

Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0151

HOGUE et al. v. PHOENIX et al.

Appellate Case Information

Case Filed: 11-Mar-2015

Case Closed:

Dept/Composition

Department B

Hon. Kent E Cattani
Hon. Samuel A Thumma
Hon. Randall M Howe

Side 1. ALVIN HOGUE, et al., Plaintiff/Appellant

(Litigant Group) ALVIN HOGUE et al.

- Alvin Hogue
- Maria Nunez
- John Nunez
- Unique Martinez
- Krystal Gonzales
- Gilbert Martinez
- Jesus Vargas
- Kenia Vargas
- Melissa Vargas
- Alberto Balbuena
- Kenneth Washington
- Ricky Cunningham
- Jeannie Davis
- Ricky Miller
- Tammy Palmer
- Subiru Palma-Roman
- Inigio Cruz
- Adrienne McCormack

Attorneys for: Plaintiff/Appellant

Marc J Victor, Esq. (AZ Bar No. 16064)
Richard A Cruz, Esq. (AZ Bar No. 23164)
David J Catanese, Esq. (AZ Bar No. 12083)
Matthew O Brown, Esq. (AZ Bar No. 25213)
Adrian W Little, Esq. (AZ Bar No. 25245)
C Lincoln Combs, Esq. (AZ Bar No. 25080)
Kevin D Neal, Esq. (AZ Bar No. 11640)

Side 2. CITY OF PHOENIX, et al., Defendant/Appellee

(Litigant Group) CITY OF PHOENIX et al.

- City of Phoenix
- Roger Schneider
- Allison Sedowski

Attorneys for: Defendant/Appellee

Kathleen L Wieneke, Esq. (AZ Bar No. 11139)
Christina Retts, Esq. (AZ Bar No. 23798)
Nicholas D Acedo, Esq. (AZ Bar No. 21644)

CASE STATUS

Jan 10, 2017.... Pending Closure

PREDECESSOR CASE (S) +	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2010-092705	Wrongful Death		Arthur T Anderson, Authoring Judge of Order		
MAR CV2010-099221					
MAR CV2012-095372					
MAR CV2012-095373					

DESCENDENT CASE (S)

ASC CV-16-0197-PR

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OPEN DUE DATE

Stay Request (re: Writ of Certiorari) due

Due By: Wednesday, January 25, 2017

Re: Minute Letter of ASC: Petition for Review DENIED

CASE DECISION

14-Jul-2016 OPINION

Randall Howe.....Author
Kent Cattani.....Concur
Samuel Thumma.....Concur

Filed: **14-Jul-2016** Mandate:

Decision Disposition

Affirmed

36 PROCEEDING ENTRIES

1. 11-Mar-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 02/13/15 (Plfs); Notice of Cross Appeal from Maricopa County Superior Court filed 3/5/15 (Defs)
2. 11-Mar-2015 FILED: e-Record on Appeal (CV2012-095373): Instruments/Minute Entries
3. 11-Mar-2015 FILED: e-Record on Appeal (CV2010-092705 - LEAD): Instruments/Minute Entries
4. 11-Mar-2015 FILED: e-Record on Appeal (CV2010-099221): Instruments/Minute Entries
5. 11-Mar-2015 FILED: e-Record on Appeal (CV2012-095372): Instruments/Minute Entries
6. 11-Mar-2015 FILED: e-Record on Appeal (CV2012-095374): Instruments/Minute Entries
7. 17-Mar-2015 FILED: Notice to Parties re: Appellants/Cross-Appellees' Fee/Case Management Statement/Brief Due
8. 30-Mar-2015 RECEIPT No.: 2015-00423 ; \$280.00, Check Number: #5707, Applied to: ALVIN HOGUE et al. - Class A Filing Fee (\$280.00) Paid for: Alvin Hogue - By Marc J Victor
9. 6-Apr-2015 FILED: Case Management Statement (Appellants)
10. 6-Apr-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including signed Rule 54 (b) Judgment of 3/26/15 filed 3/27/15)
11. 7-Apr-2015 FILED: Appellee/Cross Appellant's Notice Re: No Cross Appellant's Fee Due and Case Management Statement Due/Appellant's Brief Due
12. 9-Apr-2015 FILED: Notice of Settlement re: Cross-Appeal; Certificate of Service (Cross-Appellant)
13. 15-Apr-2015 ORDERED: dismissing cross-appeal. FURTHER ORDERED: Amending caption in this appeal by removing designations of "cross-appellants" and "cross-appellees." Caption shown on order shall be used on all further documents filed in appeal. Melina Brill ProTem Judge - Author
14. 24-Apr-2015 FILED: Notice of Association as Counsel of Record for Plaintiffs/Appellants/Cross-Appellees; Certificate of Service
15. 29-Apr-2015 FILED: Reporter's Transcript of Proceedings - 10/21/14 - Motion for New Trial (Miguel Benitez)
16. 7-May-2015 FILED: Appellees' Case Management Statement
17. 18-May-2015 FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service

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18. 18-May-2015 FILED: Appendix to Appellants' Opening Brief; (Appendix to Appellants' Opening Brief) Exhibits
19. 29-May-2015 FILED: Reporter's Transcripts of Proceedings 2/7/14 (Marylynn LeMoine)
20. 29-Jun-2015 FILED: Appellees' Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
21. 30-Jun-2015 ORDERED: Extending the time to file the Answering Brief to/including 8/5/15. Melina Brill ProTem Judge - Author
22. 2-Jul-2015 FILED: Reporter's Transcripts of Proceedings 2/13/14 (Robin G Bobbie); Certificate of Service (Appellants)
23. 5-Aug-2015 FILED: Appellees' Answering Brief; Certificate of Compliance re: Answering Brief; Certificate of Service (Appellee)
24. 17-Aug-2015 FILED: Appellants' Unopposed Motion For Extension of Time to File Reply Brief; Certificate of Service (Appellant)
25. 18-Aug-2015 ORDERED: Appellants' Unopposed Motion For Extension of Time to File Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 08-31-2015 to Tuesday, 09-15-2015. Melina Brill ProTem Judge - Author
26. 15-Sep-2015 FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service
27. 6-Oct-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
28. 16-Oct-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
29. 29-Feb-2016 CLNDR: CONFERENCE, Department B, 4-5-16, COURTROOM 2.
30. 14-Jul-2016 OPINION (Affirmed) Hon Randall M Howe - Author; Hon Kent E Cattani Judge - Concur; Hon Samuel A Thumma - Concur
31. 14-Jul-2016 FILED: Opinion Distribution List
32. 25-Jul-2016 FILED: Appellees' Statement of Costs; Certificate of Service (Appellee)
33. 16-Aug-2016 FILED: Email Notice from ASC re: Petition for Review filed 8/16/16; request for partial record
34. 17-Aug-2016 FILED: Letter forwarding partial record to Arizona Supreme Court
35. 23-Aug-2016 ORDERED: awarding Appellee its costs in the amount of \$124.00. Amy M Wood - Author
36. 10-Jan-2017 FILED: Letter from ASC, 01/10/2017, re: Petition for Review DENIED on 01/10/2017