

MINUTES

No. 2663

Arizona Supreme Court
Tuesday, December 1, 2009

CR-09-0169-PR

STATE OF ARIZONA v WILLIAM PIERRE CROTTS

(1)

Court of Appeals Division One

1 CA-CR 06-0818

ORDERED: Petition for Review = DENIED.

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

CR-09-0172-PR

STATE OF ARIZONA v THOMAS DALE GRABINSKI

(2)

Court of Appeals Division One

1 CA-CR 06-0835

ORDERED: State's Motion to Strike Amicus Curiae Brief = DENIED.

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

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

CR-09-0181-PR

STATE OF ARIZONA v ASAF AGUILAR FLORES

(3)

Court of Appeals Division One

1 CA-CR 08-0312 PRPC

ORDERED: Petition for Review = DENIED.

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Arizona Supreme Court
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CV-09-0165-PR **STATE ex rel THOMAS v HON. DONAHOE/STAPLEY et al**
(4) *Court of Appeals Division One* *1 CA-SA 09-0056*

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

FURTHER ORDERED: Request for Attorneys' Fees and Sanctions [Real Parties Stapley et al] = DENIED.

CV-09-0205-PR **MALONE et vir v DYSART UNIFIED SCHOOL et al**
(5) *Court of Appeals Division One* *1 CA-CV 08-0518*

ORDERED: Petition for Review = DENIED.

CV-09-0207-PR **FRIENDS OF WILLIAMSON v YAVAPAI COUNTY et al**
(6) *Court of Appeals Division One* *1 CA-CV 08-0512*

ORDERED: Petition for Review = DENIED.

CV-09-0226-PR **AMERICAN INTERNATIONAL v VALENZA DEVELOPMENT CORP**
(7) *Court of Appeals Division One* *1 CA-CV 08-0480*

ORDERED: Appellant's Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellant/Cross-Appellee Valenza Development Corp] = DENIED.

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CR-09-0180-PR
(8)

STATE OF ARIZONA v HENRY LAFAYETTE MCNEIL
Court of Appeals Division One *1 CA-CR 07-0920*

ORDERED: Petition for Review = DENIED.

CR-09-0183-PR
(9)

STATE OF ARIZONA v JAMES LEWANDOWSKI
Court of Appeals Division Two *2 CA-CR 08-0057*

ORDERED: Petition for Review = DENIED.

CR-09-0205-PR
(10)

STATE OF ARIZONA v TRACIE RENEE GEESLIN
Court of Appeals Division One *1 CA-CR 06-0314*

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.

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CV-09-0214-PR
(11)

KATHRYN CHAFFIN-HONDA et al v REYNOLDS
Court of Appeals Division Two 2 CA-CV 08-0136

ORDERED: Appellants' Petition for Review = DENIED.

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

CV-09-0215-PR
(12)

CARONDELET HEALTH v HON. MILLER/ATTEBERRY et al
Court of Appeals Division Two 2 CA-SA 09-0019

ORDERED: Defendant Carondelet's Rule 23 A.R.C.A.P. Petition for Review = DENIED.

CV-09-0234-PR
(13)

KENT DeHAVEN v HON. CONLOGUE/STATE/RHEINHEIMER
Court of Appeals Division Two 2 CA-SA 09-0041

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

Chief Justice Berch voted to grant review.

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CV-09-0202-PR
(14)

CRUZ A SUAREZ CASTRO v LUZ BALLESTEROS-SUAREZ
Court of Appeals Division One *1 CA-CV 08-0367*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Ballesteros-Suarez] = DENIED.

CV-09-0218-PR
(15)

PACZOSA/FAULKNER v CARTWRIGHT ELEMENTARY
Court of Appeals Division One *1 CA-CV 08-0539*

ORDERED: Petition for Review = DENIED.

CV-09-0224-PR
(16)

CHARLES M DYER v JANINE R WESTOVER et al
Court of Appeals Division One *1 CA-CV 08-0223*

ORDERED: Oral Argument Requested = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellee Dyer] = GRANTED. Appellee shall comply with ARCAP 21(c)(2).

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CV-09-0225-PR
(17)

W NEIL CHLOUPEK MD v ARIZONA MEDICAL BOARD
Court of Appeals Division One *1 CA-CV 07-0838*

ORDERED: Petition for Review = DENIED.

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

CV-09-0227-PR
(18)

JAMIE LEE EAST v GARY MATTHEWS JR
Court of Appeals Division One *1 CA-CV 08-0356*

ORDERED: Petition for Review = DENIED.

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

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

CR-09-0184-PR
(19)

STATE OF ARIZONA v FRANCISCO BACA
Court of Appeals Division One *1 CA-CR 07-0928*

ORDERED: Petition for Review = DENIED.

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CR-09-0189-PR
(20)

STATE OF ARIZONA v ANGEL ELEUTERIO DIAZ
Court of Appeals Division Two *2 CA-CR 08-0051*

ORDERED: The State of Arizona's Petition for Review = GRANTED as to Issues 1 and 2 only.

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: Motion to Expedite Consideration of Whether to Grant or Deny State's Petition for Review to Arizona Supreme Court = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

CR-09-0192-PR
(21)

STATE OF ARIZONA v MICHAEL LYNN COOK
Court of Appeals Division One *1 CA-CR 07-1038*

ORDERED: Appellant's Petition for Review = DENIED.

CR-09-0197-PR
(22)

STATE OF ARIZONA v PAUL EDUARDO QUILCAT
Court of Appeals Division One *1 CA-CR 07-1044*

ORDERED: Petition for Review = CONTINUED.

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CV-09-0219-PR **TOWN OF YOUNGTOWN v AZ CORP et al**
(23) *Court of Appeals Division One* *1 CA-CC 08-0001*

ORDERED: Petition for Review = DENIED.

CV-09-0223-PR **JESSE BATTY v GLENDALE UNION HIGH SCHOOL NO 205**
(24) *Court of Appeals Division One* *1 CA-CV 08-0274*

ORDERED: Motion for Remand to Court of Appeals = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

CV-09-0235-PR **DENA KLINE v MICHAEL KLINE**
(25) *Court of Appeals Division One* *1 CA-CV 08-0050*

ORDERED: Petition for Review = DENIED.

CV-09-0244-PR **M WALTERS v HON. HICKS/KINDRED HEALTHCARE et al**
(26) *Court of Appeals Division One* *1 CA-SA 09-0154*

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

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CR-09-0196-PR
(27)

STATE OF ARIZONA v HAROLD ARTHUR FISH
Court of Appeals Division One *1 CA-CR 06-0675*

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

FURTHER ORDERED: Appellant's Cross-Petition for Review = DENIED.

CR-09-0198-PR
(28)

STATE OF ARIZONA v MARY ANN HAAG
Court of Appeals Division One *1 CA-CR 07-0029*

ORDERED: Petition for Review = DENIED.

CV-09-0233-PR
(29)

COUNTY OF COCHISE v FARIA/FARIA DAIRY
Court of Appeals Division Two *2 CA-CV 08-0146*

ORDERED: Motion for Leave to Participate in Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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

CV-09-0306-PR
(30)

IONA T. v ADES/VIRGINIA M./BIANCA T.
Court of Appeals Division Two *2 CA-JV 09-0025*

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

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CV-09-0229-PR
(31)

MARIA MENDOZA v McDONALD'S CORPORATION
Court of Appeals Division One *1 CA-CV 07-0903*

ORDERED: McDonald's Corporation's Petition for Review = DENIED.

CV-09-0242-PR
(32)

SAM FAZIO v LIFE CARE CENTERS of AMERICA et al
Court of Appeals Division One *1 CA-CV 07-0520*

ORDERED: Petition for Review = DENIED.

CV-09-0246-PR
(33)

DEVON S ENGEL v JULIE KAY LANDMAN
Court of Appeals Division One *1 CA-CV 07-0587*

ORDERED: Respondent/Appellee/Cross-Appellant's Petition for Review = DENIED.

CV-09-0287-PR
(34)

STATE et al THOMAS v HON. DUNCAN/ESCALANTE-OROZCO
Court of Appeals Division One *1 CA-SA 09-0144*

ORDERED: Oral Argument Requested = DENIED.

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

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CV-09-0178-PR
(42)

HUGHES CUSTOM BUILDING et al v DAVEY
Court of Appeals Division Two *2 CA-CV 08-0103*

ORDERED: Appellees' Petition for Review = CONTINUED.