



**MINUTES**  
*Arizona Supreme Court*  
**Tuesday, January 6, 2009**

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No. 2364

**CV-08-0274-PR**                    **STATE ex rel THOMAS v HON. ARELLANO/RICCITELLI**  
(5)                                    *Court of Appeals Division One*                    *1 CA-SA 08-0168*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

**CV-08-0278-PR**                    **INTL FIDELITY v UNLIMITED SALES/RANDALL & RICHARDS**  
(6)                                    *Court of Appeals Division One*                    *1 CA-CV 07-0324*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Randall & Richards Inc] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee International Fidelity Insurance] = GRANTED.

**CV-08-0288-PR**                    **HOME BUILDERS ASSOC OF CENTRAL AZ v KARD et al**  
(7)                                    *Court of Appeals Division One*                    *1 CA-CV 07-0629*

ORDERED: Petition for Review = DENIED.

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**CV-08-0304-PR**      **LARRY THOMPSON et ux v HON. CONLOGUE et al**  
(8)                      *Court of Appeals Division Two*                      2 CA-SA 08-0037

ORDERED: Petition for Review of Special Action Decision of the Court of Appeals = DENIED.

**CR-08-0252-PR**      **STATE OF ARIZONA v ANDRES COZ FLORES**  
(9)                      *Court of Appeals Division One*                      1 CA-CR 07-0800 PRPC

ORDERED: Petition for Review by Arizona Supreme Court; Post-Conviction Relief = DENIED.

**CR-08-0258-PR**      **STATE OF ARIZONA v JARED MICHAEL WAGONER**  
(10)                      *Court of Appeals Division Two*                      2 CA-CR 08-0021 PRPC

ORDERED: Petition for Review (Denial of Petition Post-Conviction Relief) = DENIED.

**CR-08-0265-PR**      **STATE OF ARIZONA v RICHARD N SALEM**  
(11)                      *Court of Appeals Division One*                      1 CA-CR 07-0386

ORDERED: Petition for Review of Memorandum Decision of the Court of Appeals = DENIED.

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**CR-08-0266-PR**  
(12)

**STATE OF ARIZONA v BETTY JEAN RIDER**  
*Court of Appeals Division One*                      *1 CA-CR 07-0352*

ORDERED: Petition for Review = DENIED.

**CV-08-0282-PR**  
(13)

**BRIAN HOUNSHELL v TOM WHITE JR et al**  
*Court of Appeals Division One*                      *1 CA-CV 06-0730*

ORDERED: Petition for Review = DENIED.

**CV-08-0283-PR**  
(14)

**POWER PEO et al v INS CO OF AMERICAS et al**  
*Court of Appeals Division One*                      *1 CA-CV 07-0166*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees  
[Appellees/Cross-Appellants Ins Co of Americas et al] = DENIED.

**CV-08-0290-PR**  
(15)

**GABRIELSON v VINTON FUGATE/AZ STATE LIQUOR BOARD**  
*Court of Appeals Division Two*                      *2 CA-CV 07-0088*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Respondents Fugate/AZ  
State Liquor Board] = DENIED.

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**CV-08-0293-PR**  
(16)

**SECURITY TITLE v POPE et vir/FIRST AMERICAN TITLE**  
*Court of Appeals Division One*                      *1 CA-CV 07-0272*

ORDERED: Security Title Agency, Inc.'s Motion to Increase Amount of Supersedeas Bond = DENIED.

FURTHER ORDERED: First American Title Insurance Company's Petition for Review = DENIED.

FURTHER ORDERED: Security Title Agency, Inc.'s Cross-Petition for Review = DENIED.

**CV-08-0297-PR**  
(17)

**AARON NOWELL v THE HON. REES/STATE OF ARIZONA**  
*Court of Appeals Division One*                      *1 CA-SA 08-0102*

ORDERED: Request for Expedited Consideration of Petition for Review = DENIED.

FURTHER ORDERED: Real Party In Interest's Petition for Review = DENIED.

**CV-08-0301-PR**  
(18)

**VALERIE M NEWTON et al v NEUROSURGICAL ASSOC et al**  
*Court of Appeals Division One*                      *1 CA-CV 06-0538*

ORDERED: Petition for Review of Plaintiff/Appellant Newton = DENIED.

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**CR-08-0260-PR**  
(19)

**STATE OF ARIZONA v MARCUS EUGENE HUNLEY**  
*Court of Appeals Division Two*                      2 CA-CR 07-0176

ORDERED: Petition for Review = DENIED.

**CR-08-0271-PR**  
(20)

**STATE OF ARIZONA v ROGER DALE CLARK**  
*Court of Appeals Division Two*                      2 CA-CR 07-0135

ORDERED: Petition for Review = DENIED.

**CR-08-0279-PR**  
(21)

**STATE OF ARIZONA v COREY LAMONT HOLLEMAN**  
*Court of Appeals Division Two*                      2 CA-CR 07-0243

ORDERED: Petition for Review = DENIED.

**CR-08-0280-PR**  
(22)

**STATE OF ARIZONA v JOSEANTONIO MORENO TERAN JR**  
*Court of Appeals Division Two*                      2 CA-CR 07-0013

ORDERED: Petition for Review = DENIED.

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**CV-08-0291-PR**  
(23)

**BRIAN HOUNSHELL v WHITE/BROWN/CLAW**

*Court of Appeals Division One*

*1 CA-CV 06-0728*

ORDERED: Petition for Review = DENIED.

**CV-08-0292-PR**  
(24)

**SANTA FE RIDGE HOMEOWNERS v CARLA BARTSCHI**

*Court of Appeals Division One*

*1 CA-CV 07-0792*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Bartschi] = GRANTED.

**CV-08-0305-PR**  
(25)

**DENNIS FRIEDMAN et al v JO ANN FRIEDMAN BURGESS**

*Court of Appeals Division One*

*1 CA-CV 07-0507*

ORDERED: Appellants Dennis Friedman and Libby Friedman's Petition for Review = DENIED.

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**CV-08-0330-PR**  
(26)

**STATE v HON. NICHOLS/NORDSTROM**

*Court of Appeals Division Two*

*2 CA-SA 08-0011*

*2 CA-SA 08-0021*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

Justice Hurwitz did not participate in the determination of this matter.

**CV-08-0357-PR**  
(27)

**JERRY DEE PRITCHETT v HON. MARTIN/ANDREA PRITCHETT**

*Court of Appeals Division One*

*1 CA-SA 08-0249*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Real Party A. Pritchett] = DENIED

**CV-08-0358-PR**  
(28)

**BOBBY G. v ADES/ALLISON G.**

*Court of Appeals Division Two*

*2 CA-JV 08-0009*

ORDERED: Petition for Review = DENIED.

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**CR-08-0255-PR**  
(29)

**STATE OF ARIZONA v THOMAS ALEC KIDWELL**  
*Court of Appeals Division Two*                      *2 CA-CR 06-0416*

ORDERED: Motion to Grant Appellant's Petition for Review = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

**CR-08-0244-PR**  
(30)

**STATE OF ARIZONA v DANNY RAY HARDESTY**  
*Court of Appeals Division One*                      *1 CA-CR 06-0966*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

**CR-08-0273-PR**  
(31)

**STATE OF ARIZONA v STEVEN LYNN RHODES**  
*Court of Appeals Division One*                      *1 CA-CR 06-0845*

ORDERED: Petition for Review = DENIED.

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**CR-08-0311-PR**  
(32)

**STATE OF ARIZONA v DAVID POMPOSO GOMEZ**  
*Court of Appeals Division One*                      *1 CA-CR 07-0919 PRPC*

ORDERED: Petition for Review by Arizona Supreme Court; Post-Conviction Relief = DENIED.

**CR-08-0312-PR**  
(33)

**STATE OF ARIZONA v JOHN HERBERT SHRUM**  
*Court of Appeals Division One*                      *1 CA-CR 08-0628 PRPC*

ORDERED: Motion to Expedite Consideration of Petition for Review = DENIED.

FURTHER ORDERED: Petition for Review = GRANTED as to Issue 1.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

**CR-08-0326-PR**  
(34)

**STATE OF ARIZONA v PHUC PHAM**  
*Court of Appeals Division One*                      *1 CA-CR 08-0591 PRPC*

ORDERED: Petition for Review = CONTINUED.

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**CV-08-0308-PR**  
(35)

**IVO QUEIROZ v DANIEL HARVEY**

*Court of Appeals Division One*

*1 CA-CV 07-0309*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of this Court's Minute Letter.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Harvey] = CONTINUED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Queiroz] = CONTINUED.

**CV-08-0312-PR**  
(36)

**STATE ex rel THOMAS v HON. FOSTER/OSCAR I LOPEZ**

*Court of Appeals Division One*

*1 CA-SA 08-0203*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

**CV-08-0314-PR**  
(37)

**MCSO/ARPAIO et al v HON. O'NEIL/BRAILLARD**

*Court of Appeals Division Two*

*2 CA-SA 08-0050*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

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**CV-08-0324-PR**  
(38)

**MCSO/ARPAIO et al v HON. O'NEIL/BRAILLARD**  
*Court of Appeals Division Two*                      *2 CA-SA 08-0057*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

**CV-08-0334-PR**  
(39)

**JERRY SWIFT v HON. MILLER/ROBERT GUAZZO et ux**  
*Court of Appeals Division One*                      *1 CA-SA 08-0202*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Petitioner Swift] = DENIED.

**CR-08-0062-PR**  
(40)

**STATE OF ARIZONA v JOHN MICHAEL CRAVEN**  
*Court of Appeals Division One*                      *1 CA-CR 06-0800*

ORDERED: State of Arizona's Petition for Review = CONTINUED.

**CV-08-0229-PR**  
(41)

**PENN-AMERICA INSURANCE v ALICE SANCHEZ et al**  
*Court of Appeals Division One*                      *1 CA-CV 06-0792*

ORDERED: Petition for Review = CONTINUED.

Vice Chief Justice Berch did not participate in the determination of this matter.

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**CV-08-0254-PR**  
(42)

**JAMES COLT JONES et al v COCHISE COUNTY et al**  
*Court of Appeals Division Two*                      *2 CA-CV 07-0132*

ORDERED: Petition for Review = CONTINUED.