

MINUTES

No. 3594

Arizona Supreme Court
Tuesday, November 29, 2011

CR-11-0218-PR

STATE OF ARIZONA v ANTHONY G LaPOINTE

(1)

Court of Appeals Division One

1 CA-CR 10-0282

ORDERED: Petition for Review = DENIED.

CV-11-0247-PR

ARTHUR VITASEK v HON. STEPHENS/STATE

(2)

Court of Appeals Division One

1 CA-SA 11-0179

ORDERED: Petition for Review = DENIED.

CR-11-0210-PR

STATE OF ARIZONA v JOSE GUADALUPE CALVILLO

(3)

Court of Appeals Division One

1 CA-CR 09-0761

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

CV-11-0174-PR

AWSIENKO et al v ROBERT STEVEN COHEN et al

(4)

Court of Appeals Division One

1 CA-CV 10-0376

ORDERED: Petition for Review = DENIED.

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CV-11-0195-PR

(5)

SETH FAGERLIE v MARKHAM CONTRACTING CO.

Court of Appeals Division One

1 CA-CV 10-0051

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees
(Appellee/Counter-Claimant Appellees Fagerlie et al) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Markham
Contracting) = DENIED.

CV-11-0202-PR

(6)

STATE OF ARIZONA v HON. ROBLES/MARC ADAM HALL

Court of Appeals Division Two

2 CA-SA 11-0037

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

CV-11-0229-PR

(7)

JOAQUIN CHAVEZ et al v AZ SCHOOL RISK RETENTION

Court of Appeals Division Two

2 CA-CV 10-0112

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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CR-11-0181-PR **STATE OF ARIZONA v JOHNNY DANIEL CAYEROS**
(8) *Court of Appeals Division One* *1 CA-CR 09-0743*

ORDERED: Petition for Review = DENIED.

CV-11-0206-PR **JUDITH LORENE CATTANEO v JOSEPH CHARLES CATTANEO**
(9) *Court of Appeals Division One* *1 CA-CV 10-0733 A*

ORDERED: Petition for Review by Supreme Court = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Judith Cattaneo)
= DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Joseph Cattaneo)
= DENIED.

CR-11-0220-PR **STATE OF ARIZONA v STEVEN NORMAN MAIKOWSKI**
(10) *Court of Appeals Division Two* *2 CA-CR 09-0288*

ORDERED: Petition for Review = DENIED.

CR-11-0244-PR **STATE OF ARIZONA v DEREK SAMUEL JERIHA**
(11) *Court of Appeals Division One* *1 CA-CR 10-0447*

ORDERED: Appellant's Petition for Review = DENIED.

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CV-11-0269-PR
(15)

SOURCECORP INC v D NORCUTT/S NORCUTT
Court of Appeals Division One *1 CA-CV 10-0212*

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: Appellee's Request for Attorneys' Fees (Sourcecorp) = CONTINUED.

FURTHER ORDERED: Request for Attorneys' Fees (Intervenor/Appellants Northcutt) = CONTINUED.

CV-11-0276-PR
(16)

PAMELA PHILLIPS v HON. R FIELDS/STATE/LAWALL
Court of Appeals Division Two *2 CA-SA 11-0058*

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals Re: Change of Judge and Clerk = DENIED.

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CV-11-0223-PR
(17)

VIVIAN ROSE v STEWART TITLE & TRUST OF PHOENIX
Court of Appeals Division One *1 CA-CV 10-0348*

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

FURTHER ORDERED: Request for Attorneys' Fees and Costs (Appellee/Cross-Appellant Rose) = GRANTED.

CV-11-0227-PR
(18)

ZINETH ABADI HESHE v VICTOR O DEMA
Court of Appeals Division One *1 CA-CV 10-0910*

ORDERED: Motion for Court to Accept Late Filing of Petition for Review on Grounds of Exceptional Circumstances Phrased in Court's Order Extending Time to File Petition or Excusable Neglect = GRANTED.

FURTHER ORDERED: Petition for Review of the Court of Appeals' Habitually Proverbial Dismissal of Seven Petitioner's Appeals in Same Cause for Alleged Lack of Jurisdictions over the Superior Court Obstructionists' Conducts of Piecemeal Judgments and Systematic Failures to Notify Him of Actions in Matters of Sham Marriage Appellee Contracted from Foreign Country to Evade Immigration Laws but Schemed for Divorce in the United States, and Ultimate Dismissal of His Last Appeal When Jurisdiction was Aquired = DENIED.

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CR-11-0174-PR
(22)

STATE OF ARIZONA v FRANCISCO CUEVAS GALLEGO
Court of Appeals Division Two *2 CA-CR 11-0026 PRPC*

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

CR-11-0230-PR
(23)

STATE OF ARIZONA v MICHAEL CORDELL O'BRIEN
Court of Appeals Division One *1 CA-CR 10-0541*

ORDERED: Petition for Review = DENIED.

CR-11-0246-PR
(24)

STATE OF ARIZONA v RODNEY LAVON KIRK JR
Court of Appeals Division Two *2 CA-CR 10-0230*

ORDERED: Petition for Review = DENIED.

CV-11-0210-PR
(25)

IN RE MH2010-001181
Court of Appeals Division One *1 CA-MH 10-0055*

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

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CV-11-0226-PR
(26)

TAMULA S BOGARD v CANNON & WENDT ELECTRIC
Court of Appeals Division One *1 CA-CV 10-0542*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Sanctions (Appellee/Cross-Appellant Cannon & Wendt) = DENIED.

CV-11-0277-PR
(27)

PETRIE et al v HON. BUTTRICK/RES-AZ THREE et al
Court of Appeals Division One *1 CA-SA 11-0183*

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

FURTHER ORDERED: Request for Attorneys' Fees and Costs (Petitioners Petrie et al) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs (Real Parties Res-AZ Three et al) = GRANTED.

CV-11-0198-PR
(28)

ELIZABETH WALSH et al v ADVANCED CARDIAC
Court of Appeals Division One *1 CA-CV 09-0751*

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-11-0242-PR
(29)

CITY OF MESA v ICA/TRYON
Court of Appeals Division One

1 CA-IC 10-0055

ORDERED: Employer's and Insurance Carrier's Petition for Review = DENIED.

Justice Pelander voted to grant review.

CR-11-0186-PR
(30)

STATE OF ARIZONA v RAYMOND MEROLLE
Court of Appeals Division One

1 CA-CR 10-0202

ORDERED: Petition for Review = DENIED.

CR-11-0259-PR
(31)

STATE OF ARIZONA v JARED ANTHONY REA
Court of Appeals Division One

1 CA-CR 09-0333

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

CR-11-0290-PR
(32)

STATE OF ARIZONA v ANDREW DAVID INNES
Court of Appeals Division One

1 CA-CR 09-0865

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

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CV-11-0213-PR
(33)

MONROE/PIRTLE v GAGAN et ux/MILJENOVICH
Court of Appeals Division One *1 CA-CV 10-0589*

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Gagan) = DENIED.

CV-11-0218-PR
(34)

STATE OF ARIZONA ex rel v ROBINSON CATTLE, LLC
Court of Appeals Division Two *2 CA-CV 10-0222*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee State) = GRANTED.

CV-11-0250-PR
(35)

GAIL E GREGORY v FRANK S BANGS JR
Court of Appeals Division Two *2 CA-CV 10-0202*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs (Appellee Bangs) = DENIED.

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CV-11-0286-PR
(36)

IB PROPERTY v RANCHO DEL MAR et al
Court of Appeals Division Two *2 CA-CV 11-0030*

ORDERED: Petition for Review = DENIED.

CR-11-0064-PR
(37)

STATE OF ARIZONA v RAUL HERRERA III
Court of Appeals Division Two *2 CA-CR 08-0273*

ORDERED: Petition for Review (Appellant Herrera) = CONTINUED.

CR-11-0180-PR
(38)

STATE OF ARIZONA v NELSON IVAN BOTEQ-FLORES
Court of Appeals Division Two *2 CA-CR 10-0106*

ORDERED: Petition for Review by the Arizona Supreme Court = 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-11-0115-PR
(39)

JOHN F HOGAN v WASHINGTON MUTUAL BANK et al
Court of Appeals Division One *1 CA-CV 10-0385*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: This case is consolidated with CV-11-0132-PR.

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

FURTHER ORDERED: In the consolidated cases, the parties may each file a single simultaneous supplemental brief, not to exceed 25 pages in length, no later than 20 days from the date of this Court's Minute Letter.

CV-11-0132-PR
(40)

JOHN HOGAN v WASHINGTON MUTUAL BANK et al
Court of Appeals Division One *1 CA-CV 10-0383*

ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: This case is consolidated with CV-11-0115-PR.