

MINUTES
Arizona Supreme Court
Tuesday, January 9, 2007

No. 1531

CR-06-0207-PR

STATE OF ARIZONA v ROBERT L SANBORN

(1)

Court of Appeals Division One

1 CA-CR 05-0627 PRPC

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

CR-06-0303-PR

STATE OF ARIZONA v BEAU TYLER RUDD

(2)

Court of Appeals Division One

1 CA-CR 04-0927

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

CR-06-0315-PR

STATE OF ARIZONA v STANLEIGH F WASHINGTON

(3)

Court of Appeals Division One

1 CA-CR 05-0944 PRPC

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

CR-06-0319-PR

STATE OF ARIZONA v JOHN KENNETH WATKINS

(4)

Court of Appeals Division One

1 CA-CR 05-0966 PRPC

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

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CR-06-0322-PR **STATE OF ARIZONA v MICHAEL ALLEN MINNIGERODE**
(5) *Court of Appeals Division One* *1 CA-CR 05-0543*

ORDERED: Petition for Review = DENIED.

CV-06-0190-PR **LEO HENRY RANEY v COLLEEN TERESA COPELAND**
(6) *Court of Appeals Division One* *1 CA-CV 05-0318*

ORDERED: Petition for Review = DENIED.

CV-06-0219-PR **LOUIS SANDEFUR v PACIFICARE HEALTH SYSTEMS et al**
(7) *Court of Appeals Division One* *1 CA-CV 05-0411*

ORDERED: Petition for Review = DENIED.

Justice Berch and Justice Hurwitz voted to grant review.

CV-06-0269-PR **JASON NOEL TUCKER v HON. BOYD JOHNSON/STATE**
(8) *Court of Appeals Division Two* *2 CA-SA 06-0036*

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

FURTHER ORDERED: Request for Attorneys' Fees [Petitioner Tucker] = DENIED.

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No. 1531

CV-06-0291-PR **AUSTIN SHEA v CITY OF PHOENIX/BOARD OF ADJUSTMENT**
(9) *Court of Appeals Division One* *1 CA-CV 05-0062*

ORDERED: Appellee's Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Austin Shea] = DENIED.

CV-06-0298-PR **ROBERT ALPERT et ux v HIGHLAND PLACE PROPERTY**
(10) *Court of Appeals Division One* *1 CA-CV 05-0011*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellants Alpert] = DENIED.

CV-06-0325-PR **AFL-CIO v CITY OF PHX/PHX EMPLOYMT RELATIONS BRD**
(11) *Court of Appeals Division One* *1 CA-CV 04-0766*

ORDERED: Plaintiff/Appellant/Cross-Appellee's Petition for Review to the Arizona Supreme Court = DENIED.

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No. 1531

CR-06-0340-PC
(12)

STATE OF ARIZONA v ROBERT JOE MOODY
Pima County Superior Court *CR-43804*

ORDERED: Petition for Review of Rule 32 Post-Conviction Relief Dismissal Without Prejudice Rule 32.9(c) (Capital Case Oral Argument Requested) = DENIED.

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

CR-06-0216-PR
(13)

STATE OF ARIZONA v MICHAEL WILLIAM LIVERMORE
Court of Appeals Division Two *2 CA-CR 04-0387*

ORDERED: Petition for Review = DENIED.

CR-06-0219-PR
(14)

STATE OF ARIZONA v JAMES ROBERT YEAGER
Court of Appeals Division One *1 CA-CR 04-0996*

ORDERED: Petition for Review by Supreme Court = DENIED.

CR-06-0333-PR
(15)

STATE OF ARIZONA v SHERYL ANN BURDICK
Court of Appeals Division One *1 CA-CR 06-0217 PRPC*

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

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CV-06-0194-PR **CATHERINE CARLISLE v VICKI LYN PETROSKY et vir**
(16) *Court of Appeals Division One* *1 CA-CV 04-0585*

ORDERED: Petition for Review (Oral Argument Requested) = DENIED.

CV-06-0199-PR **COUNTY OF YUMA v EDWARD CHAVEZ et ux**
(17) *Court of Appeals Division One* *1 CA-CV 05-0379*

ORDERED: Petition for Review = DENIED.

CV-06-0241-PR **CHRISTOPHER BERKSHIRE v CECIL EARL BERKSHIRE**
(18) *Court of Appeals Division One* *1 CA-CV 04-0739*

ORDERED: Petition for Review = DENIED.

CV-06-0243-PR **DIETZ-CRANE BUILDERS v ATRIUM DOOR AND WINDOW CO**
(19) *Court of Appeals Division One* *1 CA-CV 05-0552*

ORDERED: Petition for Review = DENIED.

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CV-06-0292-PR
(20)

LINDA KAY HAMEL v BRET JAMES HAMEL
Court of Appeals Division One *1 CA-CV 05-0376*

ORDERED: Petition for Review = DENIED.

CR-06-0323-PR
(21)

STATE OF ARIZONA v RAUL GARCIA BARRAZA
Court of Appeals Division One *1 CA-CR 05-0824*

ORDERED: Petition for Review = DENIED.

CR-06-0335-PR
(22)

STATE OF ARIZONA v EUGENE BOYD JOHNSON
Court of Appeals Division One *1 CA-CR 04-1041*

ORDERED: Petition for Review = CONTINUED.

CR-06-0337-PR
(23)

STATE OF ARIZONA v KELLIE MARSHALL MALOY RUBIO
Court of Appeals Division One *1 CA-CR 05-1106 PRPC*

ORDERED: Petition for Review by Supreme Court = DENIED.

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CR-06-0350-PR
(24)

STATE OF ARIZONA v LUIS VILLAREAL NOLASCO
Court of Appeals Division One *1 CA-CR 04-0872*

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

CV-06-0184-PR
(25)

KEVIN WAYNE SCHEEVEL v PROFESSIONAL CHEMICALS
Court of Appeals Division One *1 CA-CV 05-0204*

ORDERED: Appellants Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Professional Chemicals] = DENIED.

CV-06-0196-PR
(26)

LADONNA RUTH HARRIS et al v CIGNA HEALTHCARE et al
Court of Appeals Division One *1 CA-CV 05-0497*

ORDERED: Petition for Review = DENIED.

CV-06-0227-PR
(27)

SONORAN DESERT et al v HON. MILLER/HERNANDEZ et al
Court of Appeals Division Two *2 CA-SA 06-0006*

ORDERED: Request for Oral Argument = DENIED.

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

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CV-06-0230-PR
(28)

FARMERS INSURANCE EXCHANGE v STEPHEN C RYAN ESQ
Court of Appeals Division One *1 CA-CV 05-0337*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Farmers Ins] = GRANTED.

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

CV-06-0250-PR
(29)

GENE JONES et al v AZ DEPT OF REAL ESTATE
Court of Appeals Division One *1 CA-CV 05-0743*

ORDERED: Appellees Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellees Jones et al] = DENIED.

CV-06-0264-PR
(30)

CINDY D GROSS v PATRICK CUSACK et ux
Court of Appeals Division One *1 CA-CV 05-0527*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellees Cusack] = DENIED.

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No. 1531

CV-06-0266-PR
(31)

WILLIAM BROWN et ux v AMERICAN FAMILY MUTUAL INS
Court of Appeals Division One *1 CA-CV 04-0730*

ORDERED: Plaintiffs/Appellants' Petition for Review [Appellants Brown] = DENIED.

FURTHER ORDERED: Plaintiff/Appellant Patty June Brown's Separate Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellants Brown] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee American Family Mutual Insurance Company] = DENIED.

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

CV-06-0278-PR
(32)

FERNANDO RESENDE et ux v DUCK BOO INTERNATIONAL CO
Court of Appeals Division One *1 CA-CV 05-0727*

ORDERED: Petition for Review = DENIED.

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

CV-06-0294-PR
(33)

NEWCOMB et al v JAMES BAIR/SCOTTSDALE HEALTH et al
Court of Appeals Division One *1 CA-CV 05-0569*

ORDERED: Petition for Review of Appellants = DENIED.

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

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No. 1531

CV-06-0303-PR
(34)

STATE ex rel THOMAS v HON. RAYES/REYNAGA
Court of Appeals Division One *1 CA-SA 06-0006*

ORDERED: Petition for Review by the Arizona Supreme Court = 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-06-0312-PR
(35)

STANLEY GRIFFIS v PINAL COUNTY/PHOENIX NEWS
Court of Appeals Division Two *2 CA-CV 06-0052*

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-06-0235-PR
(36)

STATE OF ARIZONA v RICHARD TERRANCE JENSEN
Court of Appeals Division Two *2 CA-CR 05-0276*

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

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No. 1531

CR-06-0239-PR
(37)

STATE OF ARIZONA v CHARLES ALLAN ONSTINE
Court of Appeals Division Two 2 CA-CR 03-0390

ORDERED: Petition for Review from Denial of Direct Appeal = DENIED.

CR-06-0268-PR
(38)

STATE OF ARIZONA v MICKEY EDWARD FLIGHT
Court of Appeals Division One 1 CA-CR 05-0764

ORDERED: Petition for Review = DENIED.

CR-06-0361-PR
(39)

STATE OF ARIZONA v CHAD BRANDON BURDETTE
Court of Appeals Division One 1 CA-CR 05-0846

ORDERED: Petition for Review = DENIED.

CR-06-0369-PR
(40)

STATE OF ARIZONA v GABRIEL J SULLIVAN
Court of Appeals Division One 1 CA-CR 05-0558

ORDERED: Petition for Review = DENIED.

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CR-06-0383-PR
(41)

STATE OF ARIZONA v TIMOTHY PAUL OLMOS
Court of Appeals Division One *1 CA-CR 05-0699*

ORDERED: Motion for Extension [of time to file a Supplemental Petition for Review] = DENIED.

FURTHER ORDERED: Motion to Determine Counsel on Appeal = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

CV-06-0207-PR
(42)

K POLSTON v ADOC/D SCHRIRO/ABEC/D BELCHER SR/STATE
Court of Appeals Division One *1 CA-CV 04-0757*

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

CV-06-0279-PR
(43)

WALID AMER et al v CITY OF PHOENIX et al
Court of Appeals Division One *1 CA-CV 05-0637*

ORDERED: Petition for Review = DENIED.

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No. 1531

CV-06-0296-PR
(44)

SEAN CANNON et ux v HON. RYAN/JM FINANCIAL et al
Court of Appeals Division One *1 CA-SA 06-0128*

ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals (Oral Argument Requested) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Petitioners Cannon] = DENIED.

CV-06-0322-PR
(45)

ROBERT DONALD LEMKE v HON. DOUGLAS RAYES/STATE
Court of Appeals Division One *1 CA-SA 06-0130*

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

CV-06-0324-PR
(46)

ROBERT MILLER et ux v FORTIS INSURANCE COMPANY
Court of Appeals Division One *1 CA-CV 05-0084*

ORDERED: Plaintiffs'/Appellants' Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellants Miller] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Fortis] = DENIED.

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

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CV-06-0327-PR
(47)

GRUBB & ELLIS MANAGEMENT SERVICES v 407417 BC LLC
Court of Appeals Division One *1 CA-CV 05-0316*

ORDERED: Petition for Review of 407417 B.C., L.L.C., Cross-Defendant = DENIED.

CV-06-0349-PR
(48)

MARICOPA COUNTY SHERIFF'S OFFICE v ROBERT CHAGOLLA
Court of Appeals Division One *1 CA-CV 03-0259*

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

CR-06-0185-PR
(49)

STATE OF ARIZONA v SHAWN DOUGLAS SMITH
Court of Appeals Division One *1 CA-CR 04-0484*

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

CR-06-0238-PR
(50)

STATE OF ARIZONA v ROBERT LEE WINTERS
Court of Appeals Division Two *2 CA-CR 05-0216 PRPC*

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

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No. 1531

CR-06-0256-PR
(51)

STATE OF ARIZONA v ALEJANDRO ARAIZA ARCE
Court of Appeals Division One *1 CA-CR 05-0576 PRPC*

ORDERED: Petition for Review = DENIED.

CR-06-0307-PR
(52)

STATE OF ARIZONA v DARNELL MILES MARTINEZ
Court of Appeals Division One *1 CA-CR 05-0922 PRPC*

ORDERED: Petition for Review by the Arizona Supreme Court; Post-Conviction Relief Proceeding = DENIED.

Justice Berch and Justice Hurwitz voted to grant review.

CV-05-0221-PR/A
(53)

MARGIT WORSHAM v JAMES S ARCHER
Court of Appeals Division One *1 CA-CV 04-0783 A*

ORDERED: Petition for Review = CONTINUED.