

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
APPOINTMENT OF A JUDGE PRO)
TEMPORE TO THE COURT OF)
APPEALS, DIVISION TWO, OF THE)
STATE OF ARIZONA)
_____)

PRO TEMPORE ORDER
No. 2023 - 55

The Chief Judge of the Arizona Court of Appeals, Division Two, has requested the appointment of a staff attorney to serve as judge pro tempore for the purpose of ruling on defined, non-dispositive motions. This staff attorney has met all requirements of A.R.S. § 12-146(A) and has waived any additional compensation as provided by A.R.S. § 12-146(C). Therefore, in accordance with the authority granted to the Chief Justice by Article 6, Section 3 of the Arizona Constitution, and pursuant to A.R.S. § 12-145,

IT IS ORDERED nunc pro tunc, that David McCallum, State Bar #023960, is appointed to serve as a judge pro tempore of the Arizona State Court of Appeals, Division Two, for a term beginning September 15, 2023 and ending March 15, 2024, by written order of the Chief Judge of the Arizona Court of Appeals, Division Two, to resolve those motions as set out in the Attachment to this Order.

IT IS FURTHER ORDERED that this appointment is conditioned upon the agreement by the appointee to serve for no compensation or benefits, fiscal or otherwise, as provided in A.R.S. § 12-146(C) and A.R.S. § 12-143.

DATED this 4th day of October, 2023.

ROBERT BRUTINEL
Chief Justice

Attachment

ATTACHMENT

CIVIL APPELLATE ORDERS

Applications for fee waiver/deferral
Motions for extension of time for any brief
Motions for extension of time to file transcript
Motions for substitution or withdrawal of counsel
Motions relating to bankruptcy stays
Motions to appear pro hac vice

Motions to consolidate
Motions to correct caption
Motions to correct case management statement
Motions to correct clerical errors
Motions to correct clerical errors in brief
Motions to reinstate appeal
Motions to reconsider orders on this list
Motions to stay and revest jurisdiction in trial court so it may address pending matters or enter appropriate finality language
Motions to Strike
Motions to substitute or amend brief
Motions to supplement or amend the record
Orders accepting late filed brief
Orders concerning jurisdiction, other than dismissals for lack of jurisdiction
Orders directing counsel or party to file a brief
Orders directing counsel or party to file bankruptcy status report
Orders directing counsel or party to file case management statement

Other non-dispositive motions
Treating motions as non-emergency
Various motions seeking inappropriate relief which court cannot grant
Motion to transfer jurisdiction to Division One
Requests for attorney fees/costs and award of attorney fees in the amount of less than \$20,000

CRIMINAL APPELLATE ORDERS

Applications for fee waiver
Docket review orders including order of dismissal
Motions for extension of time for any brief
Motions to amend brief
Motions to appear pro hac vice
Motions to correct the record
Motions to designate additional transcripts
Motions to reconsider orders on this list
Motions to remand to superior court for record, exhibits, etc.
Motions to stay appeal pending Rule 32/33, Ariz. R. Crim. P. or other matter
Motions to supplement the record
Motions to substitute counsel
Motions to withdraw as counsel
Orders directing financial arrangements for transcripts
Orders striking non-compliant Rule 32/33 petitions for review
Other non-dispositive motions
Pro per motions that are too diverse to make a complete list
Various motions seeking inappropriate relief that the court cannot grant
Motion to transfer jurisdiction to Division One

INDUSTRIAL COMMISSION APPELLATE ORDERS

Applications for fee waiver/deferral
Motions for extension of time for any brief
Motions for extension of time to file ICA record
Motions to appear pro hac vice
Motions to consolidate cases
Motions to correct caption
Motions to correct clerical errors in brief
Motions to revest jurisdiction in Commission to approve settlement
Motions to strike material from brief that is not in certified record
Orders accepting late filed brief
Orders directing parties to file brief
Various motions seeking inappropriate relief that the court cannot grant
Requests for attorney fees/costs and award of attorney fees in the amount of less than \$20,000

JUVENILE APPELLATE PROCEDURAL ORDERS

Administrative Orders regarding record on appeal
Motions for appearance or substitution of counsel
Motions to appear pro hac vice
Motions to exceed page limits
Motions to reconsider orders on this list
Motions to reinstate appeal
Motions to supplement or amend the record
Motions to stay orders of juvenile court pending resolution of appeal, except where orders would effectively dispose of appeal
Motions to Strike
Orders accepting late filed brief
Orders denying request that juvenile be allowed to file a supplemental brief in propria persona in delinquency appeal upon counsel's filing of an Anders brief
Order denying or permitting a party to file a brief in propria persona after appointed counsel has filed an avowal or affidavit under Rule 607(e), Ariz. R. P. Juv. Ct.
Orders directing financial arrangements for transcripts
Orders directing counsel or party to file brief
Orders granting or denying extensions of time for any briefs or transcripts
Orders referring motions for appointment of appellate counsel to juvenile court and orders appointing appellate counsel in counties that provide appellate court with indigent legal services' list of counsel for appointment and permit direct appointment by appellate court
Orders taking any motions under advisement for consideration and resolution with appeal on the merits
Orders to consolidate
Orders to correct caption
Orders to correct clerical errors
Orders to seal or unseal materials in record
Orders to suspend appeal to allow rulings by juvenile court
Orders transferring motions incorrectly filed in court of appeals to juvenile court for resolution
Other non-dispositive motions