

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0398

MARTINEZ, et al. v. BLAKE

Appellate Case Information

Case Filed: 30-Jun-2023

Case Closed:

Dept/Composition

Department F

Hon. Daniel J Kiley
Hon. Kent E Cattani
Hon. D Steven Williams

Side 1. STACIE L. MARTINEZ and EDWARD MARTINEZ, a married couple, Plaintiff/Appellant/Cross-Appellee

(Litigant Group) STACIE L. MARTINEZ, et al.

- Stacie L Martinez
- Edward Martinez

Attorneys for: Plaintiffs/Appellants/Cross-Appellees

Marc A Kamin, Esq. (AZ Bar No. 16580)
John Musacchio, Esq. (AZ Bar No. 37255)
David L Abney, Esq. (AZ Bar No. 9001)

Side 2. HUBERT SCOTT BLAKE, Defendant/Appellee/Cross-Appellant

(Litigant Group) HUBERT SCOTT BLAKE

- Hubert Scott Blake

Attorneys for: Defendant/Appellee/Cross-Appellant

Shane P Dyet, Esq. (AZ Bar No. 24627)
Andres Chagolla, Esq. (AZ Bar No. 36417)

CASE STATUS

May 2, 2024.....Pending Closure

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
YAV P1300CV202100609	Premises Liability		John David Napper, Authoring Judge of Order		

OPEN DUE DATE

Petition for Review to ASC due

Due By:

Friday, May 17, 2024

Re: ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon D Steven Williams - Author

CASE DECISION

11-Apr-2024 MEMORANDUM DECISION

D Williams.....Author
Daniel Kiley.....Concur
Kent Cattani.....Concur

Filed: 11-Apr-2024

Mandate:

Decision Disposition

Affirmed in Part
Vacated in Part
Remanded in Part

35 PROCEEDING ENTRIES

- 30-Jun-2023 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 06/07/23, Notice of Cross Appeal from Yavapai County Superior Court filed 6/27/23
- 30-Jun-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 3-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 6-Jul-2023 FILED: Reporter's Transcript - 05/09/2022 - Proceedings (Mina Hunt) (Appellant/Cross-Appellee)
[see order filed 07/07/2023]
- 6-Jul-2023 FILED: Reporter's Transcript - 10/31/2022 - Proceedings (Mina Hunt) (Appellant/Cross-Appellee)
- 6-Jul-2023 FILED: Reporter's Transcript - 01/04/2023 - Proceedings (Mina Hunt) (Appellant/Cross-Appellee)

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7.	7-Jul-2023	ORDERED: Directing appellant/cross-appellee to file a certified copy of the 05/09/2022 transcript by 07/14/2023. Barbara Vidal Vaughn ProTem Judge - Author
8.	10-Jul-2023	FILED: Reporter's Transcript - 05/09/2022 (Mina Hunt) (Appellant/Cross-Appellee)
9.	12-Jul-2023	RECEIPT No.: 2023-00620 ; \$280.00, Authorization: #3009284661, Applied to: STACIE L. MARTINEZ, et al. - Class A Filing Fee (\$280.00) Paid for: John Musacchio - By nCourt LLC
10.	17-Jul-2023	FILED: Appellate Clerk Notice Re: Appellee-Cross Appellant's Fee and Case Management Statement Due/Appellant-Cross Appellee's Brief Due
11.	20-Jul-2023	FILED: Appellants' Case Management Statement (Appellant/Cross-Appellee)
12.	31-Jul-2023	RECEIPT No.: 2023-00703 ; \$280.00, Check Number: #5630, Applied to: HUBERT SCOTT BLAKE - Cross-Appellant's Filing Fee (\$280.00) Paid for: - By O'Connor & Dyet PC
13.	16-Aug-2023	FILED: Appellee's Case Management Statement (Appellee/Cross-Appellant)
14.	1-Sep-2023	FILED: Request for Oral Argument; Certificate of Service (Appellant)
15.	1-Sep-2023	FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
16.	11-Oct-2023	FILED: Request for Oral Argument; Certificate of Service (Appellee)
17.	11-Oct-2023	FILED: Defendant/Appellee/Cross-Appellant's Combined Answering / Cross-Appeal Opening Brief; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
18.	11-Oct-2023	FILED: Defendant/Appellee/Cross-Appellant's Combined Answering / Cross-Appeal Opening Brief (Duplicate); Certificate of Compliance (Duplicate); Certificate of Service (Duplicate) (Appellee/Cross-Appellant)
19.	13-Nov-2023	FILED: Amended Certificate of Service (Appellee/Cross-Appellant)
20.	21-Nov-2023	FILED: Plaintiffs'/Appellants'/Cross-Appellees' Combined Reply/Answering Brief; Certificate of Compliance; Certificate of Service (Appellant/Cross-Appellee)
21.	11-Dec-2023	FILED: Defendant/Appellee/Cross-Appellant's Cross-Appeal Reply Brief; Certificate of Compliance; Certificate of Service (Appellee/Cross-Appellant)
22.	5-Jan-2024	ORDERED: Request for Oral Argument (Appellant) and Request for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
23.	26-Jan-2024	CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 3-21-24, 09:30 am, COURTROOM 1.
24.	29-Jan-2024	FILED: Notice of Oral Argument
25.	30-Jan-2024	FILED: Return Receipt for Notice of Oral Argument, signed by Andres Chagolla on 01/29/2024 (Appellee/Cross-Appellant)
26.	31-Jan-2024	FILED: Return Receipt for Notice of Oral Argument, signed by John Musacchio on 01/29/2024 (Appellant/Cross-Appellee)
27.	15-Mar-2024	FILED: Appellee/Cross-Appellant's Notice of Supplemental Authority; Appellee/Cross-Appellant's Notice of Supplemental Authority (Duplicate) (Appellee/Cross-Appellant)
28.	21-Mar-2024	FILED: Sign-in Sheet/Case is Under Advisement as of 03/21/2024
29.	10-Apr-2024	FILED: Appellee/Cross-Appellant's Notice of Supplemental Authority; Certificate of Service (Appellee/Cross Appellant)
30.	10-Apr-2024	FILED: Certificate of Service (Duplicate) (Appellee/Cross-Appellant)
31.	11-Apr-2024	MEMORANDUM DECISION (Affirmed in Part, Vacated in Part, Remanded in Part) Hon D Steven Williams - Author; Hon Daniel J Kiley - Concur; Hon Kent E Cattani - Concur
32.	11-Apr-2024	FILED: Decision Distribution Notification
33.	15-Apr-2024	FILED: Notice of Appearance of Attorney David L. Abney; Certificate of Service for Notice of Appearance of Attorney David L. Abney (Appellant/Cross-Appellee)
34.	26-Apr-2024	FILED: Motion for Reconsideration; Certificate of Compliance for Motion for Reconsideration; Certificate of Service for Motion for Reconsideration (Appellant)
35.	2-May-2024	ORDERED: Motion for Reconsideration (Appellant) = DENIED. Hon D Steven Williams - Author

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