and costs incurred**
26 **based on Petitioner’s unreasonableness.** As detailed in Respondent’s Response/Objection to
27 Petitioner’s Motion to Dismiss Petition to Establish Paternity, Legal Decision-Making,
28

1 Parenting Time and Child Support with Prejudice, the source of Respondent's attorney's fees
2 is irrelevant and has no bearing on whether Respondent has acted unreasonably such that
3 attorney's fees are warranted under A.R.S. § 25-324. (Note, the *Motion for Sanctions* is also
4 pending and requires adjudication.)
5

6 Petitioner continues to cause Respondent to incur attorney's fees and costs due to her
7 pervasive disconnect with the science of procreation. It is impossible for her to be pregnant by
8 him after she only performed oral sex on him. At least two (2) fetal DNA tests have come back
9 showing "*little to no DNA*," Petitioner has been unable to produce any verifiable medical
10 evidence that supports her claim, under oath, that she was "100%" "24 weeks" pregnant by
11 Respondent and due on "February 14, 2024" on November 2, 2023. That Petitioner is suddenly
12 admitting a partial truth – that she is not currently pregnant – does not absolve her of her
13 unreasonable behavior in bringing this cause of action and forcing Respondent into court after
14 he did not have sex with her and refused to date her.
15
16
17

18 This Court's subject matter jurisdiction is unaffected by Petitioner's admission that she
19 is not pregnant (and attempt to avoid responsibility and participation in the properly Noticed
20 deposition pursuant to Rules 52 and 57, ARFLP). As such, the underlying Motion to Dismiss
21 is legally inappropriate.
22

23 As this Court has retained subject matter jurisdiction, a virtual thirty (30) minute
24 evidentiary hearing on the residual issues including non-paternity, attorney's fees, and Rule 26
25 sanctions must be set.
26

27 **WHEREFORE**, Respondent respectfully requests this Court enter the following:

28 A. Issue an Order continuing the matter on the dismissal date for sixty (60) days;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

B. Schedule a virtual evidentiary hearing on the issue of paternity/non-paternity, attorney's fees, and Rule 26 sanctions; and

C. Award Respondent his reasonable attorney's fees and costs incurred in this matter based on Petitioner's unreasonableness pursuant to A.R.S. § 25-324;

D. Any other Order this Court deems appropriate, including sanctions.

RESPECTFULLY SUBMITTED this 3rd day of January, 2024.

WOODNICK LAW, PLLC



Gregg R. Woodnick
Isabel Ranney
Attorneys for Respondent

ORIGINAL of the foregoing e-filed this 3rd day of January, 2024 with:

Clerk of Court
Maricopa County Superior Court

COPY of the foregoing document delivered/mailed this 3rd day of January, 2024, to:

The Honorable Julie Mata
Maricopa County Superior Court

Alexis Lindvall
MODERN LAW



Attorney for Petitioner

By: /s/ MB

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION

I, **CLAYTON ECHARD**, declare under penalty of perjury that I am the Respondent in the above-captioned matter; that I have read the foregoing *Respondent's Reply to Petitioner's Response to Expedited Motion to Extend Dismissal Date on Inactive Calendar and Schedule an Evidentiary Hearing* and I know of the contents thereof; that the foregoing is true and correct according to the best of my own knowledge, information and belief; and as to those things stated upon information and belief, I believe them to be true.



Clayton Echard (Jan 3, 2024 16:20 MST)
CLAYTON ECHARD

01/03/2024

Date