

MINUTES

No. 5371

En Banc

Arizona Supreme Court
Tuesday, February 14, 2017

CR-16-0232-PR

STATE OF ARIZONA v BENJAMIN HALE HAMILTON

(1)

Court of Appeals, Division Two

2 CA-CR 16-0009 PRPC

ORDERED: Petition for Review of Denial of Relief from Superior Court's Summary Denial of Petition for Post Conviction Relief = DENIED.

CR-16-0298-PR

STATE OF ARIZONA v TOLLY DEVEYON ALLEN

(2)

Court of Appeals, Division One

1 CA-CR 15-0281

ORDERED: Petition for Review = DENIED.

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

CR-16-0314-PR

STATE OF ARIZONA v ERICH WHITTEN PLATT

(3)

Court of Appeals, Division One

1 CA-CR 15-0201

ORDERED: Petition for Review = DENIED.

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

CR-16-0318-PR

STATE OF ARIZONA v MIGUEL ANGEL SALINAS

(4)

Court of Appeals, Division One

1 CA-CR 15-0581

ORDERED: Petition for Review = DENIED.

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

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No. 5371

En Banc

Arizona Supreme Court
Tuesday, February 14, 2017

CR-16-0335-PR

(5)

BARRY QUICK v HON. McCOY/HON. FUJII/STATE

Court of Appeals, Division One

1 CA-SA 16-0109

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

CR-16-0363-PR

(6)

JASON JAMES FRANKLIN v HON. BRICKNER/STATE

Court of Appeals, Division One

1 CA-SA 16-0190

ORDERED: Petition for Review of Denial of a Special Action Jurisdiction (Oral Argument Requested) = DENIED.

CR-16-0386-PR

(7)

ERIK HOOD v HON. SINCLAIR/BOWMAN et al

Court of Appeals, Division One

1 CA-SA 16-0176

ORDERED: Crime Victim's Motion to Supplement Appendix: Email Exchange Between Special Master and Parties Filed With the Clerk 11/16/16 = GRANTED.

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

FURTHER ORDERED: The stay previously entered is dissolved.

Justice Bolick voted to grant review.

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CR-16-0403-PR
(8)

STATE OF ARIZONA v ELROY GUTIERREZ

Court of Appeals, Division One

1 CA-CR 15-0342

ORDERED: Petition for Review = DENIED.

Justice Gould voted to grant review on issue 1.

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

CR-16-0404-PR
(9)

STATE OF ARIZONA v STANLEY EDWARD WRIGHT

Court of Appeals, Division One

1 CA-CR 14-0599 PRPC

ORDERED: Petition for Review = DENIED.

CR-16-0423-PR
(10)

LANEY SWEET v HON. MYERS/STATE et al

Court of Appeals, Division One

1 CA-SA 16-0197

ORDERED: Motion to Transmit Exhibits Filed Under Seal = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

Justice Bolick voted to grant review.

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Arizona Supreme Court
Tuesday, February 14, 2017

CV-16-0148-PR
(11)

BARBARA BROWN v JOHN C LINCOLN HEALTH NETWORK
Court of Appeals, Division One *1 CA-CV 14-0814*

ORDERED: Appellant's Petition for Review = DENIED.

CV-16-0183-PR
(12)

PATRICIA KIMBALL et al v MEMI PERKINS et al
Court of Appeals, Division One *1 CA-CV 14-0657*

ORDERED: Petition For Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellants/Cross-Appellees 7 Bar LLC et al) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees/Cross-Appellants Perkins) = DENIED.

CV-16-0199-PR
(13)

DIANE FLYNN et vir v SARAH CAMPBELL
Court of Appeals, Division One *1 CA-CV 15-0278*

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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CR-16-0328-PR

STATE OF ARIZONA v JOBE DOUGLAS WOLFE

(17)

Court of Appeals, Division One

1 CA-CR 15-0357

1 CA-CR 15-0401

ORDERED: Petition for Review = DENIED.

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

CR-16-0359-PR

STATE OF ARIZONA v STEVEN JAMES BROWN

(18)

Court of Appeals, Division Two

2 CA-CR 15-0154

ORDERED: Petition for Review to Arizona Supreme Court = CONTINUED.
The State shall file a response to the petition for review on or before March 3, 2017.

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

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No. 5371

En Banc

Arizona Supreme Court
Tuesday, February 14, 2017

CV-16-0134-PR
(19)

RASOR/MILLER v NORTHWEST HOSPITAL LLC

Court of Appeals, Division Two

2 CA-CV 15-0065

ORDERED: Defendant/Appellee/Petitioner Northwest Hospital L.L.C. d/b/a Northwest Medical Center's Petition for Review = GRANTED as to Issues 1(a) and 1(b) only.

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

CV-16-0187-PR
(20)

BRAD D STERN v STEVEN J STERN et al

Court of Appeals, Division One

1 CA-CV 14-0737

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees/Cross-Appellants S. Stern et al) = DENIED.

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Arizona Supreme Court
Tuesday, February 14, 2017

CV-16-0216-PR
(21)

BENNETT LEWIS v AZ STATE PERSONNEL BOARD et al
Court of Appeals, Division One *1 CA-CV 15-0248*

ORDERED: Petition for Review = DENIED.

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

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

CR-16-0283-PR
(22)

STATE OF ARIZONA v EMILIO JEAN
Court of Appeals, Division One *1 CA-CR 14-0444*

ORDERED: Petition for Review = CONTINUED. The State shall file a response to petition for review on or before March 3, 2017.

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

CR-16-0316-PR
(23)

STATE OF ARIZONA v MICHAEL SEAN PITTS
Court of Appeals, Division Two *2 CA-CR 14-0434*

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

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

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Arizona Supreme Court
Tuesday, February 14, 2017

CR-16-0331-PR
(24)

STATE OF ARIZONA v BRIAN K HANCOCK
Court of Appeals, Division Two 2 CA-CR 15-0117

ORDERED: Petition for Review = DENIED.

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

CR-16-0365-PR
(25)

STATE OF ARIZONA v JESUS PACHECO ESCAMILLA
Court of Appeals, Division One 1 CA-CR 15-0629

ORDERED: Petition for Review = DENIED.

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

CV-16-0220-PR
(26)

GILA RIVER INDIAN COMM v DCS/SARAH H. et al
Court of Appeals, Division One 1 CA-JV 16-0038

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.

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

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CV-16-0226-PR
(27)

JP MORGAN CHASE BANK et al v MGM IV LLP et al
Court of Appeals, Division One *1 CA-CV 13-0145*

ORDERED: MGM's Petition for Review = DENIED.

FURTHER ORDERED: Las Vegas Investment Holdings' Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Las Vegas Investment Holdings Inc.) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee JP Morgan Chase Bank) = GRANTED.

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

CV-16-0248-PR
(28)

ERNEST QUIROZ et ux v ALCOA INC et al
Court of Appeals, Division One *1 CA-CV 15-0083*

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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No. 5371

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Arizona Supreme Court
Tuesday, February 14, 2017

CV-16-0192-PR
(31)

A. B. v HON. LYNCH/G. O.

Court of Appeals, Division One

1 CA-SA 16-0136

ORDERED: Request for Oral Argument = GRANTED.

FURTHER ORDERED: Crime Victim's 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, February 14, 2017.

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