

MINUTES
Arizona Supreme Court
Thursday, May 20, 2010

No. 2684

CR-09-0348-PR

STATE OF ARIZONA v WILLIAM WESTLEY DUNCAN

(1) *Court of Appeals Division One* *1 CA-CR 08-0801 PRPC*

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

CR-09-0360-PR

STATE OF ARIZONA v JOSEPH PADILLA BALDONADO

(2) *Court of Appeals Division One* *1 CA-CR 08-0850 PRPC*

ORDERED: Petition for Review of Denial of PCR = DENIED.

CR-10-0009-PR

STATE OF ARIZONA v ABELARDO CHAPARRO

(3) *Court of Appeals Division One* *1 CA-CR 08-0676 PRPC*

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

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

Vice Chief Justice Hurwitz voted to grant review.

CR-10-0027-PR

STATE OF ARIZONA v CARRIE ANNE FOGARTY

(4) *Court of Appeals Division One* *1 CA-CR 09-0334*

ORDERED: Petition for Review = DENIED.

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Arizona Supreme Court
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No. 2684

CV-09-0365-PR **ERIC ROGERS v HON. COTA/PHX CITY PROSECUTORS**
(5) *Court of Appeals Division One* *1 CA-CV 08-0848*

ORDERED: Petition for Review = DENIED.

CV-09-0381-PR **FRALEY CONTRACTING v PACE PACIFIC et al**
(6) *Court of Appeals Division One* *1 CA-CV 08-0663*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross Petition for Review = DENIED.

CV-09-0383-PR **PAUL E BAKER/LORNA J BAKER v FIRST AMERICAN TITLE**
(7) *Court of Appeals Division One* *1 CA-CV 08-0690*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellee First American Title Insurance] = DENIED as to fees but granted as to costs.

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CV-10-0003-PR **HENRY VARELA II v HONS. NELSON/BARTLETT/STATE**
(8) *Court of Appeals Division One* *1 CA-SA 09-0269*

ORDERED: Crime Victims' Motion for Expedited Determination, Affirmance and Further Orders = DENIED.

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

CV-10-0004-PR **CHARLES MOORE v HON. NELSON/STATE/ PAMELA MOORE**
(9) *Court of Appeals Division One* *1 CA-SA 09-0293*

ORDERED: Crime Victim's Motion to Strike "Petition for Review of a Special Action of the Court of Appeals" = DENIED.

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

CR-09-0356-PR **STATE OF ARIZONA v CHRISTOPHER LEE WILLIAMS**
(10) *Court of Appeals Division Two* *2 CA-CR 08-0287*

ORDERED: Petition for Review = DENIED.

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No. 2684

CV-09-0387-PR
(11)

ROY WARDEN v HON. HAYS/EISENBERG et al
Court of Appeals Division Two 2 CA-SA 09-0076

ORDERED: Petition for Review of a Special Action Decision of the Arizona Court of Appeals, Division 2 = DENIED.

CV-10-0049-PR
(12)

JAY B. v ADES/ISABELLA B.
Court of Appeals Division Two 2 CA-JV 09-0077

ORDERED: Appellant's Petition for Review = DENIED.

CR-10-0013-PR
(13)

STATE OF ARIZONA v RUSSELL L JONES
Court of Appeals Division One 1 CA-CR 07-0808

ORDERED: Petition for Review = DENIED.

CR-10-0018-PR
(14)

STATE OF ARIZONA v GILBERTO AYALA
Court of Appeals Division One 1 CA-CR 08-0937 PRPC

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

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No. 2684

CV-09-0378-PR
(15)

DOEHRER v JOHN C LINCOLN HEALTH NETWORK
Court of Appeals Division One *1 CA-CV 08-0649*

ORDERED: Petition for Review = DENIED.

CV-10-0005-PR
(16)

ADOR v CENTRAL NEWSPAPERS et al
Court of Appeals Division One *1 CA-TX 07-0016*

ORDERED: Petition for Review = DENIED.

CV-10-0016-PR
(17)

CHARLES HOGAN v HON. BLUFF/PF & AP/PLEWA
Court of Appeals Division One *1 CA-SA 09-0272*

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

CV-10-0038-PR
(18)

LEIGH SOROKIN MD v HON. PATRICIA ARNOLD/I T
Court of Appeals Division One *1 CA-SA 09-0130*

ORDERED: Petition for Review by the Arizona Supreme Court of a Special Action Opinion = DENIED.

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No. 2684

CV-10-0064-PR
(19)

ADES/S.L. v MATTHEW L.
Court of Appeals Division One

1 CA-JV 09-0141

ORDERED: Arizona Department of Economic Security's Petition for Review = DENIED.

CR-10-0004-PR
(20)

STATE OF ARIZONA v ANTHONY GABRIEL PESQUEIRA
Court of Appeals Division Two

2 CA-CR 08-0390

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

CR-10-0005-PR
(21)

STATE OF ARIZONA v SHAD KENDALL KNIGHT
Court of Appeals Division Two

2 CA-CR 08-0127

ORDERED: Petition for Review = DENIED.

CV-10-0011-PR
(22)

JORGE LUIS DIAZ ALONSO v HON. FELL/STATE
Court of Appeals Division Two

2 CA-SA 09-0082

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

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No. 2684

CV-10-0008-PR
(23)

STIRLING BRIDGE LLC et al v QUARLES & BRADY et al
Court of Appeals Division One *1 CA-CV 08-0255*

ORDERED: Petition for Review = DENIED.

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

CV-10-0015-PR
(24)

JOHN LEWANDOWSKI v AUCTION MANAGEMENT
Court of Appeals Division One *1 CA-CV 09-0080*

ORDERED: Appellee's Motion to Dismiss Petition for Review as Untimely Filed = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellee Auction Management] = GRANTED.

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No. 2684

CV-10-0044-PR
(25)

KULDIP VERMA v ANDREW DOUGHERTY et al

Court of Appeals Division One

1 CA-CV 07-0576

1 CA-CV 07-0747

1 CA-CV 08-0052

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

FURTHER ORDERED: Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellee/Cross-Appellant Verma] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellants/Cross-Appellees Dougherty] = GRANTED limited to fees incurred in responding to Petition for Review.

CV-10-0045-PR
(26)

KULDIP VERMA/BINU VERMA v TILLEY FARMS INC

Court of Appeals Division One

1 CA-CV 07-0576

1 CA-CV 07-0747

1 CA-CV 08-0052

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

FURTHER ORDERED: Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellees/Cross-Appellants Verma] = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs [Appellant/Cross-Appellee Tilley Farms] = GRANTED limited to fees incurred in responding to Petition for Review.

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No. 2684

CV-10-0046-PR
(27)

KULDIP et ux VERMA v TYSON S STUHR et ux

Court of Appeals Division One

1 CA-CV 07-0576

1 CA-CV 07-0747

1 CA-CV 08-0052

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs
[Appellants/Cross-Appellees Stuhr] = DENIED.

CV-10-0072-PR
(28)

URTUSUASTEGUI v HON. GRANVILLE/STATE ex rel THOMAS

Court of Appeals Division One

1 CA-SA 10-0035

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

CR-10-0008-PC
(29)

STATE OF ARIZONA v DONALD EDWARD BEATY

Maricopa County Superior Court

CR-0140790

ORDERED: Petition for Review and Consideration for State Writ of Habeas
Corpus [on Denial of Post-Conviction Relief] = DENIED.

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No. 2684

CR-10-0012-PR
(30)

STATE OF ARIZONA v SAMA YEGAN

Court of Appeals Division One

1 CA-CR 08-0455

ORDERED: Petition for Review = DENIED.

CR-10-0016-PR
(31)

STATE OF ARIZONA v DIBOR ELIZABETH ROBERTS

Court of Appeals Division One

1 CA-CR 08-0479

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

CR-10-0017-PR
(32)

STATE OF ARIZONA v CESAR MONTES

Court of Appeals Division Two

2 CA-CR 08-0148

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

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No. 2684

CR-10-0019-PR
(33)

STATE OF ARIZONA v BRAD ALAN BOWSER
Court of Appeals Division Two *2 CA-CR 09-0151 PRPC*

ORDERED: Petition for Review to 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.

The parties are requested to address in their briefs the applicability of A.R.S. sec. 13-903(A).

CR-10-0023-PR
(34)

STATE OF ARIZONA v FRANCISCO ANTHONY SALOMON
Court of Appeals Division Two *2 CA-CR 08-0310*

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

Vice Chief Justice Hurwitz voted to grant review as to Issue 1.

CV-09-0379-PR
(35)

NANCY J ANDREWS v CORONA ELECTRIC INC
Court of Appeals Division Two *2 CA-CV 09-0080*

ORDERED: Petition for Review = DENIED.

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No. 2684

CV-10-0033-PR
(40)

CHARLES GERSTEN v ETHEL GERSTEN

Court of Appeals Division One

1 CA-CV 08-0392

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees [Appellant/Cross-Appellee E. Gersten] = DENIED.

CV-10-0055-PR
(41)

SPECIAL FUND DIVISION v ICA/SORDIA et al

Court of Appeals Division One

1 CA-IC 08-0060

ORDERED: Petition for Review = DENIED.

CV-10-0062-PR
(42)

JAIME GAMBOA v DOROTHY J METZLER et vir

Court of Appeals Division One

1 CA-CV 09-0090

ORDERED: Petition for Review = DENIED.

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No. 2684

CV-10-0092-PR
(43)

IN RE NICKOLAS S.

Court of Appeals Division One

1 CA-JV 09-0147

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.

CR-09-0339-PR
(44)

STATE OF ARIZONA v JOSEPH WESLEY GOMEZ

Court of Appeals Division One

1 CA-CR 08-0318

ORDERED: Petition for Review by the Arizona Supreme Court = GRANTED as to issues A and B.

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-10-0024-PR
(45)

STATE OF ARIZONA v LAWRENCE TASHQUINTH SR

Court of Appeals Division Two

2 CA-CR 08-0172

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

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No. 2684

CR-10-0025-PR
(46)

STATE OF ARIZONA v JEFFREY POTTER
Court of Appeals Division Two 2 CA-CR 08-0299

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

CR-10-0036-PR
(47)

STATE OF ARIZONA v DEAN WILLIAM ZINSMEYER
Court of Appeals Division Two 2 CA-CR 08-0369

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

CR-10-0103-PR
(48)

STATE OF ARIZONA v RAY RYAN OLM
Court of Appeals Division Two 2 CA-CR 09-0254

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

CV-10-0023-PR
(49)

MATTHEW GELABERT et al v HON. FELL/STATE et al
Court of Appeals Division Two 2 CA-SA 09-0078

ORDERED: Oral Argument Requested = DENIED.

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

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No. 2684

CV-10-0026-PR **LUIS BALLESTEROS et al v AMERICAN STANDARD et al**
(50) *Court of Appeals Division Two* *2 CA-CV 09-0123*

Separate Order.

CV-10-0037-PR **LISA M SULAVKA v STATE OF ARIZONA**
(51) *Court of Appeals Division One* *1 CA-CV 08-0267*

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

CV-10-0048-PR **VERDECIA & HASTY v HON. MANGUM et al**
(52) *Court of Appeals Division One* *1 CA-SA 09-0297*

Separate Order.

CV-10-0098-PR **STACI C. v ADES/ELIJAH C.**
(53) *Court of Appeals Division One* *1 CA-JV 08-0192*

ORDERED: Rule 32.9(g) Petition for Review of Appellate Court Decision = DENIED.

MINUTES

No. 2684

Arizona Supreme Court
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CV-10-0114-PR
(57)

ARIZONA CITY v HON. OLSON/PINAL COUNTY et al
Court of Appeals Division Two *2 CA-SA 10-0016*

ORDERED: Petition for Review of April 16, 2010 Court of Appeals, Special Action Opinion = DENIED.



The foregoing action was taken by the Arizona Supreme Court on Thursday, May 20, 2010.

_____ **Date:** _____
Rebecca White Berch, Chief Justice