

MINUTES

No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CR-14-0074-PC

STATE OF ARIZONA v STEVE ALAN BOGGS

(1)

Maricopa County Superior Court

CR2002-009759

ORDERED: Petition for Review of Denial of Post-Conviction Relief (Capital Case) = DENIED.

FURTHER ORDERED: A warrant of execution will issue only upon motion by the State.

CR-14-0078-PR

STATE OF ARIZONA v JOSHUA LEE BRYSON

(2)

Court of Appeals, Division Two

2 CA-CR 13-0148

ORDERED: Petition for Review = DENIED.

CR-14-0083-PR

STATE OF ARIZONA v STEPHEN VINCENT HAVERSTICK

(3)

Court of Appeals, Division Two

2 CA-CR 12-0392

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

CR-14-0105-PR

STATE OF ARIZONA v MICHAEL LEE PETERS

(4)

Court of Appeals, Division Two

2 CA-CR 12-0463

Separate Order.

MINUTES

No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CR-14-0124-PR

(5)

STATE OF ARIZONA v GREGORY FRANCIS SCHMIDT

Court of Appeals, Division One

1 CA-CR 13-0063 PRPC

ORDERED: Petition for Review from the Court of Appeals = DENIED.

CV-14-0005-PR

(6)

CITY OF CHANDLER v WHITEWING II LLC

Court of Appeals, Division One

1 CA-TX 12-0008

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Whitewing II LLC) = DENIED.

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No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CV-14-0029-PR
(7)

CSA 13-101 LOOP LLC v LOOP 101 LLC et al
Court of Appeals, Division One *1 CA-CV 12-0167*

ORDERED: Appellant's Petition for Review = GRANTED as to Issue 1 only.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant CSA 13-101 Loop, LLC) = CONTINUED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Loop 101 LLC et al) = 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.

CV-14-0042-PR
(8)

ESTELLA GUTHRIE et al v LA SOLANA CARE et al
Court of Appeals, Division Two *2 CA-CV 13-0086*

ORDERED: Petition for Review (Appellants Estate of Josefa DeCamacho/Guthrie) = DENIED.

FURTHER ORDERED: Petition for Review (Appellees La Solana Care et al) = DENIED.

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CV-14-0049-PR
(9)

HALT v SUNBURST FARMS EAST/KOREN

Court of Appeals, Division One

1 CA-CV 12-0376

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Halt) = DENIED.

CV-14-0070-PR
(10)

AURORA LOAN SERVICES v SECURITY TITLE AGENCY

Court of Appeals, Division One

1 CA-CV 13-0027

ORDERED: Petition for Review = DENIED.

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

CV-14-0082-PR
(11)

JOHNNIE F TEAMER v PAUL DANIELLS

Court of Appeals, Division One

1 CA-CV 13-0226

ORDERED: Petition for Review = DENIED.

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No. 4600

Arizona Supreme Court
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CV-14-0121-PR
(12)

KATELIN NEWMAN v CORNERSTONE NATIONAL INSURANCE CO
Court of Appeals, Division One *1 CA-CV 13-0082*

ORDERED: Petition for Review of Court of Appeals Opinion Dated March 27, 2014 = GRANTED. The Director of the Arizona Department of Insurance may file an amicus brief.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Cornerstone National Insurance Co) = 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.

CR-14-0060-PR
(13)

STATE OF ARIZONA v RONALD JOHN BRUGGEMAN
Court of Appeals, Division Two *2 CA-CR 13-0041*

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

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No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CR-14-0063-PR
(14)

STATE OF ARIZONA v DANIEL DIAZ

Court of Appeals, Division Two

2 CA-CR 13-0387 PRPC

ORDERED: Petition for Review Arizona Supreme Court = GRANTED as to Issue 1 only, reframed as: Is a criminal defendant precluded from raising an ineffective assistance of counsel claim in a successive post-conviction relief proceeding when, without fault of his own, his two prior court-appointed attorneys failed to file a petition in the two prior post-conviction relief proceedings?

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-14-0087-PR
(15)

STATE OF ARIZONA v DAVID MICHAEL ALAN HENIS

Court of Appeals, Division One

1 CA-CR 12-0672 PRPC

ORDERED: Petition for Review = DENIED.

CR-14-0149-PR
(16)

STATE OF ARIZONA v THOMAS M LANFOR

Court of Appeals, Division One

1 CA-CR 13-0266

ORDERED: Petition for Review = DENIED.

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No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CV-14-0058-PR **ALVARO GONZALEZ ACOSTA et ux v KIEWIT-SUNDT**
(17) *Court of Appeals, Division One* *1 CA-CV 13-0019*

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.

CV-14-0063-PR **STEINBERGER v HON. McVEY/INDYMAC MORTGAGE et al**
(18) *Court of Appeals, Division One* *1 CA-SA 12-0087*

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

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

CV-14-0092-PR **JOHN KLEE et ux v LUNN/GALLAGHER & KENNEDY**
(19) *Court of Appeals, Division One* *1 CA-CV 13-0060*

ORDERED: Petition for Review of Plaintiffs John Klee and Catherine Klee = DENIED.

FURTHER ORDERED: Request for Costs on Appeal Pursuant to ARCAP 25 (Appellees Lunn/Gallagher & Kennedy) = DENIED. Respondents may apply for taxable costs under A.R.S. section 12-342 and ARCAP 21(b).

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No. 4600

Arizona Supreme Court
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CR-14-0066-PR
(20)

STATE OF ARIZONA v FREDERICK RAMON JR
Court of Appeals, Division Two *2 CA-CR 13-0388 PRPC*

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

CR-14-0189-PR
(21)

STATE OF ARIZONA v STEVEN WILLIAM DYER
Court of Appeals, Division One *1 CA-CR 12-0264*

ORDERED: Petition for Review of Appellant Steven W. Dyer = DENIED.

CV-14-0041-PR
(22)

PORTEADORES DEL NOROESTE v ICA/VALENZUELA et al
Court of Appeals, Division One *1 CA-IC 12-0038*

ORDERED: Petitioner's Petition for Review = DENIED.

CV-14-0080-PR
(23)

RENE JOSEPH BRITTON v HON. RASH/STATE
Court of Appeals, Division Two *2 CA-SA 14-0006*

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

MINUTES

No. 4600

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CV-14-0086-PR
(24)

A-PLAN DEFENSE FUND INC et al v QUARLES & BRADY
Court of Appeals, Division One *1 CA-CV 13-0054*

ORDERED: Petition for Review = DENIED.

CV-14-0095-PR
(25)

LINDA BELL v ICA/MARICOPA CTY/PINNACLE RISK
Court of Appeals, Division One *1 CA-IC 12-0048*

ORDERED: Petitioner's Petition for Review by the Supreme Court of the Court of Appeals Opinion = GRANTED as to Issues 1 and 3 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-14-0097-PR
(26)

TUCSON UNIFIED SCHOOL v HON. BOREK/GALLAGHER et al
Court of Appeals, Division Two *2 CA-SA 13-0099*

ORDERED: Petition for Review = DENIED.

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No. 4600

Arizona Supreme Court
Tuesday, September 23, 2014

CV-14-0099-PR
(27)

PAUL GARCIA v HON. GRANVILLE/STATE

Court of Appeals, Division One

1 CA-SA 14-0048

ORDERED: Motion to Dismiss Petition of Review Due to Filing Fee Cost Pursuant to A.R.S. 12-302(E) = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: The Cost Assessment Order issued on September 4, 2014 is vacated.

CV-14-0110-PR
(28)

TRI CITY NATIONAL BANK v MICHAEL P GRADY et ux

Court of Appeals, Division One

1 CA-CV 13-0077

ORDERED: Amended Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Tri City National Bank) = DENIED.

CV-14-0111-PR
(29)

CITY OF PHOENIX/FREUND v HON. RONAN/REHKOW

Court of Appeals, Division One

1 CA-SA 13-0009

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

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No. 4600

Arizona Supreme Court
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CR-13-0452-PR
(30)

STATE OF ARIZONA v JAMES RAYMOND GONZALEZ
Court of Appeals, Division One *1 CA-CR 12-0773*

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: The State of Arizona's Petition for Review = GRANTED. The Court of Appeal's memorandum decision is vacated. This case is remanded to the court of appeals for reconsideration in light of State v. Jones, 2014 WL 4346113 (Sept. 3, 2014).

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

CR-14-0047-PR
(31)

STATE OF ARIZONA v MIGUEL FRANCISCO INZUNZA
Court of Appeals, Division Two *2 CA-CR 12-0273*

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

CR-14-0120-PR
(32)

STATE OF ARIZONA v MARK ANTHONY LUCAS
Court of Appeals, Division One *1 CA-CR 13-0215*

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



The foregoing action was taken by the Arizona Supreme Court on Tuesday, September 23, 2014.

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