

MINUTES
Arizona Supreme Court
Tuesday, March 17, 2015

No. 4611

CR-14-0005-PR **STATE OF ARIZONA v JERMAINE PLEDGER**
(1) *Court of Appeals, Division One* *1 CA-CR 12-0604*

ORDERED: Petition for Review = DENIED.

CR-14-0269-PR **STATE OF ARIZONA v ARMANDO LOPEZ**
(2) *Court of Appeals, Division Two* *2 CA-CR 13-0365*

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

CR-14-0286-PR **STATE OF ARIZONA v CRISPIN GRANADOS**
(3) *Court of Appeals, Division Two* *2 CA-CR 13-0206*

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

CR-14-0300-PR **STATE OF ARIZONA v BORIS VIDOVIC**
(4) *Court of Appeals, Division One* *1 CA-CR 13-0152 PRPC*

ORDERED: Petition for Review Pursuant to Arizona Rule of Criminal Procedure 31.19 = DENIED.

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No. 4611

CR-14-0319-PR
(5)

STATE OF ARIZONA v DAVID BOTELLO OTERO

Court of Appeals, Division Two

2 CA-CR 14-0262 PRPC

ORDERED: Petition for Review of Appeals (sic) Court and Superior Court Hearings = DENIED.

CV-14-0238-PR
(6)

TONY'S CONSTRUCTION v SELECT DEVELOPMENT et al

Court of Appeals, Division Two

2 CA-CV 13-0153

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Select Development et al) = DENIED.

CV-14-0241-PR
(7)

MENTE v HON. RICHTER/MARICOPA ATTORNEY'S OFFICE

Court of Appeals, Division One

1 CA-SA 14-0153

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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CR-14-0283-PR
(8)

STATE OF ARIZONA v CHRISTEPHER E LUA

Court of Appeals, Division One *1 CA-CR 12-0819*

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-14-0313-PR
(9)

STATE OF ARIZONA v EARL BALL

Court of Appeals, Division Two *2 CA-CR 14-0196 PRPC*

ORDERED: Petition for Review = DENIED.

CR-14-0334-PR
(10)

STATE OF ARIZONA v PRESTON ALTON STRONG

Court of Appeals, Division One *1 CA-CR 12-0754*

ORDERED: Appellant Preston Alton Strong's Petition for Review = DENIED.

CR-14-0340-PR
(11)

STATE OF ARIZONA v GERARDO ALEXANDER MORAGA-PLATT

Court of Appeals, Division Two *2 CA-CR 14-0205 PRPC*

ORDERED: Petition for Review = DENIED.

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CV-14-0255-PR
(12)

ANDERSON/WICKSTROM v CITY OF PRESCOTT
Court of Appeals, Division One *1 CA-CV 13-0458*

ORDERED: Petition for Review = DENIED.

CV-14-0263-PR
(13)

TAMMY FELIPE et al v THEME TECH CORPORATION et al
Court of Appeals, Division One *1 CA-CV 13-0393*

ORDERED: Petition for Review = DENIED.

CV-14-0264-PR
(14)

ROBERT S. v DEPT OF CHILD SAFETY/T.S./T.S.
Court of Appeals, Division One *1 CA-JV 14-0084*

ORDERED: Petition for Review = DENIED.

CR-14-0276-PR
(15)

STATE OF ARIZONA v FRANK ALEXANDER ROMERO
Court of Appeals, Division Two *2 CA-CR 13-0027*

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

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CR-14-0355-PR
(16)

STATE OF ARIZONA v CHERITY ANN COX

Court of Appeals, Division Two 2 CA-CR 14-0035 PRPC

Consolidated with:

CR-14-0356-PR STATE OF ARIZONA v RONNIE ROY VERA

ORDERED: Petition for Review = DENIED.

CR-14-0356-PR
(17)

STATE OF ARIZONA v RONNIE ROY VERA

Court of Appeals, Division Two 2 CA-CR 14-0154 PRPC

Consolidated with:

CR-14-0355-PR STATE OF ARIZONA v CHERITY ANN COX

ORDERED: Petition for Review = DENIED.

CR-14-0364-PR
(18)

STATE OF ARIZONA v SERGIO ARTURO ROJO-VALENZUELA

Court of Appeals, Division Two 2 CA-CR 13-0279

ORDERED: Petition for Review = GRANTED on Issue 1 only.

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

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-14-0252-PR **MIRIAM ARELLANO v PRIMERICA LIFE INSURANCE et al**
(19) *Court of Appeals, Division One* *1 CA-CV 13-0011*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Appellee/Cross-Appellant Miriam Arellano's
Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee/Cross-Appellant
Arellano) = DENIED.

CV-14-0266-PR **STATE OF ARIZONA v JULIE ANN NOLAN**
(20) *Court of Appeals, Division One* *1 CA-CV 14-0549*

ORDERED: Petition For Review = DENIED.

CV-14-0278-PR **PINETOP LAKES ASSOC v HON. VAN WYCK/PONDEROSA**
(21) *Court of Appeals, Division One* *1 CA-SA 14-0195*

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

FURTHER ORDERED: Request for Attorneys' Fees (Petitioner Pinetop Lakes
Association) = DENIED.

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CR-14-0253-PC
(22)

STATE OF ARIZONA v DEREK DON CHAPPELL

Maricopa County Superior Court *CR2004-037319-001*

ORDERED: Petition for Review of Summary Denial of PCR = DENIED.

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

CR-14-0121-PR
(23)

STATE OF ARIZONA v DAVID WILLIAM CURTIS JR

Court of Appeals, Division One *1 CA-CR 11-0387*

ORDERED: Motion to Permit Correction of Errors in Petition for Review = GRANTED.

FURTHER ORDERED: (Amended) Petition for Review = DENIED.

CR-14-0295-PR
(24)

STATE OF ARIZONA v FRANCISCO VILLA GENE GOFF

Court of Appeals, Division Two *2 CA-CR 13-0376*

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

CR-14-0297-PR
(25)

STATE OF ARIZONA v MICHAEL LEE PHARIS

Court of Appeals, Division Two *2 CA-CR 13-0560*

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

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CR-14-0311-PR
(26)

STATE OF ARIZONA v ALGENE ROYCE GOULD

Court of Appeals, Division Two

2 CA-CR 14-0264 PRPC

ORDERED: Petition for Review = DENIED.

CR-14-0326-PR
(27)

STATE OF ARIZONA v MANUEL JESUS PESQUEIRA

Court of Appeals, Division Two

2 CA-CR 13-0134

ORDERED: Petition for Review = DENIED.

CR-14-0333-PR
(28)

STATE OF ARIZONA v LORENZO EDWARD DELGADO

Court of Appeals, Division One

1 CA-CR 13-0179

ORDERED: Petition for Review = DENIED.

CR-14-0347-PR
(29)

STATE OF ARIZONA v DAVID RUBEN CONTRERAS

Court of Appeals, Division One

1 CA-CR 13-0570

ORDERED: Petition for Review = DENIED.

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CV-14-0269-PR
(34)

HAROLD GRIES et al v PLAZA DEL RIO et al
Court of Appeals, Division One *1 CA-CV 13-0091*

ORDERED: Petition for Review = DENIED.

CV-14-0274-PR
(35)

ML SERVICING/ML LIQUIDATING TRUST v ASHLEY COLES
Court of Appeals, Division One *1 CA-CV 13-0282*

ORDERED: Appellee Ashley Coles's (sic) Motion to Strike Appellants' Supplement to Petition for Review = GRANTED.

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

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

CV-14-0286-PR
(36)

MICHAEL NAGLIERI v ICA/SUN DEVIL AUTO/WAUSAU
Court of Appeals, Division One *1 CA-IC 13-0024*

ORDERED: Petition for Review = DENIED.

Justice Timmer voted to grant review.

CV-14-0340-PR
(37)

MEGAN M./DUSTIN J. v DCS/R.J., L.J.
Court of Appeals, Division One *1 CA-JV 14-0040*

ORDERED: Petition for Review Appellant = DENIED.

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CV-15-0016-PR
(38)

DEBRA MILKE v HON. MROZ/STATE ex rel MONTGOMERY
Court of Appeals, Division One *1 CA-SA 14-0108*

ORDERED: Request for Expedited Consideration = DENIED.

FURTHER ORDERED: Motion Requesting Formal Gag Order (Capital Case) = DENIED.

FURTHER ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals (Real Party State ex rel Montgomery) = DENIED.

FURTHER ORDERED: The stay previously entered is dissolved.

Justice Brutinel voted to grant review.

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

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CV-15-0041-PR
(39)

STATE v HON. HARRIS/HOWARD LEE MITCHELL

Court of Appeals, Division One

1 CA-SA 14-0184

ORDERED: Motion/Request for Oral Argument for the Consideration for Relief by the Overturn of the Ruling of the Arizona Court of Appeals and for the Re-Institution or Reinstatement and Extension of the Finding of the Superior Court in Maricopa County, Which Overturned the Verdict of the City Court of Scottsdale, Thus Ordering for Immediate Return of Seized Service Dog, Birds, and Tortoises, and Bird Cages and Accessories, with City and Humane Society Providing Personnel and Transpiration, and Cancellation of Assessed Fine/Fee, Thus Overt Rather Than Sub Silentio, to Make Petitioner Whole, as Far as Possible = DENIED.

FURTHER ORDERED: Motion for Relief by the Overturn of the Ruling of the Arizona Court of Appeals and for the Re-Institution or Reinstatement and Extension of the Finding of the Superior Court in Maricopa County, Which Overturned the Verdict of the City Court of Scottsdale, Thus Ordering For Immediate Return of Seized Service Dog, Birds, and Tortoises, and Bird Cages and Accessories, with City and Humane Society Providing Personnel and Transportation, and Cancellation of Assessed Fine/Fee, Thus Overt Rather Than Sub Silentio, to Make Petitioner Whole, as Far as Possible (Treated as Petition for Review) = DENIED.

CR-14-0263-PR
(40)

STATE OF ARIZONA v LELAND JOSEPH JACOT

Court of Appeals, Division One

1 CA-CR 13-0638

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

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CV-14-0137-PR
(41)

STATE ex rel MONTGOMERY v HON. MROZ/SALDATE/MILKE
Court of Appeals, Division One *1 CA-SA 14-0028*

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

FURTHER ORDERED: RPI Milke's Petition for Review of a Special Action Decision of the Court of Appeals (Capital Case) = DENIED.

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



The foregoing action was taken by the Arizona Supreme Court on Tuesday, March 17, 2015.

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