

MINUTES
Arizona Supreme Court
Tuesday, September 25, 2012

No. 3872

CR-12-0126-PR **STATE OF ARIZONA v SUSAN MICHELLE TURNER**
(1) *Court of Appeals Division Two* *2 CA-CR 11-0092*

ORDERED: Petition for Review = DENIED.

CR-12-0164-PR **STATE OF ARIZONA v RANDALL D & PENNY A WEST**
(2) *Court of Appeals Division Two* *2 CA-CR 08-0342*

ORDERED: Appellee Penny West's Petition for Review = DENIED.

CR-12-0191-PR **STATE OF ARIZONA v EDWARD PORTER BOLDING**
(3) *Court of Appeals Division Two* *2 CA-CR 10-0088*

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

CR-12-0199-PR **STATE OF ARIZONA v NATHANIEL EDUARDO CANEZ**
(4) *Court of Appeals Division Two* *2 CA-CR 11-0172*

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

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CR-12-0277-PR

(5)

STATE OF ARIZONA v LORI BANALES CLEMENS

Court of Appeals Division One

1 CA-CR 10-0417

ORDERED: Petition for Review = DENIED.

CV-12-0096-PR

(6)

BONITO PARTNERS v CITY OF FLAGSTAFF

Court of Appeals Division One

1 CA-CV 10-0819

Separate Order.

CV-12-0110-PR

(7)

SYLVIA ASSYIA v STATE FARM MUTUAL INSURANCE

Court of Appeals Division One

1 CA-CV 10-0678

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

CV-12-0133-PR

(8)

LEONARD DEEHAN v HON. HEGYI

Court of Appeals Division One

1 CA-SA 12-0034

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

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CV-12-0151-PR
(9)

LONNIE REED/CHERYLANN HOWARD v KIRK et al
Court of Appeals Division One *1 CA-CV 09-0686*

ORDERED: Petition for Review = DENIED.

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

CV-12-0190-PR
(10)

TERRI FETTERS v STEWART TITLE & TRUST
Court of Appeals Division Two *2 CA-CV 11-0126*

ORDERED: Petition for Review = DENIED.

CV-12-0196-PR
(11)

GARY BISHOP/BEARD v HON. WILLETT/CITIGROUP et al
Court of Appeals Division One *1 CA-SA 12-0102*

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

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CV-12-0211-PR
(12)

JAMES C SELL v HON. GAMA/RUSSELL SEWELL et al
Court of Appeals Division One *1 CA-SA 12-0105*

ORDERED: Petition for Review of the Court of Appeals' Order Declining Special Action Jurisdiction = 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-12-0065-PC
(13)

STATE OF ARIZONA v STEVEN RAY NEWELL
Maricopa County Superior Court *CR2001-009124*

ORDERED: Request for Orders = DENIED.

FURTHER ORDERED: Petition for Review from denial Post-Conviction Relief (Capital Case) = DENIED.

FURTHER ORDERED: The Warrant of Execution shall issue forthwith.

CR-12-0216-PR
(14)

STATE OF ARIZONA v SEAN PATRICK HUSBAND
Court of Appeals Division One *1 CA-CR 10-0576 PRPC*

ORDERED: Petition for Review = DENIED.

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CR-12-0229-PR
(15)

STATE OF ARIZONA v TIMOTHY JESSE VALENZUELA
Court of Appeals Division One *1 CA-CR 11-0066*

ORDERED: Petition for Review = DENIED.

CR-12-0241-PR
(16)

STATE OF ARIZONA v ALYSSA MARIE BURR
Court of Appeals Division Two *2 CA-CR 11-0357*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: The Court of Appeals' Opinion shall not be published, pursuant to Rule 111(g), Arizona Rules of the Supreme Court.

CV-12-0089-PR
(17)

FRANCIS FLETCHER V HON. KREAMER/STATE
Court of Appeals Division One *1 CA-CV 11-0194*

ORDERED: Petition for Review = DENIED.

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CV-12-0102-PR
(18)

R BAKER v UNIVERSITY PHYSICIANS HEALTHCARE et al
Court of Appeals Division Two *2 CA-CV 11-0080*

ORDERED: Petition for Review (Appellant Baker) = GRANTED.

FURTHER ORDERED: Petition for Review (Appellees University Physicians Healthcare et al) = GRANTED as to Issue 1 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.

CV-12-0120-PR
(19)

In re the ESTATE OF FRED N KIRKES
Court of Appeals Division Two *2 CA-CV 11-0072*

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.

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CV-12-0155-PR
(20)

JOSEPH GARCIA v BRUCE WHITBECK et al
Court of Appeals Division One *1 CA-CV 11-0360*

ORDERED: Petition for Review = DENIED.

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

CV-12-0167-PR
(21)

DESARROLLO INMOBILIARIO et al v KADER HOLDINGS
Court of Appeals Division Two *2 CA-CV 11-0117*

ORDERED: Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Desarrollo Inmobiliario et al) = DENIED.

CV-12-0175-PR
(22)

ROBERT DELCI et al v GUTIERREZ TRUCKING et al
Court of Appeals Division One *1 CA-CV 10-0099*

ORDERED: Petition for Review = DENIED.

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No. 3872

CV-12-0244-PR
(23)

LISA K. v ADES/JULIAN N.
Court of Appeals Division Two

2 CA-JV 12-0007

ORDERED: Petition for Review = DENIED.

CR-12-0076-PR
(24)

STATE OF ARIZONA v CHRISTOPHER LEE SMITH
Court of Appeals Division One

1 CA-CR 10-0358

ORDERED: Petition for Review = DENIED.

CR-12-0205-PR
(25)

STATE OF ARIZONA v JERROLD DEAN BROMAN
Court of Appeals Division Two

2 CA-CR 11-0192

ORDERED: Defendant's Petition for Review = DENIED.

CV-12-0129-PR
(26)

MAURICIO P./YADIRA G. v ADES/M.R./K.R.
Court of Appeals Division One

1 CA-JV 11-0133

ORDERED: Petition for Review of a Decision of the Arizona Court of Appeals Division 1 = DENIED.

Chief Justice Berch voted to grant review.

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CV-12-0148-PR
(27)

BAC HOME LOANS v SEMPER INVESTMENTS

Court of Appeals Division Two 2 CA-CV 11-0129

ORDERED: Appellant Semper Investments L.L.C.'s Petition for Review = DENIED.

CV-12-0158-PR
(28)

SUSIE VAN HEESWYK et al v JABIRU AIRCRAFT

Court of Appeals Division Two 2 CA-CV 11-0107

ORDERED: Jabiru's Motion for Leave to File Reply in Support of Petition for Review = GRANTED.

FURTHER ORDERED: Defendant Jabiru Aircraft Pty., Ltd's Petition for Review = DENIED.

CV-12-0160-PR
(29)

TROY HALL v HON. McCLENNEN/STATE

Court of Appeals Division One 1 CA-SA 12-0075

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

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No. 3872

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CV-12-0173-PR
(30)

VICKI POUNDERS v ENSERCH E&C INC et al

Court of Appeals Division One

1 CA-CV 11-0282

ORDERED: Petition For Review = GRANTED as to Issues 1 and 2 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.



The foregoing action was taken by the Arizona Supreme Court on Tuesday, September 25, 2012.

Date: _____

Rebecca White Berch, Chief Justice