

MINUTES
Arizona Supreme Court
Tuesday, March 17, 2009

No. 2366

CR-08-0304-PR

STATE OF ARIZONA v NOELL CHRISTINA SANCHEZ

(1)

Court of Appeals Division Two

2 CA-CR 07-0325 PRPC

ORDERED: Treating Notice of Joinder [Notice of Appeal] as Petition for Special Action.

FURTHER ORDERED: The Court declines to accept jurisdiction of the Petition for Special Action.

FURTHER ORDERED: Petition for Review = DENIED.

CR-08-0307-PR

STATE OF ARIZONA v RAMON ANGEL SOTO-MORENO

(2)

Court of Appeals Division One

1 CA-CR 07-0962 PRPC

ORDERED: Petition for Review = DENIED.

CR-08-0309-PR

STATE OF ARIZONA v SANJAY GOHEL

(3)

Court of Appeals Division One

1 CA-CR 07-0961 PRPC

ORDERED: Petition for Review = DENIED.

CR-08-0323-PR

STATE OF ARIZONA v QUINCEY YVETTE SHERROD

(4)

Court of Appeals Division One

1 CA-CR 07-0263

ORDERED: Petition for Review = DENIED.

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CV-08-0353-PR

(5)

IN RE MH 2007-001236

Court of Appeals Division One

1 CA-MH 07-0025

ORDERED: Petition for Review = DENIED.

CV-08-0368-PR

(6)

LAWYERS TITLE OF AZ v HON. MONTOYA-PAEZ et al

Court of Appeals Division Two

2 CA-SA 08-0056

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Real Parties Mariposa Enterprises/Lawyers Title, Trust No. 7443-T] = DENIED.

CV-08-0371-PR

(7)

DAMON D PACE v DOUGLAS RHOADS et ux

Court of Appeals Division One

1 CA-CV 08-0431

ORDERED: Petition for Review = DENIED.

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CV-08-0375-PR **JAMES MICHAEL PAPAZIAN v HON. WEISS/STATE OF AZ**
(8) *Court of Appeals Division One* *1 CA-SA 08-0165*

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

FURTHER ORDERED: The Court of Appeals' Opinion shall not be published, pursuant to Rule 111(g), Arizona Rules of the Supreme Court.

Justice Hurwitz and Justice Bales voted to grant review.

CV-08-0384-PR **CUNDIFF/NASH/PAGE v HON. MACKEY/COX**
(9) *Court of Appeals Division One* *1 CA-SA 08-0231*

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

FURTHER ORDERED: Request for Attorneys' Fees [Real Parties Cox] = DENIED.

CV-08-0399-PR **CUNDIFF et al v HON. MACKEY/COX**
(10) *Court of Appeals Division One* *1 CA-SA 08-0241*

ORDERED: Motion Re [One-Day] Extension of Time [To File Petition for Review Nunc Pro Tunc on 12/9/2008] = GRANTED.

FURTHER ORDERED: Motion to Dismiss Petition = DENIED.

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

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CR-08-0222-PR **STATE OF ARIZONA v GERARDO ESCARCEGA-RUIZ**
(11) *Court of Appeals Division Two* 2 CA-CR 07-0076

ORDERED: Exhibit A [Petition for Review] = DENIED.

CR-08-0315-PR **STATE OF ARIZONA v RAMONA LEE CLARK**
(12) *Court of Appeals Division Two* 2 CA-CR 07-0245

ORDERED: Petition for Review by the Arizona Supreme Court = DENIED.

CR-08-0329-PR **STATE OF ARIZONA v BERT JOHN**
(13) *Court of Appeals Division Two* 2 CA-CR 07-0237

ORDERED: Petition for Review by the Arizona Supreme Court = DENIED.

CR-08-0330-PR **STATE OF ARIZONA v MANUEL MARIO RIVADENEYRA**
(14) *Court of Appeals Division Two* 2 CA-CR 07-0281

ORDERED: Petition for Review = DENIED.

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CV-08-0360-PR/A **PRINCE & PRINCESS ENTERPRISES v STATE ex rel ADHS**
(15) *Court of Appeals Division One* *1 CA-CV 08-0151*

ORDERED: Petition for Review = DENIED.

CV-08-0365-PR **ANANT KUMAR TRIPATI v REGINA MARTINEZ et al**
(16) *Court of Appeals Division Two* *2 CA-CV 08-0019*

ORDERED: Petition for Review = DENIED.

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

CV-08-0382-PR **LEONEL GARZA v SWIFT TRANSPORTATION**
(17) *Court of Appeals Division One* *1 CA-CV 07-0472*

ORDERED: Petition for Review = GRANTED as to Issues 2 and 3.

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, limited to the issue of whether the court of appeals correctly exercised appellate jurisdiction. Briefs shall be filed no later than 20 days from the date of this Court's Minute Letter.

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CV-08-0388-PR
(18)

EMILY MARIE FRANCO v RICHARD DUEY FRANCO
Court of Appeals Division One *1 CA-CV 07-0802*

ORDERED: Petition for Review = DENIED.

CR-08-0292-PR
(19)

STATE OF ARIZONA v JESUS VALVERDE JR
Court of Appeals Division One *1 CA-CR 07-0696*

ORDERED: The State of Arizona's 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-08-0310-PR
(20)

STATE OF ARIZONA v RAMIRO VAZQUEZ BARRERA
Court of Appeals Division One *1 CA-CR 07-0704*

ORDERED: Petition for Review = DENIED.

CR-08-0318-PR
(21)

STATE OF ARIZONA v ALEX JOSEPH PEDRIN
Court of Appeals Division Two *2 CA-CR 07-0087*

ORDERED: Petition for Review to the Arizona Supreme Court = DENIED.

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CR-08-0320-PR
(22)

STATE OF ARIZONA v ROGER DALE TARKINGTON
Court of Appeals Division Two 2 CA-CR 07-0192

ORDERED: Petition for Review by the Arizona Supreme Court = DENIED.

CR-08-0348-PR
(23)

STATE OF ARIZONA v ELTORNA GANT SR
Court of Appeals Division Two 2 CA-CR 08-0008 PRPC

ORDERED: Petition for Review = DENIED.

CV-08-0340-PR
(24)

JUANITA M TOSTADO v CITY OF LAKE HAVASU
Court of Appeals Division One 1 CA-CV 07-0678

ORDERED: Petition for Review = DENIED.

CV-08-0372-PR
(25)

GEORGE LEE FRONTERHOUSE v HON. HOGGATT/STATE
Court of Appeals Division Two 2 CA-SA 08-0053

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

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CV-08-0376-PR **MAUSETH et al v TUBAC CHAMBER OF COMMERCE et al**
(26) *Court of Appeals Division Two* *2 CA-CV 08-0031*

ORDERED: Petition for Review = DENIED.

CV-08-0387-PR **RITA VOLPE v YAVAPAI COUNTY et al**
(27) *Court of Appeals Division One* *1 CA-CV 07-0805*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Volpe] = DENIED.

CV-08-0391-PR **NOBLE MOUNTAIN COMM v CHERYL SHORT/JASON BLUTH**
(28) *Court of Appeals Division One* *1 CA-CV 06-0552*

ORDERED: Petition for Review = DENIED.

CV-08-0392-PR **TIMOTHY KEY v HON. KATZ/STATE et al**
(29) *Court of Appeals Division One* *1 CA-SA 08-0252*

ORDERED: Petition for Review = DENIED.

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CV-08-0408-PR
(30)

BARBARA J RIPPETOE v CAROL A GORDON
Court of Appeals Division One *1 CA-CV 07-0719*

ORDERED: Petition for Review by the Supreme Court = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Rippetoe] = DENIED.

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

CV-08-0415-PR
(31)

COBBLESTONE ROAD HOUSE v CARL GREER et ux
Court of Appeals Division Two *2 CA-CV 07-0092*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorney's Fees [Appellant Cobblestone Road House LLC] = DENIED.

FURTHER ORDERED: Request for Attorney Fees [Greer] = GRANTED.

CV-08-0349-PR
(32)

WARREN STEED JEFFS v HON. CONN/STATE OF ARIZONA
Court of Appeals Division One *1 CA-SA 08-0204*

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

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CV-08-0359-PR **SABINO CARBAJAL v ICA/HELPS DODGE/GABB ROBBINS**
(33) *Court of Appeals Division One* *1 CA-IC 07-0054*

ORDERED: Petition for Review (Oral Argument Requested) = 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.

CV-08-0378-PR **EDDIE GREGORY MUNOZ v HON. BACA/STATE OF AZ**
(34) *Court of Appeals Division One* *1 CA-SA 08-0225*

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

CV-08-0398-PR **VICTORIA MANES/SILVANA MURRAY v KAREN SONTAG et al**
(35) *Court of Appeals Division One* *1 CA-CV 07-0624*

ORDERED: Voluntary Dismissal with Prejudice = GRANTED.

FURTHER ORDERED: Petition for Review = DISMISSED.

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CV-08-0401-PR
(36)

PONDEROSA MANUFACTURED v EZ VENTURES INC et al
Court of Appeals Division One *1 CA-CV 07-0879*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Ponderosa
Manufactured Homes] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Maricopa County
Financial LP] = GRANTED.

CV-08-0406-PR
(37)

QBE INSURANCE CORP et al v HON. TANG/STAGNER
Court of Appeals Division Two *2 CA-SA 08-0072*

ORDERED: Treating motion to withdraw Petition for Review as a motion to
dismiss = GRANTED.

FURTHER ORDERED: Petition for Review by the Arizona Supreme Court =
DISMISSED.

FURTHER ORDERED: Request for Attorneys' Fees [Petitioners QBE
Insurance Corp/Community Association Underwriters of America Inc et al] =
DENIED as moot.

CV-08-0409-PR
(38)

IN RE MH 2007-001494
Court of Appeals Division One *1 CA-MH 07-0029*

ORDERED: Petition for Review by Arizona Supreme Court = DENIED.

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CV-08-0422-PR
(39)

A TUMBLING T et al v FLOOD CONTROL DISTRICT
Court of Appeals Division One *1 CA-CV 07-0760*

ORDERED: Petition for Review = DENIED.

CV-09-0008-PR
(40)

CONSTANCE Y. v ADES/MARGARET Y.
Court of Appeals Division One *1 CA-JV 08-0130*

ORDERED: Petition for Review = DENIED.

CV-09-0009-PR
(41)

BENJAMIN COTA v HON. BACA/STATE ex rel THOMAS
Court of Appeals Division One *1 CA-SA 08-0264*

ORDERED: Request for Stay of Trial or Alternatively, for Stay of Order Only = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

CR-08-0062-PR
(42)

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.

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CR-08-0293-PR
(43)

STATE OF ARIZONA v DOUGLAS SCOTT PERRIN
Court of Appeals Division Two *2 CA-CR 07-0401 PRPC*

ORDERED: Petition for Review = CONTINUED.

CR-08-0326-PR
(44)

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

ORDERED: Petition for Review = CONTINUED.

CR-08-0354-PR
(45)

STATE OF ARIZONA v BRUCE ALAN WILSON
Court of Appeals Division One *1 CA-CR 08-0456 PRPC*

ORDERED: Petition for Review by the Supreme Court = CONTINUED.

CV-08-0344-PR
(46)

PIMA COUNTY v HON. KELLY/GARDELLA
Court of Appeals Division Two *2 CA-SA 08-0061*

ORDERED: Petition for Review = CONTINUED.

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CV-08-0363-PR
(47)

GLORIA R VASQUEZ v STATE OF AZ/DPS/COCHISE COUNTY
Court of Appeals Division Two 2 CA-CV 07-0148

ORDERED: Petition for Review = CONTINUED.