

# MINUTES

No. 6425

En Banc

*Arizona Supreme Court*  
Tuesday, February 5, 2019

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**CR-18-0405-PR**

**STATE OF ARIZONA v JOHN WALTER WILLIAMS**

(1)

*Court of Appeals, Division Two*

*2 CA-CR 16-0345*

ORDERED: Petition for Review = DENIED.

**CR-18-0430-PR**

**STATE OF ARIZONA v DANIEL BUENO**

(2)

*Court of Appeals, Division One*

*1 CA-CR 18-0257 PRPC*

ORDERED: Petitioners (sic) Petition for Review = DENIED.

**CR-18-0452-PR**

**STATE OF ARIZONA v JOSUE MANUEL JAQUEZ**

(3)

*Court of Appeals, Division One*

*1 CA-CR 16-0912*

ORDERED: Petition for Review = DENIED.

**CR-18-0497-PR**

**STATE OF ARIZONA v PATRICK DANIEL BARNES**

(4)

*Court of Appeals, Division One*

*1 CA-CR 17-0171*

ORDERED: Petition for Review = DENIED.

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**CR-18-0499-PR**

(5)

**HOLLOMAN v HON. FELL/STATE/TUCSON**

*Court of Appeals, Division Two*

*2 CA-SA 18-0064*

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

**CR-18-0521-PR**

(6)

**STATE OF ARIZONA v IKEMEFULA IBEABUCHI**

*Court of Appeals, Division One*

*1 CA-CR 18-0098*

ORDERED: Petition for Review = DENIED.

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

**CV-18-0178-PR**

(7)

**TRISHA A. v DCS/L.A./L.A**

*Court of Appeals, Division One*

*1 CA-JV 17-0126*

ORDERED: Appellee Department of Child Safety's Petition for Review = GRANTED on the issue of whether the court of appeals erred in holding that a parent's burden of demonstrating good cause does not include providing evidence of a meritorious defense on a motion to set aside a severance order following a Rule 64(C) acceleration of the severance hearing?

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 March 11, 2019, and any responses to amicus briefs are due on or before March 22, 2019. Any amicus briefs or responses may not exceed 20 pages in length.

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**CV-18-0255-PR**  
(8)

**TONYA TONDU et al v STATE FARM**

*Court of Appeals, Division One*

*1 CA-CV 17-0444*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorney's Fees (Appellants Tondu et al) = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee State Farm Fire & Casualty Company) = DENIED.

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

**CV-18-0265-PR**  
(9)

**IKEMEFULA IBEABUCHI v DOUG DUCEY**

*Court of Appeals, Division One*

*1 CA-CV 18-0001*

ORDERED: Petition for Review = DENIED.

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

**CV-18-0269-PR**  
(10)

**IKEMEFULA IBEABUCHI v JAMES BLOMO**

*Court of Appeals, Division One*

*1 CA-CV 17-0776*

ORDERED: Petition for Review = DENIED.

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

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**CV-18-0278-PR**  
(11)

**NEIL H./MICHELLE H. v DCS et al**

*Court of Appeals, Division One*

*1 CA-JV 18-0059*

ORDERED: Appellant's Petition for Review = DENIED.

**CV-18-0283-PR**  
(12)

**KYLE J. v DCS/T.J. J.J.**

*Court of Appeals, Division One*

*1 CA-JV 18-0088*

ORDERED: Petition for Review = DENIED.

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

**CV-18-0307-PR**  
(13)

**IKEMEFULA IBEABUCHI v MARICOPA COMMISIONERS**

*Court of Appeals, Division One*

*1 CA-CV 18-0610*

ORDERED: Petition for Review = DENIED.

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

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**CR-18-0431-PR**  
(14)

**STATE OF ARIZONA v STEPHEN JAY MALONE JR**

*Court of Appeals, Division Two*                      2 CA-CR 16-0274

ORDERED: Petition for Review (Appellant/Cross Appellee Malone) = GRANTED.

FURTHER ORDERED: The State of Arizona's Cross-Petition for Review (Appellee/Cross-Appellant State) = 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 March 11, 2019, and any responses to amicus briefs are due on or before March 22, 2019. Any amicus briefs or responses may not exceed 20 pages in length.

**CR-18-0448-PR**  
(15)

**STATE OF ARIZONA v CHAD IAN PIEKOSZ**

*Court of Appeals, Division Two*                      2 CA-CR 18-0056

ORDERED: Petition for Review = DENIED.

**CR-18-0451-PR**  
(16)

**JARRAD TREVOR BARNES v HON. BERNINI/STATE**

*Court of Appeals, Division Two*                      2 CA-SA 18-0029

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

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**CR-18-0477-PR**  
(17)

**STATE OF ARIZONA v JOSEPH ALEXIS DELACRUZ**  
*Court of Appeals, Division One*                      *1 CA-CR 18-0175 PRPC*

ORDERED: Petition for Review = DENIED.

**CV-18-0203-PR**  
(18)

**JUDY KOCH-GULOTTY v THERESE A PASCUZZI et al**  
*Court of Appeals, Division One*                      *1 CA-CV 17-0483*

ORDERED: Petition for Review = DENIED.

**CV-18-0215-PR**  
(19)

**IKEMEFULA CHARLES IBEABUCHI v PAUL PENZONE**  
*Court of Appeals, Division One*                      *1 CA-CV 18-0131*

ORDERED: Petition for Review = DENIED.

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

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**CV-18-0234-PR**  
(20)

**SHELLY RAE BARRON v PAUL ROGER BARRON**  
*Court of Appeals, Division One*                      *1 CA-CV 17-0413 FC*

ORDERED: Petition for Review = GRANTED on issue A 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 March 5, 2019, and any responses to amicus briefs are due on or before March 15, 2019. Any amicus briefs or responses may not exceed 20 pages in length.

FURTHER ORDERED: Request for Attorneys' Fees (Appellant S. Barron) = CONTINUED.

**CV-18-0267-PR**  
(21)

**CHERYL LYNN STAIR et al v MARICOPA COUNTY et al**  
*Court of Appeals, Division One*                      *1 CA-CV 15-0758*

ORDERED: Petition for Review = DENIED.

**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.

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**CR-18-0087-PR**  
(23)

**CORONADO v HON. FIELDS/TUCSON CITY PROSECUTOR**  
*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.

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**CR-18-0318-PR**  
(27)

**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-18-0379-PR**  
(28)

**MACHADO v HON. BROWNING/STATE/TUCSON PROSECUTOR**  
*Court of Appeals, Division Two*                      2 CA-SA 18-0046

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

**CR-18-0489-PR**  
(29)

**STATE OF ARIZONA v WADE NOLAN CLAY**  
*Court of Appeals, Division One*                      1 CA-CR 18-0463 PRPC

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

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**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, February 5, 2019.

Scott Bales

Date: 2/5/19

Scott Bales, Chief Justice