

MINUTES
Arizona Supreme Court
Wednesday, May 30, 2012

No. 3615

CR-12-0003-PR

STATE OF ARIZONA v JOE CERVANTES JR

(1)

Court of Appeals Division One

1 CA-CR 10-0791

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

CR-12-0018-PR

STATE OF ARIZONA v AUSTIN JAMES BONFIGLIO

(2)

Court of Appeals Division One

1 CA-CR 10-0075

ORDERED: Petition for Review = GRANTED as to Issue 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 30 days from the date of this Court's Minute Letter.

CR-12-0029-PR

STATE OF ARIZONA v JUAN JESUS LEBARIO

(3)

Court of Appeals Division Two

2 CA-CR 10-0359

ORDERED: Petition for Review = DENIED.

CR-12-0101-PR

STATE OF ARIZONA v RICARDO PERALTA VOLTARES

(4)

Court of Appeals Division Two

2 CA-CR 11-0031

ORDERED: Petition for Review = DENIED.

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CV-11-0358-PR
(5)

RAE ANN RUMERY et al v MARIA BAIER/DOUG DUCEY
Court of Appeals Division One *1 CA-CV 10-0807*

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 30 days from the date of this Court's Minute Letter.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Rumery et al) = CONTINUED.

CV-12-0007-PR
(6)

In re the ESTATE OF MARY A RILEY
Court of Appeals Division Two *2 CA-CV 10-0149*

ORDERED: Petition for Review by John D. Barkley Successor Personal Representative = 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 30 days from the date of this Court's Minute Letter.

FURTHER ORDERED: Request for Costs (Appellants R.J. Riley et al) = CONTINUED.

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CV-12-0025-PR
(7)

WILLIAM NICKERSON et al v GREEN VALLEY RECREATION
Court of Appeals Division Two *2 CA-CV 10-0197*

ORDERED: Motion for Leave to File as Amicus Curiae = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee/Cross-Appellant Green Valley Recreation) = DENIED.

CV-12-0034-PR
(8)

PC ONSITE v MESSAGE EN V et al
Court of Appeals Division One *1 CA-CV 10-0879*

ORDERED: Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Massage En V et al) = GRANTED.

CV-12-0069-PR
(9)

ALLEN BENKENDORF v ADVANCED CARDIAC
Court of Appeals Division One *1 CA-CV 09-0697*

ORDERED: Petition for Review = DENIED.

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CV-12-0083-PR **MARK FLOOD/BLAKE TAYLOR v CELEBRITY HOMES/RYAN**
(10) *Court of Appeals Division One* *1 CA-CV 11-0074*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellees Celebrity Homes et al) = GRANTED.

CR-12-0009-PR **STATE OF ARIZONA v BRIAN LEE WARREN**
(11) *Court of Appeals Division Two* *2 CA-CR 11-0089*

ORDERED: Petition for Review by Supreme Court = DENIED.

CV-12-0021-PR **DANIEL N COLEMAN v KAREN SUE ROBINSON**
(12) *Court of Appeals Division One* *1 CA-CV 11-0034*

ORDERED: Petition for Review = DENIED.

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

CV-12-0023-PR **DEREK ARNSON v HON. BURKE/PETERSON**
(13) *Court of Appeals Division One* *1 CA-SA 11-0293*

ORDERED: Petitioner Derek Arnson's Petition For Review = DENIED.

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CV-12-0036-PR
(14)

RUSSELL WISE v CITY OF TUCSON

Court of Appeals Division Two

2 CA-CV 10-0190

ORDERED: Petition for Review Pursuant to Ariz. R. App. P. 23 = DENIED.

CV-12-0038-PR
(15)

AZ DENTAL ASSOC et al v HON. BRAIN/GRIEGO et al

Court of Appeals Division One

1 CA-SA 11-0315

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

CV-12-0045-PR
(16)

SERGIO GONZALEZ v ECKLEY & ASSOC

Court of Appeals Division One

1 CA-CV 10-0718

ORDERED: Motion for Sanctions = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellant/Cross-Appellee Eckley & Assoc) = DENIED.

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CV-12-0072-PR
(17)

STAR PUBLISHING v HON. BERNINI/STATE et al
Court of Appeals Division Two 2 CA-SA 11-0095

ORDERED: Petition for Review = DENIED.

CR-12-0043-PR
(18)

STATE OF ARIZONA v PAMELA LYNN PETERSON
Court of Appeals Division Two 2 CA-CR 10-0309

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

CR-12-0053-PR
(19)

STATE OF ARIZONA v HUBERT WASHINGTON JR
Court of Appeals Division Two 2 CA-CR 11-0209 PRPC

ORDERED: Petition for Further Review (Denial of Post-Conviction Relief) = DENIED.

CR-12-0054-PR
(20)

STATE OF ARIZONA v RENE ANTHONY CASTILLO
Court of Appeals Division Two 2 CA-CR 11-0043

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

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CR-12-0063-PR
(21)

STATE OF ARIZONA v JAMES LEE PRICE

Court of Appeals Division One

1 CA-CR 10-0810

ORDERED: Petition For Review = DENIED.

CR-12-0064-PR
(22)

STATE OF ARIZONA v EDWARD JOHN HARVEY

Court of Appeals Division One

1 CA-CR 11-0224

ORDERED: Petition for Review by Supreme Court = DENIED.

CV-12-0046-PR
(23)

IN RE MH2010-002348

Court of Appeals Division One

1 CA-MH 11-0013

ORDERED: Petition for Review = DENIED.

CV-12-0063-PR
(24)

MANUEL SALDATE v WILLIAM MONTGOMERY et al

Court of Appeals Division One

1 CA-CV 11-0079

ORDERED: Petition for Review = DENIED.

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CV-12-0071-PR
(25)

PIMA CO DEMOCRATIC PARTY v BETH FORD et al
Court of Appeals Division Two *2 CA-CV 11-0070*

ORDERED: Petition for Review = DENIED.

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

CR-11-0399-PC
(26)

STATE OF ARIZONA v LEROY McGILL
Maricopa County Superior Court *CR2003-005315-001 DT*

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

FURTHER ORDERED: The Warrant of Execution shall be issued forthwith.

CR-11-0395-PR
(27)

STATE OF ARIZONA v BRYAN KELLY PAXTON
Court of Appeals Division One *1 CA-CR 10-0459*

ORDERED: Petition for Review = DENIED.

CR-12-0062-PR
(28)

STATE OF ARIZONA v RICHARD TITUS SPEER
Court of Appeals Division Two *2 CA-CR 11-0077*

ORDERED: Speer Petition for Review = DENIED.

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CV-12-0006-PR **DENISE STRAYER v ICA/REGIONAL CARE/SCF ARIZONA**
(29) *Court of Appeals Division One* *1 CA-IC 11-0011*

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

CV-12-0018-PR **ARIZONA DEPT OF REVENUE v SOUTH POINT ENERGY**
(30) *Court of Appeals Division One* *1 CA-TX 10-0007*

ORDERED: Defendant/Appellant's Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant South Point Energy Center) = DENIED.

CV-12-0049-PR **JANNIE M VAUGHT v GEICO GENERAL INSURANCE**
(31) *Court of Appeals Division One* *1 CA-CV 11-0225*

ORDERED: Petition for Review = DENIED.

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

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

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CV-12-0068-PR **DAYKA & HACKETT v DEL MONTE FRESH PRODUCE**
(32) *Court of Appeals Division Two* 2 CA-CV 11-0076

ORDERED: Petition for Review = DENIED.

CV-12-0079-PR **MARY CAMERON v KATHRYN KAY WESTBROOK et al**
(33) *Court of Appeals Division One* 1 CA-CV 10-0398

ORDERED: Petition for Review = DENIED.

CV-12-0094-PR **RICHARD ANDERSON v VALLEY UNION HIGH SCHOOL**
(34) *Court of Appeals Division Two* 2 CA-CV 11-0027

ORDERED: Petition for Review = DENIED.

Justice Pelander voted to grant review on Issue 1.

CV-12-0099-PR **TOD SANTEE et ux v MESA AIRLINES/AMERICA WEST**
(35) *Court of Appeals Division Two* 2 CA-CV 11-0012

ORDERED: Petition for Review = DENIED.

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No. 3615

CV-12-0142-PR
(36)

JAMES SELL v HON. GAMA/TOWLER et al
Court of Appeals Division One *1 CA-SA 12-0046*

ORDERED: Petition for Review = DENIED.

CR-11-0318-PR
(37)

STATE OF ARIZONA v CANDICE LYNNE WRIGHT
Court of Appeals Division One *1 CA-CR 09-0670*

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