Court of Appeals, Division One

Civil Appeal

1 CA-CV 15-0498 STATE v. MCCCD et al.

Appellate Case Information

Case Filed: 30-Jul-2015

Case Closed:

Dept/Composition

Department A

Hon. Kenton D Jones
Hon. Patricia K Norris
Hon. Paul J McMurdie

Side 1. STATE OF ARIZONA ex rel. Attorney General Mark Brnovich, Counter-Defendant, Plaintiff/Appellant

(Litigant Group) STATE OF ARIZONA

- **State of Arizona**
- **Mark Brnovich**
  AZ Bar No. 14134
  [Current Member]
  Admitted 5/23/92

Attorneys for: Plaintiff/Appellant

Kevin D Ray, Esq. (AZ Bar No. 7485)

Rusty D Crandell, Esq. (AZ Bar No. 26224)

Side 2. MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT BOARD, Defendant/Appellee

(Litigant Group) MCCCD

- **Maricopa County Community College District**

Attorneys for: Defendant/Appellee MCCCD

Mary R O'Grady, Esq. (AZ Bar No. 11434)

Lynne C Adams, Esq. (AZ Bar No. 11367)

Eric M Fraser, Esq. (AZ Bar No. 27241)

Side 3. ABEL BADILLO and BIBIANA VAZQUEZ, Intervenor-Defendants/Appellees/Counter-Plaintiffs, Intervenor/Appellee

(Litigant Group) ABEL BADILLO and BIBIANA VAZQUEZ

- **Abel Badillo**
- **Bibiana Vazquez**

Attorneys for: Intervenor-Defendants/Appellees

Daniel R Ortega, Jr, Esq. (AZ Bar No. 5015)

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Victor Viramontes, Esq. (AZ Bar No. VictorViramontes)

Martha L Gomez, Esq. (AZ Bar No. MarthaLGomez)

Noel Fidel, Esq. (AZ Bar No. 2486)

CASE STATUS

Jan 10, 2017....Under Advisement

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	CV2013-009093	Declaratory and Injunctive Relief		Arthur T Anderson, Authoring Judge of Order		

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR

10-Jan-2017 **Department A; COURTROOM 1**

11:00 AM STATE OF ARIZONA..... 20 mins.

MCCCD..... 20 mins.

ABEL BADILLO and BIBIANA VAZQUEZ..... 20 mins.

46 PROCEEDING ENTRIES

1.	30-Jul-2015	FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 07/01/15
2.	30-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	6-Aug-2015	FILED: Notice to Parties re: No Appellant's Fee/Appellees' Fees/Case Management Statement/Brief Due
4.	11-Aug-2015	FILED: Notice of Substitution of Counsel Within the Same Firm; Certificate of Service (Appellee)

Information presented in this document may not reflect all case activity and is subject to change without notice.

46 PROCEEDING ENTRIES

5.	14-Aug-2015	RECEIPT No.: 2015-01127 ; $140.00, Authorization: #25012625155, Applied to: MCCCD - Overpayment Class B ($140.00) Paid for: Osborn Maledon PA - By Integrated Resource Systems IN (Memo: Pmt made in error - Exempt from fee - Refund needed)
6.	17-Aug-2015	RECEIPT No.: 2015-01131 ; $140.00, Check Number: #081115, Applied to: ABEL BADILLO and BIBIANA VAZQUEZ - Class B Filing Fee ($140.00) Paid for: - By Mexican American Legal Defense & Educational Fund
7.	21-Aug-2015	FILED: Letter, 8/21/15, COA to Osborn Maledon PA re: Refund of duplicate [sic] (exempt) filing fees
8.	25-Aug-2015	FILED: Plaintff/Counter-Defendant/Appellant Case Management Statement
9.	22-Sep-2015	FILED: Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
10.	24-Sep-2015	ORDERED: Unopposed Motion for Extension of Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 10-05-2015 to Wednesday, 11-04-2015. Melina Brill ProTem Judge - Author
11.	29-Oct-2015	FILED: Second Unopposed Motion for Extension of Time to File Opening Brief; Certificate of Service (Appellant)
12.	2-Nov-2015	ORDERED: Extending the time for filing the Opening Brief to/including 11/18/15. Melina Brill ProTem Judge - Author
13.	18-Nov-2015	FILED: Plaintiff-Appellant's Opening Brief; Certificate of Compliance; Certificate of Service
14.	25-Nov-2015	FILED: Joint Unopposed Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
15.	27-Nov-2015	ORDERED: Joint Unopposed Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED and extending time for filing all answering briefs to/including 2/3/16. Barbara Vidal Vaught ProTem Judge - Author
16.	23-Dec-2015	FILED: Second Unopposed Joint Motion for Extension of Time to File Answering Briefs; Certificate of Service (Intervenor)
17.	23-Dec-2015	FILED: Amended Certificate of Service (re: Second Unopposed Joint Motion for Extension of Time) (Intervenor/Appellee)
18.	28-Dec-2015	ORDERED: Denying the Second Unopposed Joint Motion for Extension of Time to File Answering Briefs. Barbara Vidal Vaught ProTem Judge - Author
19.	11-Jan-2016	FILED: Second Unopposed Motion for Second Extension of Time to File Answering Briefs (Badillo/Vazquez); Certificate of Service (Appellee)
20.	12-Jan-2016	ORDERED: Second Unopposed Motion for Second Extension of Time to File Answering Briefs (Badillo/Vazquez) (Appellee) = GRANTED. Due date EXTENDED from Wednesday, 02-03-2016 to Wednesday, 02-17-2016. Melina Brill ProTem Judge - Author
21.	17-Feb-2016	FILED: Request for Oral Argument; Certificate of Service (Appellee)
22.	17-Feb-2016	FILED: Intervenors Defendants-Appellees' Notice of Appearance of Noel Fidel; Certificate of Service (Appellee Badillo/Vazquez)
23.	17-Feb-2016	FILED: Defendant-Appellee Combined Answering Brief and Appendix; Certificate of Compliance; Certificate of Service (Appellee MCCCD)
24.	17-Feb-2016	FILED: Intervenors/Defendants-Appellees Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Badillo/Vazquez)
25.	18-Feb-2016	FILED: Intervenors Defendants-Appellees Notice of Errata and Correction to Answering Brief; Certificate of Service (Appellee Badillo/Vazquez)
26.	18-Feb-2016	FILED: Intervenors/Defendants-Appellees Answering Brief (Corrected); Certificate of Compliance; Certificate of Service (Appellee Badillo/Vazquez)
27.	18-Feb-2016	FILED: Intervenors/Defendants-Appellees Request for Oral Argument; Certificate of Service (Intervenor)
28.	29-Feb-2016	FILED: Plaintiff-Appellant's First, Unopposed Motion for Procedural Order ot Extend Time to File Reply Brief; Certificate of Service (Appellant)
29.	1-Mar-2016	ORDERED: Plaintiff-Appellant's First, Unopposed Motion for Procedural Order ot Extend Time to File Reply Brief (Appellant)= GRANTED. Due date EXTENDED from Monday, 03-14-2016 to Monday, 03-28-2016. Barbara Vidal Vaught ProTem Judge - Author

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46 PROCEEDING ENTRIES

30.	28-Mar-2016	FILED: Plaintiff-Appellant's Reply Brief; Certificate of Compliance for Plaintiff-Appellant's Reply Brief; Certificate of Service for Plaintiff-Appellant's Reply Brief
31.	27-Apr-2016	FILED: Notice of Supplemental Citation of Legal Authority; Certificate of Service; Exhibit A (Intervenor/Appellees)
32.	3-May-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
33.	11-May-2016	ORDERED: Request for Oral Argument (Appellee) and Intervenors/Defendants-Appellees Request for Oral Argument (Intervenor) = GRANTED. Hon Michael J Brown - Author
34.	12-May-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
35.	28-Nov-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department A, 1-10-17, 11:00 am, COURTROOM 1.
36.	29-Nov-2016	FILED: Notice of Oral Argument
37.	2-Dec-2016	FILED: Receipt for Notice of Oral Argument, signed by Mary R O'Grady on 11/29/2016 (Appellee MCCCD)
38.	6-Dec-2016	ORDERED: granting the request (request by Capitol Media Services to audio-record oral argument scheduled for 01/10/2017), subject to following restrictions as listed in order. Hon Kenton D Jones - Author
39.	16-Dec-2016	FILED: Substitution of Counsel; Certificate of Service for Notice of Substitution of Counsel (Appellant)
40.	16-Dec-2016	FILED: Appellees' Joint Motion for Procedural Order to Reschedule Oral Argument; Certificate of Service; Exhibits A and B (Appellee)
41.	19-Dec-2016	FILED: Appellant State of Arizonas Response to Appellees Joint Motion to Reschedule Oral Argument; Certificate of Service (Appellant)
42.	20-Dec-2016	FILED: Reply in Support of Appellees' Joint Motion for Procedural Order to Reschedule Oral Argument; Certificate of Service (Appellee)
43.	22-Dec-2016	ORDERED: Appellees' Joint Motion for Procedural Order to Reschedule Oral Argument (Appellee) = DENIED/without prejudice to Appellees and the State raising the issues presented in the motion at oral argument. FURTHER ORDERED: affirming the previously scheduled oral argument scheduled 01/10/2017. Hon Kenton D Jones - Author
44.	3-Jan-2017	FILED: Receipt for Notice of Oral Argument, signed by Rusty D Crandell on 11/29/2016 (Appellant)
45.	4-Jan-2017	FILED: Receipt for Notice of Oral Argument, signed by Victor Viramontes on 11/29/2016 (Intervenor/Appellees)
46.	10-Jan-2017	FILED: Sign-in Sheet/Case is Under Advisement as of 01/10/2017 (Dept A)

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