

MINUTES

No. 5358

En Banc

Arizona Supreme Court
Tuesday, August 30, 2016

CR-15-0259-PR

STATE OF ARIZONA v CHARLES W GIBSON

(1)

Court of Appeals, Division One

1 CA-CR 14-0413

ORDERED: Petition for Review of the Opinion of the Court of Appeals =
CONTINUED.

CR-15-0387-PR

STATE OF ARIZONA v DON JACOB HAVATONE

(2)

Court of Appeals, Division One

1 CA-CR 14-0223

ORDERED: Appellant's Petition for Review of the Memorandum Decision of the
Court of Appeals = 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. The briefs shall address the following issues: (1) If there
was probable cause to believe Havatone was driving while under the influence,
did the blood draw, pursuant to ARS section 28-1321(C), violate the Fourth
Amendment? (2) If so, did the good faith exception to the exclusionary rule
apply?

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Arizona Supreme Court
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CR-15-0393-PR

(3)

STATE OF ARIZONA v PATRICK McLEOD NISSLEY

Court of Appeals, Division One

1 CA-CR 12-0780

ORDERED: Petition for Review from the Court of Appeals = 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-15-0436-PR

(4)

STATE OF ARIZONA v USEF LATRICE SIMMONS II

Court of Appeals, Division Two

2 CA-CR 14-0193

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

Justice Bolick voted to grant review.

CR-15-0440-PR

(5)

STATE OF ARIZONA v ERIC JAMES LIESER

Court of Appeals, Division One

1 CA-CR 14-0185

Separate Order.

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CR-16-0012-PR

STATE OF ARIZONA v DONALD WAYNE DALTON

(6)

Court of Appeals, Division One

1 CA-CR 15-0074

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-16-0046-PR

JESUS BUSO-ESTOPELLAN v HON. MROZ/STATE

(7)

Court of Appeals, Division One

1 CA-SA 15-0308

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

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CR-16-0053-PR
(8)

JESSE MESA v HON. GRANVILLE/STATE

Court of Appeals, Division One *1 CA-SA 15-0303*

ORDERED: Motion to Strike Argument and Appendices 3, 6, 7 and 9 of State of Arizona's Appendix to Response to a Petition for Review of a Special Action Decision of the Court of Appeals = DENIED.

FURTHER 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-16-0063-PR
(9)

STATE OF ARIZONA v CURTIS DEWAYNE DECKER

Court of Appeals, Division One *1 CA-CR 14-0238*

ORDERED: Petition for Review = DENIED.

CV-16-0001-PR
(10)

KYLE ALCOMBRACK v ROBERT CICCARELLI et ux

Court of Appeals, Division One *1 CA-CV 13-0148*

ORDERED: Petition for Review = DENIED.

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CV-16-0035-PR
(11)

MARK HANDRAHAN v HAROLD D BURR JR et al
Court of Appeals, Division One *1 CA-CV 14-0519*

ORDERED: Appellant's Petition for Review = DENIED.

CV-16-0051-PR
(12)

FRANK R. v MOTHER GOOSE ADOPTIONS
Court of Appeals, Division Two *2 CA-JV 15-0120*

ORDERED: Petition for Review to the 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. The briefs shall address statutory and constitutional issues raised below.

CV-16-0052-PR
(13)

THOMAS HORNE/KATHLEEN WINN v SHEILA POLK
Court of Appeals, Division One *1 CA-CV 14-0837*

ORDERED: Petition for Review = CONTINUED.

FURTHER ORDERED: Amended Request for Attorneys' Fees (Appellants Horne/Winn) = CONTINUED.

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

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Arizona Supreme Court
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CV-16-0092-PR
(14)

KAMI S. v HON. RYAN/DEPARTMENT OF CHILD SAFETY
Court of Appeals, Division One *1 CA-SA 16-0072*

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

Justice Bolick voted to grant review.

CV-16-0100-PR
(15)

ALISA JOST v HON. KREAMER/CHARLES JOST
Court of Appeals, Division One *1 CA-SA 16-0074*

ORDERED: (Filed under SEAL) Petition for Review of a Special Action Decision of the Court of Appeals = GRANTED.

FURTHER ORDERED: Request for Attorneys' Fees (Real Party C. Jost) = CONTINUED.

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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Arizona Supreme Court
Tuesday, August 30, 2016

CR-16-0234-PR
(16)

S ALLEN/J ALLEN v HON. SANDERS/STATE OF ARIZONA
Court of Appeals, Division One *1 CA-SA 16-0049*

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



The foregoing action was taken by the Arizona Supreme Court on Tuesday, August 30, 2016.

_____ **Date:** _____
Scott Bales, Chief Justice