

# MINUTES

No. 5363

En Banc

*Arizona Supreme Court*  
Tuesday, October 18, 2016

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**CR-16-0118-PR**

**STATE OF ARIZONA v TELL JONAS WAGNER**

(1)

*Court of Appeals, Division One*

*1 CA-CR 14-0575*

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

**CR-16-0172-PR**

**STATE OF ARIZONA v JOSHUA BRANDEN LANGSTON**

(2)

*Court of Appeals, Division One*

*1 CA-CR 15-0258*

ORDERED: Petition for Review = DENIED.

**CR-16-0190-PR**

**STATE OF ARIZONA v CHARLES EDWARD WALLACE**

(3)

*Court of Appeals, Division Two*

*2 CA-CR 15-0299*

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

**CR-16-0210-PR**

**STATE OF ARIZONA v JOE ANGEL GOMEZ**

(4)

*Court of Appeals, Division One*

*1 CA-CR 15-0069*

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

# MINUTES

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---

**CV-16-0069-PR**

**SHIRLEY A BINDER v ROGER A BINDER**

(5)

*Court of Appeals, Division One*

*1 CA-CV 14-0688 FC*

ORDERED: Petition for Review = DENIED.

**CV-16-0087-PR**

**MARY WADE/MARLA PADDOCK v ASRS/ASRS BOARD**

(6)

*Court of Appeals, Division One*

*1 CA-CV 14-0721*

ORDERED: Plaintiffs/Appellants' Motion to Dismiss = DENIED.

FURTHER ORDERED: Petition for Review = GRANTED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellants Wade/Paddock) = 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-16-0101-PR**

**LEWIS H ALTON v SUNDT COMPANIES INC**

(7)

*Court of Appeals, Division One*

*1 CA-CV 15-0046*

ORDERED: Amended Petition for Review = DENIED.

# MINUTES

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---

**CR-16-0126-PR**  
(8)

**STATE OF ARIZONA v MICHAEL ANTHONY MEARS**  
*Court of Appeals, Division One*                      *1 CA-CR 14-0623*

ORDERED: Petition for Review = DENIED.

**CV-16-0112-PR**  
(9)

**YAFIT BUTWIN ESTATE/ZRIHAN v J BUTWIN ESTATE et al**  
*Court of Appeals, Division One*                      *1 CA-CV 15-0034*

ORDERED: Petition for Review = DENIED.

**CV-16-0133-PR**  
(10)

**AMERICAN POWER PRODUCTS INC et al v CSK AUTO INC**  
*Court of Appeals, Division One*                      *1 CA-CV 12-0855*

ORDERED: Petition for Review of a 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.

**CV-16-0214-PR**  
(11)

**AOR DIRECT LLC v HON BUSTAMANTE/BUTEO LLC**  
*Court of Appeals, Division One*                      *1 CA-SA 16-0125*

ORDERED: Petition for Review = DENIED.

# MINUTES

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---

**CR-16-0083-PR**      **MOISES LAGUNAS v HON. MROZ/STATE ex rel MONTGOMERY**  
(12)                      *Court of Appeals, Division One*                      1 CA-SA 16-0008

ORDERED: Request for Oral Argument = DENIED.

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

**CR-16-0124-PR**      **STATE OF ARIZONA v JOSE MIGUEL TORRES**  
(13)                      *Court of Appeals, Division Two*                      2 CA-CR 15-0233

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

**CR-16-0161-PR**      **STATE OF ARIZONA v STEVEN GUARDADO**  
(14)                      *Court of Appeals, Division One*                      1 CA-CR 15-0198

ORDERED: Petition for Review = DENIED.

**CR-16-0188-PR**      **STATE OF ARIZONA v BRUCE WARREN LAFORGE**  
(15)                      *Court of Appeals, Division Two*                      2 CA-CR 16-0033 PRPC

ORDERED: Petition for Review = DENIED.

# MINUTES

No. 5363

En Banc

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---

**CR-16-0207-PR**  
(16)

**STATE OF ARIZONA v SCOTT CHARLES BAUER**  
*Court of Appeals, Division Two*                      2 CA-CR 15-0018

ORDERED: Petition for Review (Ariz. R. Crim. Proc. 31.19) = DENIED.

**CV-16-0082-PR**  
(17)

**MATTHEW KOBOLD v AETNA LIFE INSURANCE COMPANY**  
*Court of Appeals, Division One*                      1 CA-CV 12-0315

ORDERED: Petition for Review = DENIED.

Chief Justice Bales did not participate in the determination of this matter.

**CV-16-0130-PR**  
(18)

**IN RE MH200002091113**  
*Court of Appeals, Division Two*                      2 CA-MH 15-0005

ORDERED: Petition for Review = DENIED.

**CV-16-0184-PR**  
(19)

**SANDRA T. v TREVOR A./H.T.**  
*Court of Appeals, Division One*                      1 CA-JV 15-0399

ORDERED: Petition for Review = DENIED.

Vice Chief Justice Pelander and Justice Bolick voted to grant review.

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---

**CV-16-0196-PR**  
(20)

**KYLE DALE VANDEN BOSCH v HON. MIKITISH et al**  
*Court of Appeals, Division One*                      *1 CA-SA 16-0146*

ORDERED: Petition for Review of Denial of Special Action = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Petitioner K. Vanden Bosch) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Real Party L. Vanden Bosch) = DENIED.

**CR-16-0145-PR**  
(21)

**STATE OF ARIZONA v BRYAN PETER FOSHAY**  
*Court of Appeals, Division Two*                      *2 CA-CR 14-0252*

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

**CR-16-0163-PR**  
(22)

**STATE OF ARIZONA v HON. GEORGINI/KAY/LAMB/PUNCH**  
*Court of Appeals, Division Two*                      *2 CA-SA 15-0069*

ORDERED: Petition for Review = DENIED.

**CR-16-0220-PR**  
(23)

**STATE OF ARIZONA v JOVON LUIS MANKEL**  
*Court of Appeals, Division Two*                      *2 CA-CR 14-0414*

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

# MINUTES

No. 5363

En Banc

*Arizona Supreme Court*  
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---

**CR-16-0246-PR**  
(24)

**STATE OF ARIZONA v HON. EIKLEBERRY/STOKER**  
*Court of Appeals, Division Two*                      2 CA-SA 16-0036

ORDERED: (Petition for Review of) Petition for Special Action = DENIED.

**CV-16-0008-PR**  
(25)

**PINNACLE PEAK RANCHOS v FREDERIC RAMIOULLE et ux**  
*Court of Appeals, Division One*                      1 CA-CV 14-0409

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

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

**CV-16-0073-PR**  
(26)

**ERIKA WALTERS-WALTON v ICA/RURAL METRO/ESIS**  
*Court of Appeals, Division One*                      1 CA-IC 15-0027

ORDERED: Petitioner Employee's Petition for Review = DENIED.

**CV-16-0094-PR**  
(27)

**ETHAN NEWMAN v SELECT SPECIALTY HOSPITAL et al**  
*Court of Appeals, Division One*                      1 CA-CV 13-0665

ORDERED: Petition for Review = DENIED.

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

# MINUTES

No. 5363

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---

**CV-16-0119-PR**  
(28)

**SAMUEL RASH v TOWN OF MAMMOTH et al**

*Court of Appeals, Division Two*                      2 CA-CV 15-0100

ORDERED: Petition for Review = DENIED.

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

**CV-16-0033-PR**  
(29)

**JESSYKA MURRAY et al v FARMERS INSURANCE CO et al**

*Court of Appeals, Division Two*                      2 CA-CV 14-0123

ORDERED: Contingent Motion of Amicus Curiae Habaz to Depublish Court of Appeals Opinion = CONTINUED.

FURTHER ORDERED: Defendants/Appellees/Cross-Appellants' Petition for Review = CONTINUED.

FURTHER ORDERED: Cross-Petition for Review = CONTINUED.

# MINUTES

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---

**CV-16-0052-PR**  
(30)

**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.

Formal Order to Follow.

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



**The foregoing action was taken by the Arizona Supreme Court on Tuesday, October 18, 2016.**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Scott Bales, Chief Justice**