

**MINUTES**

*Arizona Supreme Court*  
**Tuesday, January 8, 2013**

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**CR-12-0320-PR**

**STATE OF ARIZONA v BRANDON KENT HENDERSON**

(1)

*Court of Appeals Division One*

*1 CA-CR 10-0659*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: (2nd) Petition for Review Arizona Supreme Court = DENIED.

**CV-12-0180-PR**

**KENNETH NARDELLI et ux v METROPOLITAN et al**

(2)

*Court of Appeals Division One*

*1 CA-CV 10-0350*

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

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellants/Cross-Appellees Kenneth Nardelli et ux) = DENIED.

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

Justice Pelander voted to grant review.

**CV-12-0239-PR**

**PASSARO v ICA/JEWISH FAMILY/SCF ARIZONA**

(3)

*Court of Appeals Division Two*

*2 CA-IC 11-0021*

ORDERED: Petition for Review = DENIED.

**MINUTES**  
*Arizona Supreme Court*  
**Tuesday, January 8, 2013**

---

No. 3878

**CV-12-0250-PR**  
(4)

**MARGARET RUIZ v VICKIE LUCIA**

*Court of Appeals Division One*

*1 CA-CV 11-0370*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorney's Fees (Appellant Lucia) = DENIED.

FURTHER ORDERED: Request for Attorney's Fees (Appellee Ruiz, Pro Se) = GRANTED and treating the request as a Request for Legal Document Preparer Fees under A.R.S. 12-341.02.

**CV-12-0275-PR**  
(5)

**STATE OF ARIZONA v HON. MUNGER/ABIGAIL ALETA ALLIN**

*Court of Appeals Division Two*

*2 CA-SA 12-0034*

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

**CV-12-0276-PR**  
(6)

**INDEPENDENT MORTGAGE v DENNIS ALABURDA et ux**

*Court of Appeals Division One*

*1 CA-CV 11-0301*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees and Costs (Appellees Alaburda et ux) = GRANTED.

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

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**CV-12-0288-PR**      **STATE OF ARIZONA v HON. RAYES/JULIUS JARREAU MOORE**  
(7)                      *Court of Appeals Division One*                      *1 CA-SA 12-0134*

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

**CV-12-0289-PR**      **STATE OF ARIZONA v HON. RAYES/DEREK DON CHAPPELL**  
(8)                      *Court of Appeals Division One*                      *1 CA-SA 12-0132*

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

**CR-12-0274-PR**      **STATE OF ARIZONA v RICHARD ALLEN WEBB**  
(9)                      *Court of Appeals Division Two*                      *2 CA-CR 12-0110 PRPC*

ORDERED: Petition for Review = DENIED.

**CR-12-0331-PR**      **STATE OF ARIZONA v MICHAEL KEVIN PENNEY**  
(10)                      *Court of Appeals Division One*                      *1 CA-CR 10-0766*

ORDERED: Petition for Review = DENIED.

**MINUTES**  
*Arizona Supreme Court*  
Tuesday, January 8, 2013

---

No. 3878

**CR-12-0340-PR**      **STATE OF ARIZONA v EDVIN MITA**  
(11)                      *Court of Appeals Division One*                      *1 CA-CR 11-0337*

ORDERED: Petition for Review = DENIED.

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

**CR-12-0341-PR**      **STATE OF ARIZONA v CHAD JARRETT WEITHEROW**  
(12)                      *Court of Appeals Division One*                      *1 CA-CR 11-0181*

ORDERED: Petition for Review = DENIED.

**CR-12-0389-PR**      **STATE OF ARIZONA v SCOTT ANDREW CYRUS**  
(13)                      *Court of Appeals Division One*                      *1 CA-CR 10-0967 PRPC*

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

**CV-12-0293-PR**      **CITY OF TUCSON v KELLY ROLLINGS**  
(14)                      *Court of Appeals Division Two*                      *2 CA-SA 12-0040*

ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: City of Tucson's Petition for Review = DENIED.

**MINUTES**  
*Arizona Supreme Court*  
**Tuesday, January 8, 2013**

---

No. 3878

**CV-12-0321-PR**      **ALEJANDRINA VASQUEZ v BORDER FITNESS GYM et al**  
(15)                      *Court of Appeals Division One*                      *1 CA-CV 11-0483*

ORDERED: Petition for Review = DENIED.

**CV-12-0345-PR**      **PARAMOUNT WINDOWS v ONEWEST BANK**  
(16)                      *Court of Appeals Division One*                      *1 CA-CV 11-0331*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Request for Attorneys' Fees (Appellee One West Bank) = GRANTED.

**CR-12-0124-PR**      **STATE OF ARIZONA v EDUARDO VASQUEZ CELAYA**  
(17)                      *Court of Appeals Division Two*                      *2 CA-CR 11-0364 PRPC*

Separate Order.

**CR-12-0266-PR**      **STATE OF ARIZONA v LONGINO E VALDEZ**  
(18)                      *Court of Appeals Division Two*                      *2 CA-CR 12-0030 PRPC*

ORDERED: Petition for Further Review = DENIED.

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

---

**CR-12-0338-PR**  
(19)

**STATE OF ARIZONA v ALFREDO GONZALEZ**

*Court of Appeals Division One*

*1 CA-CR 11-0494*

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

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

**CR-12-0407-PR**  
(20)

**STATE OF ARIZONA v ROHAN LIVINGSTON BUTLER**

*Court of Appeals Division Two*

*2 CA-CR 11-0264*

ORDERED: Motion to Depublish Court of Appeals Opinion = DENIED.

FURTHER ORDERED: Petition for Review by Supreme Court = DENIED.

**CR-12-0411-PR**  
(21)

**STATE OF ARIZONA v PATRICIO ENRIQUE MARTINEZ**

*Court of Appeals Division Two*

*2 CA-CR 11-0148*

ORDERED: Petition for Review = DENIED.

**CR-12-0418-PR**  
(22)

**STATE OF ARIZONA v XAVIER HIPOLITO ESTRELLA**

*Court of Appeals Division Two*

*2 CA-CR 11-0076*

ORDERED: Petition for Review = DENIED.

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

---

**CV-12-0269-PR**  
(23)

**SUZANNE CAMPBELL v ICA et al**  
*Court of Appeals Division One*

*1 CA-IC 11-0086*

ORDERED: Petition for Review = DENIED.

**CV-12-0307-PR**  
(24)

**STATE v HON. BAYARDI/FANNIN**  
*Court of Appeals Division One*

*1 CA-CV 11-0615*

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

**CV-12-0313-PR**  
(25)

**BRADLY ELLICO v HACKBERRY ELEMENTARY et al**  
*Court of Appeals Division One*

*1 CA-CV 10-0769*

ORDERED: Petition for Review = DENIED.

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

FURTHER ORDERED: Request for Attorneys' Fees (Appellee Hackberry Elementary et al) = GRANTED.

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

---

**CV-12-0322-PR**  
(26)

**RALPH CARR v HON. GOTTSFIELD/STATE**  
*Court of Appeals Division One*                      *1 CA-SA 12-0194*

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

FURTHER ORDERED: Request for Attorneys' Fees (Petitioner Carr) = DENIED.

**CV-12-0332-PR**  
(27)

**PATRICIA BRUINS v DESERT VILLA ADULT CARE et al**  
*Court of Appeals Division Two*                      *2 CA-CV 12-0015*

ORDERED: Petition for Review = DENIED.

**CR-12-0336-PR**  
(28)

**STATE OF ARIZONA v KARAMA AZIZI MWANDISHI**  
*Court of Appeals Division Two*                      *2 CA-CR 11-0384*

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

**CR-12-0388-PR**  
(29)

**STATE OF ARIZONA v LUIS ALBERTO AYALA GONZALEZ**  
*Court of Appeals Division One*                      *1 CA-CR 11-0235*

ORDERED: Petition for Review = DENIED.

FURTHER ORDERED: Cross-Petition for Review = DENIED.

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

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**CV-12-0298-PR**  
(30)

**STARCREST v DOUGLAS MILLER**

*Court of Appeals Division One*

*1 CA-CV 11-0395*

ORDERED: Appellant's Pro Per Petition for Review = DENIED.

**CV-12-0359-PR**  
(31)

**SYLVIA B. v ADES/DIEGO B.**

*Court of Appeals Division Two*

*2 CA-JV 12-0045*

ORDERED: Petition for Review = DENIED.

**CV-12-0398-PR**  
(32)

**SELECT SPECIALTY HOSPITAL v HON. CAHILL/HAWK**

*Court of Appeals Division Two*

*2 CA-SA 12-0063*

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

# MINUTES

No. 3878

*Arizona Supreme Court*  
Tuesday, January 8, 2013

---

CV-12-0267-PR  
(33)

**BOGUE v HON. GOTTSFIELD/STATE ex rel MONTGOMERY**  
*Court of Appeals Division One*                      *1 CA-SA 12-0137*

ORDERED: Petitioner's Request to Accelerate Consideration = DENIED.

FURTHER ORDERED: Request for Oral Argument = DENIED.

FURTHER ORDERED: Petition for Review = DENIED.



The foregoing action was taken by the Arizona Supreme Court on Tuesday, January 8, 2013.

\_\_\_\_\_ Date: \_\_\_\_\_  
Rebecca White Berch, Chief Justice