

# MINUTES

No. 3150

*Arizona Supreme Court*  
Tuesday, October 26, 2010

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**CV-10-0119-PR**

**SCOTTSDALE MEMORIAL HEALTH et al v MARICOPA COUNTY**

(1)

*Court of Appeals Division One*

*1 CA-CV 07-0150*

*1 CA-CV 08-0241*

*1 CA-CV 08-0344*

ORDERED: Petition for Review [Appellant Maricopa County] = DENIED.

FURTHER ORDERED: Petition for Review [Appellee Scottsdale Memorial Health Systems et al] = DENIED.

**CV-10-0154-PR**

**SAGUARO HIGHLANDS COMMUNITY v JACK BILTIS et ux**

(2)

*Court of Appeals Division One*

*1 CA-CV 09-0261*

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

**CV-10-0159-PR**

**BAMONTE/COTA/PERINE v CITY OF MESA**

(3)

*Court of Appeals Division One*

*1 CA-CV 09-0114*

ORDERED: Appellants' Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee City of Mesa] = DENIED.

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**CV-10-0162-PR**  
(4)

**IN RE MH 2009-001264**

*Court of Appeals Division One*

*1 CA-MH 09-0048*

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

**CV-10-0166-PR**  
(5)

**APRIL L ROJAS v RONALD JOEL ROJAS**

*Court of Appeals Division One*

*1 CA-CV 08-0798*

ORDERED: Petition for Review of Appellant = DENIED.

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

**CV-10-0176-PR**  
(6)

**PROGRESSIVE v ESTATE OF JOSE PALOMERA-RUIZ et al**

*Court of Appeals Division One*

*1 CA-CV 09-0065*

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

FURTHER ORDERED: Request for Attorneys' Fees [Appellant Progressive Casualty Insurance] = DENIED.

**CR-10-0189-PR**  
(7)

**STATE OF ARIZONA v CHRISTOPHER WAYNE FRANCIS**

*Court of Appeals Division Two*

*2 CA-CR 09-0020*

ORDERED: Petition for Review = DENIED.

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**CR-10-0194-PR**      **STATE OF ARIZONA v NETZAHUALCOYOTL G RAMOS**  
(8)                      *Court of Appeals Division Two*                      2 CA-CR 09-0062

ORDERED: Petition for Review = DENIED.

**CR-10-0204-PR**      **STATE OF ARIZONA v DANIEL MERCED FLORES**  
(9)                      *Court of Appeals Division Two*                      2 CA-CR 09-0408 PRPC

ORDERED: Petition for Review = DENIED.

**CR-10-0205-PR**      **STATE OF ARIZONA v LANEKA DAMARA JACOBS**  
(10)                      *Court of Appeals Division One*                      1 CA-CR 09-0273 PRPC

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

**CR-10-0215-PR**      **STATE OF ARIZONA v FOX JOSEPH SALERNO**  
(11)                      *Court of Appeals Division One*                      1 CA-CR 09-0470 PRPC

ORDERED: Petition for Review = DENIED.



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**CV-10-0174-PR**      **WILLIAM HOSEA v CITY OF PHOENIX FIRE PENSION BOARD**  
(16)                      *Court of Appeals Division One*                      *1 CA-CV 09-0105*

ORDERED: Petition for Review = DENIED.

**CV-10-0190-PR**      **JAMES BACHE PC v DEAN WERNER/GIBSON FERRIN & RIGGS**  
(17)                      *Court of Appeals Division One*                      *1 CA-CV 09-0209*

ORDERED: Petition for Review = DENIED.

**CR-10-0167-PR**      **STATE OF ARIZONA v LUIS ALBERTO ORTEGA**  
(18)                      *Court of Appeals Division Two*                      *2 CA-CR 09-0071*

ORDERED: Petition for Review = DENIED.

**CR-10-0175-PR**      **STATE OF ARIZONA v DANIEL EDWARD SOUZA**  
(19)                      *Court of Appeals Division Two*                      *2 CA-CR 09-0171 PRPC*

ORDERED: Petition for Further Review from Denial of Post-Conviction Relief =  
CONTINUED.

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**CR-10-0203-PR**  
(20)

**STATE OF ARIZONA v JASON DOUGLAS BLESSIE**  
*Court of Appeals Division Two*                      *2 CA-CR 08-0321*

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

**CV-10-0126-PR**  
(21)

**HAROLD HYAMS & ASSOC v HON. TANG/FOULKES**  
*Court of Appeals Division Two*                      *2 CA-SA 10-0014*

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

**CV-10-0182-PR**  
(22)

**LESLEY MILLER v ROBERT KRAMBER et al**  
*Court of Appeals Division Two*                      *2 CA-CV 09-0159*

ORDERED: Oral Argument Requested = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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**CR-10-0211-PR**  
(23)

**STATE OF ARIZONA v TROY JASON LEWIS**

*Court of Appeals Division One*

*1 CA-CR 09-0127*

ORDERED: Petition for Review by the 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-10-0129-PR**  
(24)

**D URTUSUASTEGUI v HON. GRANVILLE/STATE**

*Court of Appeals Division One*

*1 CA-SA 10-0076*

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

**CV-10-0150-PR**  
(25)

**JOYCE LUCIANO v WMC MORTGAGE CORP et al**

*Court of Appeals Division One*

*1 CA-CV 08-0566*

*1 CA-CV 08-0678*

ORDERED: Motion to Request Review of Award of Costs and Fees by the Court of Appeals Division One = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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**CV-10-0155-PR**  
(26)

**S.D. v HON. RAYES/MAYO CLINIC/ADAM HANSEN et al**  
*Court of Appeals Division One*                      *1 CA-SA 10-0071*

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

**CV-10-0172-PR**  
(27)

**ESTATE OF MADDISON DESELA v PRESCOTT UNIFIED et al**  
*Court of Appeals Division One*                      *1 CA-CV 09-0244*

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.

**CV-10-0177-PR**  
(28)

**TASER INTERNATIONAL v STEVE WARD**  
*Court of Appeals Division One*                      *1 CA-CV 09-0468*

ORDERED: Plaintiff/Appellee Taser International's 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.

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

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**CV-10-0178-PR**  
(29)

**MARIA BAIER et al v MAYER UNIFIED/GADSDEN**  
*Court of Appeals Division One*                      *1 CA-CV 09-0116*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellants Mayer Unified et al] = DENIED.

**CV-10-0185-PR**  
(30)

**ROBERT EARL KRONCKE v RAYMOND VACA et al**  
*Court of Appeals Division One*                      *1 CA-CV 09-0097*

ORDERED: Petition for Review = DENIED.

**CR-10-0154-PR**  
(31)

**STATE OF ARIZONA v CHRISTOPHER MICHAEL REGENOLD**  
*Court of Appeals Division One*                      *1 CA-CR 08-0651*

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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**CR-10-0206-PR**  
(32)

**STATE OF ARIZONA v NICHOLAS ISAIAH GARCIA**  
*Court of Appeals Division One*                      *1 CA-CR 08-0855*

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

**CR-10-0209-PR**  
(33)

**STATE OF ARIZONA v KEVIN EUGENE CRAIG**  
*Court of Appeals Division Two*                      *2 CA-CR 10-0034 PRPC*

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

**CR-10-0218-PR**  
(34)

**STATE OF ARIZONA v CARLOS ROBLES**  
*Court of Appeals Division Two*                      *2 CA-CR 10-0046 PRPC*

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

**CR-10-0266-PR**  
(35)

**STATE OF ARIZONA v JOHN GEORGE PONSART JR**  
*Court of Appeals Division Two*                      *2 CA-CR 09-0205*

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

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**CR-10-0268-PR**  
(36)

**STATE OF ARIZONA v PHILLIP WAYNE JORDAN**  
*Court of Appeals Division One*                      *1 CA-CR 08-0058*

ORDERED: Petition for Review = DENIED.

**CR-10-0222-PR**  
(37)

**STATE OF ARIZONA v DONALD LEE CONDRA**  
*Court of Appeals Division One*                      *1 CA-CR 08-0723*

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

**CV-10-0152-PR**  
(38)

**LYLE HANSON/LISA HANSON v TOM HALL/DOREEN HALL**  
*Court of Appeals Division One*                      *1 CA-CV 08-0770*

ORDERED: Appellants' Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees [Appellees Hall] = GRANTED

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**CV-10-0153-PR**  
(39)

**TP RACING/JEREMY SIMMS v ADG/PAUL BULLIS**  
*Court of Appeals Division One*                      *1 CA-CV 08-0723*

ORDERED: Petition for Review = DENIED.

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

**CV-10-0188-PR**  
(40)

**DAVID RAMSAY v VICTORIA WHEELER-RAMSAY**  
*Court of Appeals Division One*                      *1 CA-CV 09-0045*

ORDERED: Petitioner/Appellant's 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.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant David Ramsay] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee Victoria Wheeler-Ramsay] = DENIED.

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**CV-10-0189-PR**  
(41)

**PLANNING GROUP et al v LAKE MATHEWS MINERAL et al**  
*Court of Appeals Division One*                      *1 CA-CV 09-0224*

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.

FURTHER ORDERED: Request for Attorneys' Fees [Appellees Lake Mathews et al] = CONTINUED.

**CV-10-0200-PR**  
(42)

**NICHOLAS HETH et al v HON. BUTTRICK et al**  
*Court of Appeals Division One*                      *1 CA-SA 10-0121*

ORDERED: Motion to Hold Petition for Review in Abeyance Pending Reconsideration by Superior Court = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

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**CV-10-0213-PR**  
(43)

**GARCIA/MEZA v STATE/ALHAMBRA/JOHNSON et al**  
*Court of Appeals Division One*                      *1 CA-CV 09-0566*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellants Garcia/Meza] = DENIED.

Vice Chief Justice Hurwitz voted to grant review.

**CV-10-0217-PR**  
(44)

**STATE ex rel ADOC v HON. KIGER/ROSEBERRY et al**  
*Court of Appeals Division One*                      *1 CA-SA 09-0067*

ORDERED: Petition for Review = DENIED.

**CV-10-0283-PR**  
(45)

**KENNETH WAYNE REED v CHARLES L RYAN et al**  
*Court of Appeals Division One*                      *1 CA-CV 09-0407*

ORDERED: Petition for Review = DENIED.



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**CR-10-0236-PR**  
(50)

**STATE OF ARIZONA v PETER STANLEY WLUDYKA**  
*Court of Appeals Division One*                      *1 CA-CR 08-0075*

ORDERED: Petition for Review = DENIED.

**CV-10-0323-PR**  
(51)

**DEMOCKER v HON. BRUTINEL/HON. DARROW/STATE et al**  
*Court of Appeals Division One*                      *1 CA-SA 10-0212*

Separate Order.