

**Court of Appeals, Division One**  
**Civil Appeal**

**1 CA-CV 15-0248**

**LEWIS v. PERSONNEL BOARD et al.**

<b>Appellate Case Information</b> Case Filed: 21-Apr-2015 Case Closed:	<b>Dept/Composition</b> <b>Department D</b> Hon. Diane M Johnsen Hon. Randall M Howe Hon. Andrew W Gould
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**Side 1. BENNETT LEWIS, Plaintiff/Appellant**  
**(Litigant Group) BENNETT LEWIS**

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|---|---|
| <ul style="list-style-type: none"> <li>Bennett Lewis</li> </ul> | <b>Attorneys for: Plaintiff/Appellant</b><br>Neil Landeen, Esq. (AZ Bar No. 24056)<br>Michael Pang, Esq. (AZ Bar No. 30037) |
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**Side 2. ARIZONA STATE PERSONNEL BOARD; MARK ZISKA; JOSEPH SMITH; MARK STANTON; JOSEPH BEERS; ARIZONA DEPARTMENT OF CORRECTIONS; CHARLES RYAN, Defendant/Appellee**  
**(Litigant Group) STATE PERSONNEL BOARD**

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|---|---|
| <ul style="list-style-type: none"> <li>Arizona State Personnel Board</li> <li>Mark Ziska</li> <li>Joseph Smith</li> <li>Mark Stanton</li> <li>Joseph Beers</li> </ul> | <b>Attorney for: Defendants/Appellees Personnel Board</b><br>Jeffrey A Bernick, Esq. (AZ Bar No. 13162) |
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**(Litigant Group) ADOC; CHARLES RYAN**

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| <ul style="list-style-type: none"> <li>Arizona Department of Corrections</li> <li>Charles L Ryan</li> </ul> | <b>Attorney for: Defendants/Appellees ADOC et al</b><br>Michelle Kunzman, Esq. (AZ Bar No. 24134) |
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**CASE STATUS**

Sep 7, 2016.....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR LC2014-000282-001	Judicial Review of Administrative Decision		Crane McClennen, Authoring Judge of Order		

**DESCENDENT CASE (S)**

ASC CV-16-0216-PR

**CASE DECISION**

07-Jul-2016 **OPINION**

Randall Howe.....Author  
 Diane Johnsen.....Concur  
 Andrew Gould.....Concur

Filed: 07-Jul-2016	Mandate:
Decision Disposition	
<b>Affirmed</b>	

**31 PROCEEDING ENTRIES**

- 21-Apr-2015 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 03/23/15
- 21-Apr-2015 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits - not sent at this time
- 27-Apr-2015 FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due
- 29-Apr-2015 RECEIPT No.: 2015-00567 ; \$280.00, Check Number: #3962, Applied to: BENNETT LEWIS - Class A Filing Fee (\$280.00) Paid for: - By Yen Pilch & Landeen PC
- 8-May-2015 FILED: Appellee's Notice re: No Appellees' Fees' Due/Appellant's Brief Due

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**31 PROCEEDING ENTRIES**

6. 15-May-2015 FILED: Case Management Statement (Appellant)
7. 24-Jun-2015 FILED: Appellants' Motion for Procedural Order to Extend Time for Filing Opening Brief; Certificate of Service (Appellant)
8. 24-Jun-2015 ORDERED: Appellants' Motion for Procedural Order to Extend Time for Filing Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Friday, 06-26-2015 to Monday, 07-27-2015. Melina Brill ProTem Judge - Author
9. 27-Jul-2015 FILED: Opening Brief Of Plaintiff/Appellant Bennett Lewis; Certificate of Compliance; Certificate of Service (Appellant)
10. 30-Jul-2015 FILED: Notice of Appearance; Certificate of Service (Appellees ADOC/Charles Ryan)
11. 6-Aug-2015 FILED: Notice of Appearance; Certificate of Service (Appellee State Personnel)
12. 8-Sep-2015 FILED: Motion to Extend Time to File Answering Brief; Certificate of Service (Appellee)
13. 9-Sep-2015 ORDERED: Motion to Extend Time to File Answering Brief (Appellee) = GRANTED. All Answering Briefs - Due date EXTENDED from Monday, 09-14-2015 to Wednesday, 10-14-2015. Melina Brill ProTem Judge - Author
14. 29-Sep-2015 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee ADOC)
15. 14-Oct-2015 FILED: Answering Brief of Appellee Arizona State Personnel Board; Certificate of Compliance; Certificate of Service
16. 15-Oct-2015 FILED: Appellant's Motion for Procedural Order to Extend Time for Filing Reply Briefs; Certificate of Service (Appellant)
17. 19-Oct-2015 ORDERED: Appellant's Motion for Procedural Order to Extend Time for Filing Reply Briefs (Appellant) = GRANTED in part and extending time for filing combined reply brief to/including 11/9/15. Melina Brill ProTem Judge - Author
18. 6-Nov-2015 FILED: Combined Reply Brief of Plaintiff/Appellant Bennett Lewis; Certificate of Compliance; Certificate of Service
19. 4-Dec-2015 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
20. 14-Dec-2015 FILED: Supplemented Superior Court e-Record with Revised Index of Record
21. 14-Dec-2015 FILED: Additional Record Filed:  
Exhibit Arizona State Personnel Board - filed 7/25/14 - 1 CD in manila envelope.
22. 22-Dec-2015 FILED: Appellant's Supplemental Citation of Legal Authority; Certificate of Service
23. 17-Feb-2016 FILED: Notice of Filing Petition for Review; Certificate of Service (Appellee ADOC)
24. 31-Mar-2016 CLNDR: CONFERENCE, Department D, 5-4-16, COURTROOM 2.
25. 7-Jul-2016 OPINION (Affirmed) Hon Randall M Howe - Author; Hon Diane M Johnsen - Concur; Hon Andrew W Gould - Concur
26. 7-Jul-2016 FILED: Opinion Distribution List
27. 22-Jul-2016 FILED: Appellant's Motion For Reconsideration; Certificate of Compliance; Certificate of Service (Appellant)
28. 29-Jul-2016 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellees ADOC)
29. 22-Aug-2016 ORDERED: Appellant's Motion For Reconsideration (Appellant) = DENIED. Hon Randall M Howe - Author
30. 7-Sep-2016 FILED: Email Notice from ASC re: Petition for Review filed 9/6/16; request for partial record
31. 7-Sep-2016 FILED: Letter forwarding partial record to Arizona Supreme Court