

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Troy King v. Julia Owner LLC, et al.

King · No. CV-25-03686-PHX-KML · Decided March 30, 2026

SUMMARY

The United States District Court for the District of Arizona denied Troy King's motion for relief from judgment under Federal Rule of Civil Procedure 60(b)(1) and, alternatively, Rule 60(b)(6). The court found that King's unexplained delay and failure to comply with pleading instructions did not establish excusable neglect or extraordinary circumstances warranting relief.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 30, 2026
DOCKET	CV-25-03686-PHX-KML
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b)(1), and alternatively under Rule 60(b)(6), for relief from the judgment dismissing his amended complaint without leave to amend.
STANDARD OF REVIEW	Equitable, multi-factor analysis under Rule 60(b)(1); relief under Rule 60(b)(6) is available only upon a showing of extraordinary circumstances, including injury and circumstances beyond the movant's control.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation or published-status designation in the source.

TOPICS

- civil procedure
- pleadings
- motions to dismiss

PRACTICE AREAS

- civil procedure
- federal civil litigation

QUESTIONS PRESENTED

1. Whether King was entitled to relief from judgment under Federal Rule of Civil Procedure 60(b)(1) based on mistake or excusable neglect.
2. Whether King was entitled to relief from judgment under Federal Rule of Civil Procedure 60(b)(6) based on extraordinary circumstances.

HOLDINGS

1. King was not entitled to relief under Rule 60(b)(1) because, although the lack of prejudice and apparent good faith favored him, the unexplained length and reason for his delay weighed against relief and the equitable factors did not justify setting aside the judgment.
2. King was not entitled to relief under Rule 60(b)(6) because he failed to establish extraordinary circumstances, injury, or circumstances beyond his control that prevented timely and proper action.

KEY QUOTATIONS

“No one factor is dispositive and “[the determination of whether a party’s neglect is excusable is at bottom an equitable one, taking account of all relevant circumstances surrounding the party’s omission.”” (at 1)

“Relief under this rule is appropriate “only where extraordinary circumstances prevented a party from taking timely action to prevent or correct an erroneous judgment.”” (at 3)

“IT IS ORDERED the Motion for Relief from Judgment (Doc. 13) is DENIED.” (at 4)

FACTUAL BACKGROUND

King filed an original complaint that the court dismissed with specific instructions for amendment. His amended complaint still failed to state a plausible claim, so the court dismissed it without leave to amend and entered judgment. King later sought leave to file a second amended complaint and, after that request was denied, waited approximately three additional months before filing the Rule 60 motion, without explaining the delay.

PROCEDURAL HISTORY

King's original complaint was dismissed with leave to amend. His amended complaint was then dismissed without leave to amend for failure to state a claim, and judgment was entered. After the court denied his subsequent motion for leave to file a second amended complaint, King filed a Rule 60 motion seeking to set aside the judgment. The district court denied relief under both Rule 60(b)(1) and Rule 60(b)(6).

DISPOSITION

other

CASES CITED

- BLOM Bank SAL v. Honickman, 605 U.S. 204, 210 (2025)
- Pincay v. Andrews, 389 F.3d 853, 855 (9th Cir. 2004)

- Briones v. Riviera Hotel & Casino, 116 F.3d 379, 382 (9th Cir. 1997)
- Boquist v. Courtney, 32 F.4th 764, 774 (9th Cir. 2022)
- Ratha v. Rubicon Res., LLC, 168 F.4th 541, 561 (9th Cir. 2026)
- In re Int'l Fibercom, Inc., 503 F.3d 933, 941 (9th Cir. 2007)

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