Court of Appeals, Division One

Tax Appeal

1 CA-TX 15-0006 SOUTH POINT v. ADOR/MOHAVE

Appellate Case Information

Case Filed: 9-Jul-2015

Case Closed:

Dept/Composition

Department C

Hon. Patricia A Orozco
Hon. Peter B Swann
Hon. Andrew W. Gould

Consolidated with: 1 CA-TX 15-0005

Side 1. SOUTH POINT ENERGY CENTER, LLC, Plaintiff/Appellant

(Litigant Group) SOUTH POINT ENERGY CENTER LLC

- **South Point Energy Center LLC**

Attorneys for: Plaintiff/Appellant

Patrick Derdenger, Esq. (AZ Bar No. 5874)

Bennett Evan Cooper, Esq. (AZ Bar No. 10819)

Dawn R Gabel, Esq. (AZ Bar No. 12719)

Side 2. ARIZONA DEPARTMENT OF REVENUE, an agency of the State of Arizona; and MOHAVE COUNTY, a political subdivision of the State of Arizona, Defendant/Appellee

(Litigant Group) ADOR/MOHAVE

- **Arizona Department of Revenue**
- **Mohave County**

Attorneys for: Defendants/Appellees

Kenneth J Love, Esq. (AZ Bar No. 10986)

Kimberly J Cygan, Esq. (AZ Bar No. 13977)

CASE STATUS

Nov 3, 2016.....Decision Rendered

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR	TX2014-000451	Property Tax		Christopher T Whitten, Authoring Judge of Order		

OPEN DUE DATE

Petition for Review to ASC due **Due By:** Monday, December 5, 2016

Re: OPINION (Vacated, Remanded) Hon Peter B Swann - Author; Hon Patricia A Orozco - Concur; Hon Andrew W Gould - Concur

PENDING MATTER

General Motion Filed: 18-Nov-2016

Appellant's Verified Statement of Costs; Certificate of Service for Appellant's Verified Statement of Costs (Appellant)

CASE DECISION

03-Nov-2016 OPINION

Peter Swann.....Author
Patricia Orozco.....Concur
Andrew Gould.....Concur

Filed: **03-Nov-2016** Mandate:

Decision Disposition
Vacated
Remanded

DECISION APPLIES TO THE FOLLOWING OTHER CASE(S)

1 CA-TX 15-0005 SOUTH POINT v. ADOR/MOHAVE

32 PROCEEDING ENTRIES

1.	9-Jul-2015	FILED: Index of Record, Notice of Appeal Filed 6/11/15
2.	9-Jul-2015	FILED: e-Record on Appeal: Instruments/Minute Entries
3.	16-Jul-2015	FILED: Notice to Counsel re: Appellant's Fee/Brief due

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

32 PROCEEDING ENTRIES

4.	21-Jul-2015	FILED: Notice of Payment of Appellant's Filing Fee; Certificate of Service re Notice of Payment of Appellant's Filing Fee
5.	24-Jul-2015	RECEIPT No.: 2015-01024 ; $280.00, Authorization: 04012471480, Applied to: SOUTH POINT ENERGY CENTER LLC - Class A Filing Fee ($280.00) Paid for: Steptoe & Johnson LLP - By Integrated Resource Systems IN
6.	5-Aug-2015	FILED: Case Management Statement (Appellant)
7.	20-Aug-2015	FILED: Motion for a Procedural Order Consolidating Appeals; Certificate of Service re Motion for a Procedural Order Consolidating Appeals; Exhibit A; Exhibit B (Appellant)
8.	21-Aug-2015	FILED: Response to Motion for A Procedural Order Consolidating Appeals; Certificate of Service (Appellee)
9.	24-Aug-2015	FILED: Reply in Support of Motion for a Procedural Order Consolidating Appeals; Certificate of Service (Appellant)
10.	2-Sep-2015	ORDERED: Motion for a Procedural Order Consolidating Appeals; (Appellant) = GRANTED and consolidating cases 1 CA-TX 15-0005 and 1 CA-TX 15-0006. Case No. 1 CA-TX 15-0005 is designated primary number. FURTHER ORDERED: Denying appellees' request to exceed word limit in answering brief w/o prejudice to appellees filings a motion for leave to file an over-length answering brief at appropriate time. FURTHER ORDERED: Any attorneys' fees issues should be included in briefing and will be address by panel that considers this appeal on merits. FURTHER ORDERED; Opening brief is due on 9/14/15. Melina Brill ProTem Judge - Author
11.	14-Sep-2015	ORDERED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 09-14-2015 to Tuesday, 10-13-2015. Barbara Vidal Vaught ProTem Judge - Author
12.	13-Oct-2015	FILED: Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief; Certificate of Service re Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief (Appellant)
13.	15-Oct-2015	ORDERED: Appellant's Unopposed Motion for Procedural Order Further Extending the Time to File the Opening Brief; (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 10-13-2015 to Friday, 10-23-2015. Melina Brill ProTem Judge - Author
14.	23-Oct-2015	FILED: Appellant's Opening Brief; Certificate of Compliance for Appellant's Opening Brief; Certificate of Service for Appellant's Opening Brief
15.	23-Nov-2015	FILED: Motion for Procedural Order to Extend Deadline for Filing Answering Brief; Certificate of Service; Affidavit in Support of Motion for A Procedural Order for Extension of Time to File the Department's Answering Brief (Appellee)
16.	24-Nov-2015	ORDERED: Motion to Extend Deadline for Filing Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 12-07-2015 to Thursday, 01-14-2016. No further extension will be granted. Barbara Vidal Vaught ProTem Judge - Author
17.	14-Jan-2016	FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service
18.	7-Feb-2016	FILED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief; Certificate of Service re Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief (Appellant)
19.	8-Feb-2016	ORDERED: Appellant's Unopposed Motion for Procedural Order Extending the Time to File the Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 02-08-2016 to Wednesday, 03-09-2016. Barbara Vidal Vaught ProTem Judge - Author
20.	9-Mar-2016	FILED: Appellants' Request for Oral Argument; Certificate of Service for Request for Oral Argument (Appellant)
21.	9-Mar-2016	FILED: Appellant's Reply Brief; Certificate of Compliance for Appellant's Reply Brief; Certificate of Service for Appellant's Reply Brief
22.	29-Apr-2016	CLNDR: MONTHLY COURT CASE CALENDAR, Department C, 6-8-16, 10:15 am, COURTROOM 2.
23.	6-May-2016	FILED: Memorandum: Judge Gould for Judge Thompson (Chief Judge Brown)
24.	6-May-2016	ORDERED: Appellants' Request for Oral Argument = GRANTED. Oral argument will be scheduled in the normal course of the court's civil appeals calendar, and the court will notify counsel of the date. Hon Michael J Brown - Author
25.	9-May-2016	FILED: Notice of Oral Argument

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32 PROCEEDING ENTRIES

26.	31-May-2016	FILED: Return Receipt for Notice of Oral Argument signed by Bennett Evan Cooper on 5/9/16; Certificate of Service for Return Receipt for Notice of Oral Argument (Appellant)
27.	31-May-2016	FILED: Return Receipt for Notice of Oral Argument signed by Kenneth J Love on 5/9/16; Certificate of Service (Appellees)
28.	8-Jun-2016	FILED: Sign-in Sheet/Case is Under Advisement (Dept C/T)
29.	21-Jun-2016	FILED: Appellant's Notice of Supplemental Authority; Certificate of Service for Appellant's Notice of Supplemental Authority
30.	3-Nov-2016	OPINION (Vacated, Remanded) Hon Peter B Swann - Author; Hon Patricia A Orozco - Concur; Hon Andrew W Gould - Concur
31.	3-Nov-2016	FILED: Opinion Distribution List
32.	18-Nov-2016	FILED: Appellant's Verified Statement of Costs; Certificate of Service for Appellant's Verified Statement of Costs (Appellant)

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