

**EDWARD RAWLINSON
(PRO SE) PLAINTIFF**

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(Pro-Se) Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PINAL**

EDWARD RAWLINSON,
Plaintiff;

v.

J & J ARIZONA, LLC,
D/B/A
BURGER KING RESTAURANT –
(ELOY, ARIZONA),

Defendant.

CASE NUMBER:

PLAINTIFF'S MOTION FOR
REASONABLE ACCOMMODATIONS
PURSUANT TO THE AMERICANS
WITH DISABILITIES ACT AND
ARIZONA RULES OF CIVIL
PROCEDURE

**I. (REQUEST FOR LIVE VIDEO STREAMING FOR ALL PRE-TRIAL
CONFERENCES, HEARINGS, AND APPEARANCES)**

Plaintiff Edward Rawlinson, appearing pro se, respectfully moves this Court

for an order granting reasonable accommodations under Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12131 et seq., and the Arizona Rules of Civil Procedure (ARCP), including but not limited to Rules 1, 8, 9, and 12, to permit all pre-trial conferences, hearings, and appearances in this matter to be conducted via live video streaming. This request is necessitated by Plaintiff's documented disabilities, as declared by the Social Security Administration (SSA) since February 3, 2015, and by security concerns arising from the premeditated setup allegations detailed in the Complaint. In support of this Motion, Plaintiff states as follows:

II. FACTUAL BACKGROUND

1. Plaintiff Edward Rawlinson is a qualified individual with disabilities under the ADA and SSA regulations. As detailed in Paragraph 2 of the Complaint, Plaintiff has been legally disabled due to physical and psychological injuries and conditions stemming from a motor vehicle accident on February 3, 2015. The SSA Office of Disability Adjudication and Review in Charlotte, North Carolina, declared Plaintiff "disabled" on June 22, 2017, under sections 216(i) and 223(d) of the Social Security Act, retroactive to February 3, 2015. These disabilities include mobility impairments, chronic pain, stress disorder, depression, and other conditions that are exacerbated by travel, stress, and physical exertion.

2. Plaintiff currently resides in North Carolina (with a mailing address in Nevada for business purposes), making in-person travel to Pinal County, Arizona, unduly burdensome and harmful to his health. Long-distance travel would aggravate Plaintiff's physical impairments (e.g., pain from prolonged sitting or standing) and psychological conditions (e.g., heightened anxiety and stress in unfamiliar or high-stakes environments), potentially leading to medical setbacks and hindering his ability to meaningfully participate in court proceedings.

3. Additionally, this lawsuit arises from allegations of a premeditated setup involving Defendant's employees and third-party Milton Ayers, as outlined in Paragraphs 6-14 and 17-19 of the Complaint. These include claims of fraudulent concealment, misrepresentation, and coordination that led to an unprovoked assault on Plaintiff, false statements to law enforcement, and Plaintiff's wrongful arrest and detention from February 23, 2023, to May 20, 2023. The nature of these

allegations raises legitimate security concerns for Plaintiff, including potential risks of retaliation, harassment, or further harm if required to appear in person in Pinal County, where the events occurred and where individuals involved in the alleged setup may reside or have connections.

4. Precedent for video accommodations exists in the related dismissed criminal case, CR202300611 (Pinal County Superior Court), which stemmed from the same incident. In that case, the court permitted Plaintiff to participate in hearings and conferences via live video streaming, accommodating his disabilities and circumstances without prejudice to the proceedings. This accommodation was effective and aligns with the relief sought here.

III. LEGAL BASIS

5. Under Title II of the ADA, 42 U.S.C. § 12132, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, including state courts. The implementing regulations require public entities to provide appropriate auxiliary aids and services to ensure effective communication and equal access (28 C.F.R. § 35.160) and to make reasonable modifications to policies, practices, or procedures when necessary to avoid discrimination (28 C.F.R. § 35.130(b)(7)). Arizona courts, as public entities, must comply with these mandates, as affirmed in *Tennessee v. Lane*, 541 U.S. 509 (2004), which upheld ADA protections for access to judicial services.

6. The Arizona Judicial Branch's policies, including Section 1-203 of the Arizona Code of Judicial Administration, mandate that Arizona courts be accessible to individuals with disabilities and that reasonable accommodations be made upon request. Pinal County Superior Court specifically provides for ADA accommodations, including through its ADA Accommodation Request Form and procedures for assistive technologies or modifications.

7. The Arizona Rules of Civil Procedure support remote participation. ARCP Rule 1 emphasizes the just, speedy, and inexpensive determination of every action, allowing courts flexibility to accommodate litigants' needs. ARCP Rule 8 permits telephonic appearances for non-evidentiary proceedings, while ARCP Rule 9 allows telephonic or video conference testimony at evidentiary hearings or trials

upon a showing of good cause. ARCP Rule 12 governs virtual attendance and testimony, requiring a motion for such relief, which may be granted where, as here, in-person appearance would impose undue hardship due to disability or other compelling reasons. Post-pandemic administrative orders and guidelines from the Arizona Judicial Branch further encourage virtual hearings via video platforms like Zoom or WebEx to promote access and efficiency (see Arizona Supreme Court Administrative Order 2022-004 and related directives on remote and in-person hearings).

8. Courts have broad discretion to grant remote appearances for pro se litigants with disabilities, particularly when travel burdens exacerbate conditions or when security risks are present. See, e.g., A.R.S. § 12-135 (authorizing telephonic testimony in civil actions); and federal precedents like *Gomez v. City of Phoenix*, No. CV-19-04449-PHX-DWL (D. Ariz. 2020) (granting remote accommodations for disabled plaintiff citing health and safety concerns). These security concerns are further substantiated by photographic evidence of the incident scene and related circumstances, as documented in Exhibit J: "Bates 1: 077 092" Photos by Cpl Samuel Martinez — (File Names): "14" of "16".jpg & "15" of "16".jpg - Evidence Associated With Master File: "Bates 1 - 077 092 Photos by Cpl Samuel Martinez". In addition; the security concerns are also further substantiated by the notarized — Exhibit K: (**Affidavit of Edward Rawlinson dated March 4, 2026**), mailed to the Social Security Administration (SSA) Offices in Raleigh and Charlotte, North Carolina, which details the ongoing aggravation of disabilities and the need for virtual proceedings to avoid undue hardship. **Exhibits A through K are attached hereto as supporting documentation for the (Motion):**

◦ **Exhibit A:** USPS Certified Mail Receipt and Tracking Confirmation, relevant to proving timely filing and diligence despite disabilities.

◦ **Exhibit B:** Clerk's Return Letter, relevant to showing procedural history and ongoing need for accommodations due to out-of-state residence.

◦ **Exhibit C:** SSA Disability Award Letter and Benefit Verification, relevant to establishing Plaintiff's qualified disability status and exacerbation risks.

◦ **Exhibit D:** March 2026 SSA Benefit Verification Letter, relevant to confirming current and ongoing disability for ADA purposes.

◦ **Exhibit E:** Initial and Supplemental Police Reports, relevant to detailing the incident and security risks from alleged setup.

◦ **Exhibit F:** Rule 15.1 Prosecutor Disclosure, relevant to evidence of concealment exacerbating detention harms.

◦ **Exhibit G:** Case Dismissal Order, relevant to proving wrongful detention tied to security concerns.

◦ **Exhibit H:** Audio from Officer Martinez Conference, relevant to probable cause issues and ongoing risks.

◦ **Exhibit I:** 911 Audio Evidence, relevant to coordination/premeditation supporting security fears.

◦ **Exhibit J:** "Bates 1: 077 092" Photos by Cpl Samuel Martinez — (File Names): "14" of "16".jpg & "15" of "16".jpg

◦ **Exhibit K:** Notarized (Affidavit of Edward Rawlinson dated March 4, 2026), mailed to SSA Raleigh and Charlotte Offices (including Disability Determination

Services), relevant to documenting ongoing disability aggravation, good-cause declination of IME, and the burdensome impact of the February 23, 2023 incident on Plaintiff's disabilities and overall life, directly supporting the need for virtual accommodations.

IV. REQUESTED RELIEF

9. Plaintiff requests that the Court order all pre-trial conferences, hearings, depositions, and appearances in this matter—including but not limited to the initial scheduling conference, discovery disputes, motions hearings, depositions and any settlement conferences—be conducted via live video streaming (e.g., Zoom, Microsoft Teams, or the Court's preferred platform). This accommodation will ensure Plaintiff's effective participation without exacerbating his disabilities or exposing him to security risks tied to the lawsuit's allegations.

10. In the alternative, if any proceeding requires in-person attendance, Plaintiff requests additional accommodations such as flexible scheduling, breaks for medical needs, and assistive devices (e.g., mobility aids or amplified audio).

11. Plaintiff is prepared to provide supporting documentation, including his SSA disability determination — (**Exhibit C – SSA Disability Award Letter / Exhibit D - Benefit Verification**) and medical records, upon request. No prejudice to Defendant or the Court will result from this accommodation, as video streaming maintains the integrity of proceedings while promoting access to justice.

WHEREFORE, Plaintiff respectfully requests that this Motion be granted, and for such other and further relief as the Court deems just and proper.

RESPECTFULLY SUBMITTED this 5th day of March, 2026.

By _____



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Attached hereto as referenced above — Exhibits A through K as supporting documentation for this (Motion):