

State of Arizona  
Public Records Request

Mail to: Arizona Secretary of State Ken Bennett  
Attention: Public Records  
1700 W. Washington Street, 7th Fl., Phoenix, AZ 85007-2888  
(602) 542-4285 (800) 458-5842 (within Arizona)  
Website: www.azsos.gov

SECRETARY OF STATE

05/09/2014 8:44AM \*\*\*\*  
000006#9200 CARMEN

86 @ \$0.10  
COPY BUS PER PG \$8.60

2014 APR 20 10 11 AM  
FOR OFFICE USE ONLY - REV. 12/23/09

CHECK \$8.60

~ PUBLIC RECORDS REPRODUCTION REQUEST ~

- Use this form to request a public record from our office under Arizona Revised Statutes, Title 39, Ch. 1, Article 2 et seq.
- To assist our office in its effort to process your request, please be specific and identify the document or record by name.

Fees:

- Our office offers inspection of public records (A.R.S. § 39-121) with reproduction of documents available at 10¢ a page.
- The fee schedule for certified copies is posted on our Web site.
- Records or parts of some records may not be subject to public dissemination under Arizona law. Our office will notify you if the releasing of the record is restricted under law or if parts of the record requested will be redacted.
- If a document is available for public dissemination our office will contact you about the copying fee associated with your request.

How to complete this form

- This form must be written (printed) legibly or computer generated for accuracy.
- For your convenience, this form has been designed to be filled out electronically at our Web site and printed to your printer.
- Notarization is not required.

Please remember our office may not be the custodian of the document or record you are requesting. We will make every effort to assist you with your request.

Return by mail to the address above, or in person at:

PHOENIX - State Capitol Executive Tower 1700 W. Washington Street First Floor, Room 103	TUCSON - Arizona State Complex Building 400 W. Congress Second Floor, Room 252
--	---

Office hours: Monday through Friday, 8 a.m. to 5 p.m. except state holidays.

1. Document Information

Check one:  Paper copies  Certified copies  Electronic copies  Records inspection (in-person A.R.S. § 39-121)

Name of record or document (for example: loyalty oath, executive order, notice of appointment, limited partnership, campaign finance committee, etc.)  
(1) Notary Journal (2) All investigatory documents re: suspension & revocation (3) Bond info

Approximate date filed 2010 through 2014	Name(s) of person(s) on the record or document Stephanie G. Abcede - former AZ Notary Public, Commission No. 301053
---	--

Name of agency/person/business/committee filing the record Stephanie G. Abcede & SOS Notary Div./AG	Law, rule or statutory reference stating this document is filed with our office Arizona Notary Manual
--	--

Please notify me to pick up this record in person  I am requesting this information be sent by mail (additional fees may apply)

2. Use of Record - Review the laws on page 2.

I have reviewed and read the information on the back of this form. The requested records will be used for (check one)

NON-commercial purposes.  COMMERCIAL purposes. If you intend to use these documents for commercial purpose state the commercial purpose in the field below for which the above-requested public records will be used. A commercial use fee may apply.

Commercial Use Disclosure Statement under A.R.S. § 39-121.03

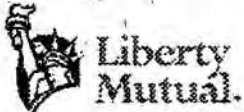
3. Contact Information

First Name Vince	Last Name Rabago		
Address (include street or box number) 500 N. Tucson Blvd., Ste. 100		City Tucson	State AZ
Zip Code 85716		Telephone Number (include area code) 520-955-9038	Fax Number (include area code) 877-371-4011
E-mail Address Vince@VinceRabagoLaw.com			

4. Signature

STATEMENT: I understand that the copy or other reproduction of the public record which I have requested is to be used solely for the purposes as stated on this form. I declare that such copies or reproductions will not be used directly or indirectly for a different purpose other than prescribed on this form. I understand that copying and/or postage fees may be associated with my request.

Signature 	Date 4/24/2014
--	-------------------



Liberty Mutual Surety  
1001 4th Avenue, Suite 1700  
Seattle, WA 98154

**NOTARY PUBLIC BOND - ARIZONA**

**Bond 6699019**

KNOW ALL BY THESE PRESENTS, That we, STEPHANIE G. ABCEDE  
as Principal, and the Safeco Insurance Company of America, a WASHINGTON  
corporation, duly authorized to transact business in the State of Arizona, as Surety, are held and firmly bound unto the State of Arizona  
in the penal sum of Five Thousand Dollars for payment of which, well and truly to be made we bind ourselves, our heirs, executors and  
administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated the 7th day of April, 2010

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That WHEREAS, the above bound Principal was appointed by the  
Governor of Arizona to the office of Notary Public in and for Pima County in the State  
aforesaid.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the said Principal shall during the term of four  
years beginning on the 7th day of April, 2010, and ending 6th day of  
April, 2014, well and faithfully perform all official duties now required of him by law, and  
shall well and faithfully execute and perform all the duties of such office of Notary Public required by any law to be enacted  
subsequently to the execution of this bond, then this obligation is to be void and of no effect, otherwise to remain in full force and  
virtue.

STEPHANIE G. ABCEDE

Principal

Countersigned by:

Annette M.  
Leuschner

Non-Residing Agent  
License No. 956390

Safeco Insurance Company of America

By

Vivian Carti

Attorney-in-Fact

OATH OF OFFICE



I, STEPHANIE G. ABCEDE, do solemnly swear that I will support the Constitution  
of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same and  
defend them against all enemies whatsoever, and that I will faithfully and impartially discharge the duties of the office of Notary  
Public in and for Pima County, Arizona, according to the best  
of my ability. So help me God.

STEPHANIE G. ABCEDE

Principal

Subscribed and sworn to before me in the County of Pima and State of Arizona, this  
8th day of April, A.D. 2010

My Commission Expires

01/18/14



OFFICIAL SEAL  
STEPHEN D. COCHRAN  
NOTARY PUBLIC-ARIZONA  
PIMA COUNTY

My Comm. Exp. Jan. 18, 2014

Notary Public, Arizona

# **2010 complaint**

1ST



**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**



June 7, 2011

**CERTIFIED MAIL**

Stephanie G. Abcede  
c/o CitiMortgage Default Attorney Mgmt  
9072 S. Rita Rd.  
Tucson, AZ 85747

 **COPY**

*Re: Notary Stephanie G. Abcede, Complainant Bob Stovall*

Dear Ms. Abcede:

In our letter dated January 3, 2011 you were notified that your notary public commission was suspended for a period of one hundred eighty (180) days pending the completion of a notary public workshop before the end of the suspension period. As of the date of this letter, the Secretary of State has not received your certificate of attendance proving attendance of a notary public workshop.

The Secretary possesses special knowledge and expertise in interpreting the notary statutes and believes that the definitions, requirements (i.e. oath & bond) and duties outlined in A.R.S. § 41-311 through A.R.S. § 41-332 are standards with which each notary must comply. In addition to the specific offenses outlined by the Arizona legislature which would warrant action against a notary's commission, in cases where there is substantial evidence that the notary's actions fail to meet the standards described in the notary statutes, the Secretary has grounds to refuse, revoke or suspend a notary's commission for "failure to discharge fully and faithfully any of the duties or responsibilities required of a notary public." A.R.S. § 41-330(A)(4)

Therefore, your notary commission has been revoked to be effective *June 7, 2011*. These terms were outlined in our letter dated January 3, 2011, to which no appeal was received.

Please deliver your notary seal, notarial journal(s) and notarial records to our office. All correspondence and surrendered items should be sent by certified mail or other means providing a receipt. Items are required to be sent within three months of a notary's revocation or the notary shall forfeit not less than \$50 nor more than \$500 to the state. A.R.S. § 41-317.

You have the right to request an evidentiary hearing pursuant to A.R.S. § 41-1092.03 by filing a written notice of appeal with the Office of the Arizona Secretary of State within thirty (30) days of receipt of this notice. If you request an evidentiary hearing as referenced above, you may also request an informal settlement conference pursuant

1700 W. Washington Street, 7th Floor  
Phoenix, Arizona 85007-2888  
Telephone (602) 542-4285 Fax (602) 542-4366  
[www.azsos.gov](http://www.azsos.gov)

**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

Page 2 of 2

to A.R.S. § 41-1092.06. If a hearing is not requested within the time provided by the statute, the decision will stand.

Should you have any questions or concerns I may be reached at 602-542-6315.

Sincerely,



Evelia McGee, Notary Complaints Coordinator  
Business Services Division

Cc: Attorney General's Office  
Notary File

Encl: Copy of Original Suspension Letter

7008 2610 0000 0192 9002  
1609 9982 0000 0192 9002

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)  
**OFFICIAL USE**

Postage	\$	Postmark Here  6-7-11
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To  
*Stephanie G. Wood* / *Sp City Mtn Del*  
Street, Apt. No.  
or PO Box No. *4072 S. Rita Rd. Altamont*  
City, State, ZIP+4  
*Tucson Az 85747*



**KEN BENNETT**  
SECRETARY OF STATE  
STATE OF ARIZONA



January 3, 2011

**CERTIFIED MAIL**

Stephanie G. Abcede  
c/o CitiMortgage Default Attorney Mgmt  
9072 S. Rita Rd.  
Tucson, AZ 85747

COPY

Re: Notary Stephanie G. Abcede, Complainant Bob Stovall

Dear Ms. Abcede:

Pursuant to A.R.S. § 41-331(A), the Attorney General's Office ("AGO") has investigated the complaint brought against Notary, Stephanie G. Abcede ("Notary"), by Bob Stovall ("Complainant"). The Complainant alleged that the Notary improperly notarized an Assignment of Deed of Trust, a Substitution of Trustee, and a Notice of Trustee.

**A. The Notary Failed to Comply with the Investigation and the Personal Knowledge Exemption Does Not Apply.**

Notaries are required to respond to an AGO investigation about their notarial services. A.R.S. §§ 41-313(4), 41-330(A)(4) & 41-331. They must also maintain a journal and produce a copy if requested. A.R.S. §§ 41-313(B)(1), 41-319(A) & 41-330(A)(4). When a notary has "personal knowledge" of a signer, the notary may retain a paper or electronic copy of the notarized document in lieu of recording the notarial act in his or her journal. A.R.S. § 41-319(B). The notary must then provide the requestor with a copy of that "retained document." Id.

The Notary in this instance responded in writing and provided a copy of her notary journal for one of the documents requested: The Notice of Trustee's Sale (TS No. T10-63896-AZ) notarized July 8, 2010. The Notary's response letter states that her "log lists documents by the customer TS No." She then goes on to say that she "highlighted the number." However, the entry she highlighted for the AGO was pertaining to TS No. T10-63869-AZ, which does not correspond to the TS No. T10-63896-AZ that appears on the documents from the complaint.

Additionally, the Notary did not provide a copy of her journal entry for the other two documents requested: The Assignment of Deed of Trust notarized July 5, 2010 (TS No. T10-63896-AZ); and Substitution of Trustee notarized July 5, 2010 (TS No. T10-63896-AZ). While the Notary did provide a photocopy of each document in question as well as (2) additional documents she notarized that are not referenced in the complaint: a Notice of Trustee Sale notarized July 5, 2010 (TS No. T10-63896-AZ), and a Cancellation of Notice of Trustee's Sale notarized July 8, 2010 (TS No. T10-63896-AZ), the personal knowledge exemption does not apply because the Notary did not claim that she had "personal knowledge" of the signer's. Therefore, the copies of the documents provided are not sufficient evidence that the Notary properly identified the Signer's under the personal knowledge exemption, and she was required to create a journal entry for the notarization of the two documents. A.R.S. §§ 41-319(A) & (B).

1700 W. Washington Street, 7th Floor  
Phoenix, Arizona 85007-2888  
Telephone (602) 542-4285 Fax (602) 542-4366  
www.azsos.gov

**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

The AGO requested a copy of the journal entry for "the notarization date shown on the Assignment of Deed of Trust and the Substitution of Trustee (July 5, 2010) and for the notarization date of the Notice of Trustee's Sale (July 8, 2010). The journal entry provided, however, was an incomplete response to the AGO's investigation because it did not include the information for the documents in question on the dates in question. The Notary has failed to comply with the AGO's request for information, evidence of her failure to fully and faithfully discharge her duties and responsibilities as a notary public, providing grounds for suspension or revocation. A.R.S. §§ 41-313(B)(4), 41-330(A)(4), 41-331(B).

**B. The Notary Does Not Keep a Proper Journal**

A notary public must maintain a journal entry for each notarial act. A.R.S. § 41-319(A). Each journal entry must contain the following: (1) the date of the notarial act; (2) the document description or type of notarial act; (3) the printed name of the signer as well as his or her address and signature; (4) the type of satisfactory evidence used to identify the signer; (5) the specific identity information of the signer; and (6) the fee, if any, charged for the notarization. A.R.S. § 41-319. When a Notary accepts an identification document that meets requirements set forth in A.R.S. § 41-311(11)(a)(b), they must record a description of the identification document including but not limited to; (a) a description of the identification document, (b) its serial or identification number, and (c) its issuance or expiration date. A.R.S. §§ 41-313(B)(1), 41-319(A)(5).

The two (2) documents notarized on July 5 bear a signature for "Lisa Markham"; however, the July 5 journal entry highlighted as the correct corresponding journal entry by the Notary in her response, does not contain, among other things, a signature for "Lisa Markham" as would be required for that particular notarization. The Notary handwrote "Lisa" at the top of the first signature column, and then drew a vertical line down through the remaining boxes on the page. Assumedly this represents the name Lisa in each box the line goes through. In the column to the right of the first signature column, there is a handwritten notation of the name "Sharon" despite the fact that documents notarized on July 5 do not include a signature for a "Sharon". Therefore, the Notary made a note of the name "Sharon" in the July 5<sup>th</sup> entry, without actually having it pertain to the notarization. The Notice of Trustee's Sale notarized July 8 includes the signature for "SHARON SAMS.", and the corresponding journal entry contains the handwritten name "Sharon". Because the Notary did not claim the personal knowledge exemption she was required to obtain satisfactory evidence of identity in her journal.

Thus, if the July 5 journal entry is the correct entry for all three (3) documents referenced in the complaint, then the "TS" number on the documents is recorded incorrectly in the Notary's journal and the Notice of Trustee's Sale notarized on July 8 is incorrectly dated either on the document, or in the notary's journal. So the notary has executed a statement known to be false, as well as documented the notarization incorrectly in her journal. The Notary has failed to meet the standards of the law, and could face suspension or revocation for failing to fully and faithfully discharge the duties and responsibilities as a notary public. A.R.S. § 41-330(A)(4).

Contrarily, if the July 8 entry is the correct entry for the Notice of Trustee Sale (TS No. T10-63896-AZ), then the Assignment of Deed of Trust and the Substitution of Trustee notarized on July 5 were not documented in the journal, and the Notary has failed to keep a journal of all



**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

notarial acts, or has failed to provide the copy of the area of her journal where those other two documents were recorded in accordance with A.R.S. § 41-319. A.R.S. § 41-313(B)(1).

None of the journal entries provided include the signer's signature, address, or how they were identified. Additionally, the Notary's journal does not contain a column for the fee charged if any. The Notary has failed to keep a journal in accordance with A.R.S. § 41-319 providing grounds for suspension or revocation. A.R.S. §§ 41-313(B)(1), 41-319 & 41-330(A)(4).

**C. The Notary Improperly Performed the Acknowledgement.**

To perform an "acknowledgment" properly, a notary must (1) identify the signer and (2) put the ID information in her notary journal; and the signer must (3) be present with the notary when the notary affixes the notary stamp and signature to the document. A.R.S. § 41-311(1) and 41-319. Although not presently a requirement, when each document was notarized, its notarial certificate was also supposed to note a handwritten expiration date of the Notary's commission. A.R.S. § 41-313(B); Notary Public Reference Manual (2009) pg 14 sidebar; "Notarial certificates."

For the acknowledgment of each of document referenced in the complaint, the Notary has not shown that she identified the signer ("Lisa Markham" for July 5; "Sharon Sams" for July 8) or recorded the signer's ID information in her journal, and she has not shown that the signer was with her for the notarization. Each of the three (3) documents referenced in the complaint does not include the Notary's commission- expiration date other than within the Notary's affixed stamp. Therefore in failing to obtain satisfactory evidence of identity the Notary has executed a statement known to be false, and could face suspension or revocation for failing to fully and faithfully discharge the duties and responsibilities as a notary public. A.R.S. §§ 41-313(B)(1), 41-313(B)(4), 41-319, 41-330(A)(4), & 41-331(B).

**D. Conclusion**

The Secretary possesses special knowledge and expertise in interpreting the notary statutes and believes that the definitions, requirements (i.e. oath & bond) and duties outlined in A.R.S. § 41-311 through A.R.S. § 41-332 are standards with which each notary must comply.

The Secretary believes that in addition to the specific offenses outlined by the Arizona legislature which would warrant action against a notary's commission, in cases where there is substantial evidence that the notary's actions fail to meet the standards described in the notary statutes, the Secretary has grounds to refuse, revoke or suspend a notary's commission for "failure to discharge fully and faithfully any of the duties or responsibilities required of a notary public." A.R.S. § 41-330(A)(4)

Therefore, the Secretary of State has determined to suspend the Notary's commission for a period of 180 days effective immediately. The suspension of the Notary's commission is based on the following violations of Arizona notary law:

1. Failure to provide a complete response to the AGO's investigation. A.R.S. § 41-313(B)(4) & 41-331(B).

**KEN BENNETT**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

2. Failure to keep a journal in accordance with A.R.S. § 41-319, A.R.S. §§ 41-313(B)(1), 41-319 & 41-330(A)(4).
3. Failure to properly identify the signer prior to performing an acknowledgement. A.R.S. § 41-319(A)(4).
4. Execution of a statement known to be false. A.R.S. 41-330(A)(10).
5. Failure to discharge fully and faithfully the duties of a notary public. A.R.S. § 41-330(A)(4) & 41-331(B).

The Notary's suspension is effective immediately and shall remain in effect until June 3, 2011. In addition to serving the suspension, the Notary will be required to attend a free notary workshop sponsored by the Secretary of State on or before June 3, 2011. To sign up for the workshop online the Notary may visit our website at [www.azsos.gov](http://www.azsos.gov) or contact our office. Before the Secretary of State will reinstate the notary public commission, proof of attendance must be provided by fax or mail to:

Office of the Arizona Secretary of State  
Attn: Notary Complaints  
1700 W. Washington St.  
Phoenix, Arizona 85007  
Fax: 602-542-4366

After the Notary has complied with the terms outlined above, the Secretary's database will reflect a lifted suspension as of the suspension expiration date. At that time, the Notary may resume their duties as an Arizona notary public. In the event the notary's commission expires during the course of the suspension, it is the notary's responsibility to reapply. If the renewal is accepted, the notary will be reinstated following the completion of the suspension, including any training mandated as part of the suspension. If the notary fails to comply with any terms of the suspension, the notary's commission will be revoked. The Secretary's database will be updated to reflect the revocation took effect retroactively on the date of this suspension letter.

The Notary has a right to request an evidentiary hearing pursuant to A.R.S. § 41-1092.03 by filing a written notice of appeal with the Office of the Arizona Secretary of State within thirty (30) days of receipt of this notice. If the Notary request an evidentiary hearing as referenced above, he or she may also request an informal settlement conference pursuant to A.R.S. § 41-1092.06. If a hearing is not requested within the time provided by the statute, the decision will stand.

If you have any concerns regarding this issue, you may contact Yolanda Morales directly at 602-542-6315.

Sincerely,



Holly Tector, Notary Unit Supervisor  
Business Services Division

Cc: Attorney General's Office, Notary File

1700 W. Washington Street, 7th Floor  
Phoenix, Arizona 85007-2888  
Telephone (602) 542-4285 Fax (602) 542-4366  
[www.azsos.gov](http://www.azsos.gov)