

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0284

DAVIS, et al. v. STATE

Appellate Case Information

Case Filed: 26-May-2023

Case Closed:

Dept/Composition

Department B

Hon. Andrew M Jacobs
Hon. Jennifer M Perkins
Hon. David D Weinzwieg

Side 1. CLINT DAVIS, et al., Plaintiff/Appellee

(Litigant Group) CLINT DAVIS, et al.

- Clint Davis

- Gloria L Cales
AZ Bar No. 10802
[Current Member]
Admitted 10/25/86

Attorneys for: Plaintiffs/Appellees

Jenna Bailey, Esq. (AZ Bar No. 29333)

Side 2. STATE OF ARIZONA, Defendant/Appellant

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Defendant/Appellant

Michelle C Lombino, Esq. (AZ Bar No. 16252)

Lucy M Rand, Esq. (AZ Bar No. 26919)

Rebecca Banes, Esq. (AZ Bar No. 34212)

CASE STATUS

Apr 16, 2024.....Decision Rendered

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2020-096079	Negligence		Roger E Brodman, Authoring Judge of Order		

2 OPEN DUE DATES

Motion for Reconsideration due

Due By:

Wednesday, May 1, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Jennifer M Perkins - Author; Hon Andrew M Jacobs - Concur; Hon David D Weinzwieg - Concur

Petition for Review to ASC due

Due By:

Thursday, May 16, 2024

Re: MEMORANDUM DECISION (Vacated, Remanded) Hon Jennifer M Perkins - Author; Hon Andrew M Jacobs - Concur; Hon David D Weinzwieg - Concur

CALENDAR

Tuesday MONTHLY COURT CASE CALENDAR
9-Apr-2024 Department B; CONFERENCE ROOM

Mixed

CASE DECISION

16-Apr-2024 MEMORANDUM DECISION

Jennifer Perkins.....Author
Andrew Jacobs.....Concur
David Weinzwieg.....Concur

Filed: 16-Apr-2024

Mandate:

Decision Disposition

Vacated
Remanded

24 PROCEEDING ENTRIES

1. 26-May-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 04/28/23

2. 26-May-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Exhibits: None

3. 30-May-2023 FILED: Appellate Clerk Notice re: No Appellant's Fee Due/Appellee's Fee Due/Case Management Statement/Brief Due

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

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0284****DAVIS, et al. v. STATE****24 PROCEEDING ENTRIES**

4.	5-Jun-2023	FILED: Appellee's Notice of Payment of Filing Fee; Certificate of Service (Appellee)
5.	5-Jun-2023	FILED: Reporter's Transcript - 11/16/2022 - Oral Argument (Kimberly McCright) (Appellant)
6.	5-Jun-2023	FILED: Reporter's Transcript - 02/24/2023 - Oral Argument and Trial Setting Conference (Kimberly McCright) (Appellant)
7.	6-Jun-2023	FILED: Motion to Suspend Appeal and to Revest Jurisdiction in the Superior Court; Certificate of Service (Appellant)
8.	7-Jun-2023	ORDERED: Vacating the 07/31/2023 due date for the opening brief. The order ruling on the pending motion to suspend will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
9.	8-Jun-2023	RECEIPT No.: 2023-00503 ; \$140.00, Authorization: #59012381599, Applied to: CLINT DAVIS, et al. - Class B Filing Fee (\$140.00) Paid for: Bailey Law Firm PLLC - By nCourt LLC
10.	16-Jun-2023	FILED: Case Management Statement (Appellant)
11.	21-Jun-2023	ORDERED: Motion to Suspend Appeal and to Revest Jurisdiction in the Superior Court (Appellant) = GRANTED and, pursuant to Arizona Rule of Civil Appellate Procedure 3(b), staying this appeal until 08/07/2023. FURTHER ORDERED: Revesting jurisdiction in the Maricopa County Superior Court and authorizing that court to consider motion to vacate. This court does not express an opinion regarding the merits of that motion. FURTHER ORDERED: The stay will be lifted automatically on 08/07/2023, unless before that date appellant files a motion to continue the stay of this appeal. FURTHER ORDERED: Within 10 days after the superior court rules on the motion, appellant must file a notice in this court with the ruling attached. FURTHER ORDERED: If the superior court grants the motion, the notice should indicate whether the ruling affects the subject judgment of this appeal and if so, whether appellant intends to pursue this appeal. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: The opening brief is due on 09/06/2023. Melina Brill ProTem Judge - Author
12.	4-Aug-2023	FILED: Motion to Continue Stay of Appeal; Certificate of Service (Appellant)
13.	4-Aug-2023	ORDERED: Motion to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/06/2023, for the purposes set forth in this court's 06/21/2023 stay order. FURTHER ORDERED: The opening brief is due on 10/06/2023. Melina Brill ProTem Judge - Author
14.	28-Aug-2023	FILED: Appellant's Notice of Superior Court Order; Certificate of Service; Exhibit A (Appellant)
15.	30-Aug-2023	ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: The opening brief is due on 10/30/2023. Melina Brill ProTem Judge - Author
16.	20-Sep-2023	FILED: Supplemented Superior Court e-Record with Revised Index of Record
17.	30-Oct-2023	FILED: State of Arizona's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
18.	11-Dec-2023	FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
19.	2-Jan-2024	FILED: State of Arizona's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
20.	30-Jan-2024	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21.	8-Feb-2024	FILED: Supplemented Superior Court e-Record with Revised Index of Record
22.	26-Feb-2024	CLNDR: CONFERENCE, Department B, 4-9-24, CONFERENCE ROOM.
23.	16-Apr-2024	MEMORANDUM DECISION (Vacated, Remanded) Hon Jennifer M Perkins - Author; Hon Andrew M Jacobs - Concur; Hon David D Weinzeig - Concur
24.	16-Apr-2024	FILED: Decision Distribution Notification