MINUTES

No. 6419

En Banc

Arizona Supreme Court

Tuesday, November 20, 2018

CR-18-0210-PR **STATE OF ARIZONA v FRANCISCO JAVIER FELIX**
(1) *Court of Appeals, Division One* *1 CA-CR 17-0761 PRPC*

ORDERED: Petition for Review = DENIED.

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

CR-18-0229-PR **STATE OF ARIZONA v LORNE WILLIAM KLOKEID**
(2) *Court of Appeals, Division Two* *2 CA-CR 17-0200*

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

CR-18-0251-PR **STATE OF ARIZONA v BYRON TRENELL HAMPHILL WOOTEN**
(3) *Court of Appeals, Division One* *1 CA-CR 17-0136*

ORDERED: Petition for Review = DENIED.

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

CR-18-0303-PR **STATE OF ARIZONA v THADDAEUS SANCHEZ RUELAS**
(4) *Court of Appeals, Division Two* *2 CA-CR 16-0344*

ORDERED: Petition for Review = DENIED.

MINUTES

En Banc

Arizona Supreme Court

Tuesday, November 20, 2018

CV-18-0093-PR **JULIE BUCHO-GONZALEZ v LIFE TIME FITNESS et al**
(5) *Court of Appeals, Division One* *1 CA-CV 16-0691*

ORDERED: Petition for Review = DENIED.

CV-18-0118-PR **R DALE SCOTT et al v RANDY NUSSBAUM et al**
(6) *Court of Appeals, Division One* *1 CA-CV 16-0583*

ORDERED: Petition for Review = DENIED.

CV-18-0153-PR **THE GRIFFIN FOUNDATION v ARIZONA STATE RETIREMENT**
(7) *Court of Appeals, Division One* *1 CA-CV 17-0114*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees = DENIED.

CR-18-0145-PR **STATE OF ARIZONA v ROBERT JOHN ADKINS**
(8) *Court of Appeals, Division Two* *2 CA-CR 17-0357 PRPC*

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

CR-18-0187-PR (9)

STATE OF ARIZONA v TIMOTHY JAMES CASNER

Court of Appeals, Division One *1 CA-CR 17-0430 PRPC*

ORDERED: Petition for Review and Request for a Hearing = DENIED.

CR-18-0318-PR (10)

POE v HON. MARNER/STATE/TUCSON CITY PROSECUTOR

Court of Appeals, Division Two *2 CA-SA 18-0037*

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

CR-18-0321-PR (11)

STATE OF ARIZONA v GEORGE BENJAMIN LARIN

Court of Appeals, Division Two *2 CA-CR 17-0330 PRPC*

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

CR-18-0334-PR (12)

STATE OF ARIZONA v MICHAEL DUANE MULLET

Court of Appeals, Division One *1 CA-CR 17-0179*

ORDERED: Petition for Review = DENIED.

CR-18-0340-PR (13)

STATE OF ARIZONA v BRACK CONRAD PRITCHARD

Court of Appeals, Division One *1 CA-CR 17-0549*

ORDERED: Petition for Review = DENIED.

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

CR-18-0361-PR (14)

STATE OF ARIZONA v NICHOLAS THOMAS RUSING

Court of Appeals, Division Two *2 CA-CR 18-0087 PRPC*

ORDERED: Petition for Review = DENIED.

CR-18-0375-PR (15)

STATE OF ARIZONA v PAMELA ANNE PHILLIPS

Court of Appeals, Division One *1 CA-CR 17-0285*

ORDERED: Revised Petition for Review = DENIED.

CR-18-0392-PR (16)

STATE OF ARIZONA v LEON DEXTER MOODY

Court of Appeals, Division Two *2 CA-CR 17-0033*

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

CR-18-0398-PR **STATE OF ARIZONA v DONALD FAY RUSSELL**
(17) *Court of Appeals, Division One* *1 CA-CR 18-0258 PRPC*

ORDERED: Petition for Review = DENIED.

CV-18-0048-PR **ROGER RINGER v BANNER MEDICAL et al**
(18) *Court of Appeals, Division One* *1 CA-CV 17-0193*

ORDERED: Motion: Transmit all of the Record/File = DENIED.

FURTHER ORDERED: Motion to Strike page 3, lines 19 & 20 of PR = DENIED.

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

CV-18-0107-PR **ROGER RINGER v PIMA COMMUNITY COLLEGE et al**
(19) *Court of Appeals, Division One* *1 CA-CV 16-0731*

ORDERED: Untitled Document (Treated as Petition for Review) = DENIED.

CV-18-0108-PR **ROGER RINGER v DUSTIN DIAL et al**
(20) *Court of Appeals, Division One* *1 CA-CV 17-0279*

ORDERED: Untitled Document (Treated as Petition for Review) = DENIED.

CV-18-0111-PR (21)

PAUL E. v COURTNEY F.

Court of Appeals, Division One *1 CA-CV 17-0048 FC*

ORDERED: (SEALED) Petition for Review = GRANTED as to issue one only.

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. Any amicus briefs are due on or before December 20, 2018, and any responses to amicus briefs are due on or before January 4, 2019. Any amicus briefs or responses may not exceed 20 pages in length.

CR-18-0007-PR (22)

BARBARA PADILLA v HON. FELL/STATE

Court of Appeals, Division Two *2 CA-SA 17-0058*

ORDERED: Petition for Review of a Special Action Decision of the Courts (sic) of Appeals = CONTINUED.

CR-18-0087-PR (23)

CORONADO v HON. FIELDS/TUCSON PROSECUTOR'S OFFICE

Court of Appeals, Division Two *2 CA-SA 17-0095*

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

CR-18-0173-PR (24)

ISIDRO DURAZO v HON. BOSTWICK/STATE

Court of Appeals, Division Two *2 CA-SA 18-0013*

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

CR-18-0176-PR (25)

MOHAMMED MAHROUS v HON. FIELDS/STATE

Court of Appeals, Division Two *2 CA-SA 18-0006*

ORDERED: Petition for Special Action Review of a Decision of the Pima County Superior Court = CONTINUED.

CR-18-0270-PR (26)

ALSARRAF v HON. BERNINI/STATE/TUCSON PROSECUTOR

Court of Appeals, Division Two *2 CA-SA 18-0021*

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

CR-18-0300-PR (27)

STATE OF ARIZONA v ENRIQUE GUZMAN-CASTRO

Court of Appeals, Division Two *2 CA-CR 16-0373*

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

Justice Timmer and Justice Bolick voted to grant review.

CV-18-0096-PR **SUN CITY GOLF v GEORGE LOEGERING/AMERICAN REGENT**

(28) *Court of Appeals, Division One* *1 CA-CV 17-0106*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = GRANTED as to issue 2 only. It is ordered vacating paragraph 35 of the decision of the court of appeals and remanding for the court of appeals to determine whether Sun City Golf is entitled to reasonable attorney fees under A.R.S. 33-420(A) before the court of appeals and on review in this Court.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Sun City Golf) = DENIED without prejudice to the court of appeals' determination on remand.

MINUTES

En Banc

Arizona Supreme Court

Tuesday, November 20, 2018

CV-18-0176-PR (29)

BRUSH & NIB et al v CITY OF PHOENIX

Court of Appeals, Division One *1 CA-CV 16-0602*

ORDERED: Plaintiffs/Appellants/Cross-Appellees' 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. Any amicus briefs are due on or before December 20, 2018, and any responses to amicus briefs are due on or before January 4, 2019. Any amicus briefs or responses may not exceed 20 pages in length.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellants/Cross-Appellees Brush & Nib et al) = CONTINUED.

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

CV-18-0209-SA (30)

ARMANDO FLORES v HON. HINDERAKER/STATE et al

Pima County Superior Court *CR20174963-001*

ORDERED: Petition for Special Action Review of a Decision of the Pima County Superior Court = CONTINUED.

The foregoing action was taken by the Arizona Supreme Court on Tuesday, November 20, 2018.

Scott Bales **Date:** 11/20/2018

Scott Bales, Chief Justice