

MINUTES

No. 5377

En Banc

Arizona Supreme Court
Monday, May 15, 2017

CR-16-0411-PR

STATE OF ARIZONA v MARK ALLEN CORMIER

(1)

Court of Appeals, Division Two

2 CA-CR 16-0219 PRPC

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

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

CR-16-0487-PR

STATE OF ARIZONA v THOMAS EDWARD DENSON

(2)

Court of Appeals, Division One

1 CA-CR 15-0592

ORDERED: Petition for Review = DENIED.

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

CR-17-0002-PR

STATE OF ARIZONA v DANIEL LUJAN

(3)

Court of Appeals, Division Two

2 CA-CR 16-0348 PRPC

2 CA-CR 16-0351 PRPC

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

CV-16-0262-PR

THOMAS GRIGGS et ux v OASIS ADOPTION SVCS et al

(4)

Court of Appeals, Division One

1 CA-CV 15-0289

ORDERED: Appellees' Petition for Review = DENIED.

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CV-16-0268-PR
(5)

JOHN R NORTON et al v PHONEJOCKEY LLC et al
Court of Appeals, Division One *1 CA-CV 15-0186*

ORDERED: Petition for Review = DENIED.

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

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

CV-16-0280-PR
(6)

BARRETT JOHNSON v ALMIDA LAND & CATTLE CO
Court of Appeals, Division One *1 CA-CV 15-0416*

ORDERED: Almida Land & Cattle Company, LLC's Petition for Review = CONTINUED.

CV-16-0291-PR
(7)

FRANK PARKS et ux v LEE & MARLINDA THOMPSON LLC
Court of Appeals, Division One *1 CA-CV 15-0372*

ORDERED: Petition for Review = DENIED.

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

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CV-16-0311-PR
(8)

VICENTE MARTINEZ v CYNTHIA GUTIERREZ

Court of Appeals, Division One

1 CA-CV 15-0861 FC

ORDERED: Petition for Review = DENIED.

CV-17-0005-PR
(9)

WINDOW ROCK UNIFIED SCHOOL v HON. HATCH/DENNISON

Court of Appeals, Division One

1 CA-SA 16-0169

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Real Party Dennison) = GRANTED.

CR-16-0419-PR
(10)

STATE OF ARIZONA v TONY LEE MYERS

Court of Appeals, Division One

1 CA-CR 15-0455

ORDERED: Motion to Leave Supreme Court to Have the Court of Appeals Rule on Three Issues = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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

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CR-16-0420-PR
(11)

STATE OF ARIZONA v LON FREDRICK COLLIER
Court of Appeals, Division Two 2 CA-CR 16-0101 PRPC

ORDERED: Petition for Review = DENIED.

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

CR-16-0458-PR
(12)

STATE OF ARIZONA v CORY LEE BAKER
Court of Appeals, Division Two 2 CA-CR 16-0275 PRPC

ORDERED: Defendant's Petition for Review Under AZRCRP 31.19 = DENIED.

CR-17-0012-PR
(13)

STATE OF ARIZONA v EDWARD GEORGE GOLDWATER
Court of Appeals, Division One 1 CA-CR 16-0882 PRPC

ORDERED: Defendant's Motion for Reconsideration; Jurisdiction Challenge Pursuant to Rule 16.1(b) ArizRCrimP.; Defendant's Demand to Dismiss Criminal Charges Under the Plain Error Standard. = DENIED.

FURTHER ORDERED: Criminal Petition for Review = DENIED.

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CV-16-0296-PR
(14)

JOKOBOV v DEKERMENDJIAN/CADEAVX/SMOKE 4 LESS
Court of Appeals, Division One *1 CA-CV 14-0828*

ORDERED: Petition for Review = DENIED.

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

CV-16-0317-PR
(15)

TERREA ARNWINE v HON. CRAWFORD/STATE OF AZ
Court of Appeals, Division One *1 CA-SA 16-0257*

ORDERED: Petition for Review = DENIED.

CR-16-0417-PR
(16)

STATE OF ARIZONA v DARREN IRVING GOLDIN
Court of Appeals, Division Two *2 CA-CR 16-0132 PRPC*

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

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

CR-16-0479-PR
(17)

STATE OF ARIZONA v JOEL GONZALEZ
Court of Appeals, Division Two *2 CA-CR 16-0136*

ORDERED: Petition for Review = DENIED.

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CR-16-0521-PR
(18)

STATE OF ARIZONA v COREY DEAN TARPLEY
Court of Appeals, Division One *1 CA-CR 15-0811*

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

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

CR-17-0032-PR
(19)

JESUS BUSO-ESTOPELLAN v HON. MROZ/STATE
Court of Appeals, Division One *1 CA-SA 17-0004*

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

CV-16-0257-PR
(20)

ELENA NOGUERO v AMERICAN FAMILY MUTUAL INSURANCE
Court of Appeals, Division One *1 CA-CV 15-0364*

ORDERED: Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee American Family Mutual Insurance Company) = GRANTED.

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CV-16-0307-PR
(21)

AMERICAN LEGION POST 62 et al v AZ DEPT OF GAMING
Court of Appeals, Division One *1 CA-CV 15-0606*

ORDERED: Petition for Review = DENIED.

Justice Bolick voted to grant review.

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

CV-16-0315-PR
(22)

RALPH THOMAS et ux v MONTELUCIA VILLAS LLC
Court of Appeals, Division One *1 CA-CV 15-0489*

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Montelucia Villas LLC) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellants Thomas) = DENIED.

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CV-16-0316-PR
(23)

TUCSON LOT 4 LLC v SUNQUEST INFORMATION et al
Court of Appeals, Division Two 2 CA-CV 16-0088

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Sunquest Information Systems Inc.) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant Tucson 4 LLC) = DENIED.

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

Justice Gould voted to grant review.

CV-17-0013-PR
(24)

BILL CASTILLO v THANIA LAZO
Court of Appeals, Division Two 2 CA-CV 16-0122 FC

ORDERED: Appellee's Petition for Review = DENIED.

CV-17-0040-PR
(25)

HARPER/EVERITT et al v STATE OF ARIZONA
Court of Appeals, Division One 1 CA-CV 15-0519

ORDERED: Amended Petition for Review = DENIED.

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

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CR-16-0020-PC
(26)

STATE OF ARIZONA v FRANK DALE MCCRAY

Maricopa County Superior Court *CR2001-015915*

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

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

CR-16-0435-PR
(27)

DALE ALLEN WRIGHT v HON. GATES/STATE

Court of Appeals, Division One *1 CA-SA 16-0058*

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.

CR-16-0437-PR
(28)

JEFF McVAY HAWKES v HON. FELL/STATE

Court of Appeals, Division Two *2 CA-SA 16-0026*

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

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CR-16-0483-PR
(29)

RICO CONNOR v HON. GRANVILLE/STATE

Court of Appeals, Division One *1 CA-SA 16-0239*

ORDERED: Petition for Review = DENIED.

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

CR-17-0014-PR
(30)

STATE OF ARIZONA v JAMES ARTHUR VAUGHN

Court of Appeals, Division One *1 CA-CR 14-0518 PRPC*

ORDERED: Motion to Modify an Illegal Sentence to Run Concurrent = DENIED.

FURTHER ORDERED: Petition for Review Certiorari and Motion to Modify an Illegal Sentence to Run Concurrent = DENIED.

CR-17-0022-PR
(31)

STATE OF ARIZONA v GLENN RAY DENNIS

Court of Appeals, Division One *1 CA-CR 16-0894*

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

CR-17-0025-PR
(32)

STATE OF ARIZONA v DOUGLAS CHRISTIAN WASBOTTEN

Court of Appeals, Division One *1 CA-CR 15-0556*

ORDERED: Petition for Review = CONTINUED.

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CR-17-0035-PR
(33)

LUKE SADOWSKI v HON. HOGGATT/STATE

Court of Appeals, Division Two 2 CA-SA 16-0080

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

CV-17-0019-PR
(34)

NICOLE R. v DEAN C./A.C./C.W.

Court of Appeals, Division One 1 CA-JV 16-0241

ORDERED: Petition for Review = DENIED.

CV-17-0025-PR
(35)

MARKHAM CONTRACTING v FEDERAL DEPOSIT INS et al

Court of Appeals, Division One 1 CA-CV 14-0752

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Conditional Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Federal Deposit Insurance Company et al) = DENIED.

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

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CV-17-0030-PR
(36)

MIDLAND FUNDING LLC v HARRY FUNG et ux
Court of Appeals, Division Two 2 CA-CV 16-0094

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees = DENIED.

CV-17-0045-PR
(37)

MARCIA MCKEE v STATE OF ARIZONA
Court of Appeals, Division One 1 CA-CV 15-0800

ORDERED: Petition for Review = DENIED.

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

CV-17-0068-PR
(38)

EMMA SPRING v TIMOTHY R BRADFORD
Court of Appeals, Division One 1 CA-CV 15-0505

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-16-0269-PR
(39)

SHUJA SAYED AHMAD et ux v STATE OF ARIZONA
Court of Appeals, Division One *1 CA-CV 14-0664*

ORDERED: Petition for Review = CONTINUED.

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



The foregoing action was taken by the Arizona Supreme Court on Monday, May 15, 2017.

_____ Date: _____
Scott Bales, Chief Justice