

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-24-0051-PR

ARIZONA PUBLIC SERVICE v MIKE MICHAEL et al

Appellate Case Information

Case Filed: **7-Mar-2024**

Case Closed:

Dept/Composition

Side 1. ARIZONA PUBLIC SERVICE COMPANY, Plaintiff/Appellee

(Litigant Group) ARIZONA PUBLIC SERVICE COMPANY

● **Arizona Public Service Company**

Attorneys for: Plaintiff/Appellee

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Side 2. MIKE MICHAEL, et al., Defendant/Appellant

(Litigant Group) MIKE MICHAEL, et al.

● **Mike Michael**

PRO SE

● **Darlene Span**

PRO SE

CASE STATUS

Mar 7, 2024.....Pending

PREDECESSOR CASE(S)		Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA	1 CA-CV 22-0384					
↗ MAR	CV2020-006886	Eminent Domain Condemnation		Katherine Cooper, Authoring Judge of Order Comments: (none)		

12 PROCEEDING ENTRIES

- 7-Mar-2024 FILED: Motion for Procedural Order for Extension of Time to File Petition for Review (Appellant Michael, Pro Se)
- 7-Mar-2024 FILED: Motion for Procedural Order for Extension of Time to File Petition for Review (Appellant Span, Pro Se)
- 12-Mar-2024 Appellants Mike Michael and Darlene Span, acting pro se, each filed a "Motion for Procedural Order for Extension of Time to File Petition for Review" on March 7, 2024.

IT IS ORDERED granting a first extension of time to file the petitions for review on or before April 8, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if a petition for review is not filed by April 8, 2024. (Tracie K. Lindeman, Clerk)
- 8-Apr-2024 FILED: Motion for Extension of Time to File Brief and to Vacate the April 8 Due Date (Appellants Michael, et al.)
- 11-Apr-2024 Appellants Michael, et al. filed a "Motion for Extension of Time to File Brief and to Vacate the April 8 Due Date" on April 8, 2024. Pursuant to Arizona Rules of Civil Appellate Procedure, Rule 6(b), the caption of a motion for procedural order must include the words, "Motion for Procedural Order." The motion is non-compliant in this regard. Nonetheless,

IT IS ORDERED granting a second extension of time to file the petition for review on or before June 7, 2024. No further extensions of time shall be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by June 7, 2024. (Tracie K. Lindeman, Clerk)
- 12-Apr-2024 FILED: Response to Appellant Mike Michael's Second Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellee Arizona Public Service)
- 7-Jun-2024 FILED: Motion for Procedural Order for Extension of Time to File Petition for Review (Appellants Michael, et al.)
- 11-Jun-2024 FILED: Response to Appellant Mike Michael's Third Motion for Extension of Time to File Petition for Review; Certificate of Service (Appellee Arizona Public Service)

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9. 14-Jun-2024 On June 7, 2024, the due date for filing the petition for review in this matter, Appellants filed their third motion to extend the petition for review filing deadline. Appellee objects to the extension, arguing that the appellants have engaged in a pattern of delay throughout the proceedings and that their claimed basis for the third extension is otherwise identical to the basis of their second extension request. Having reviewed the record and pleadings in this matter,
- IT IS ORDERED granting an extension of 14 days from the date of this order to file the petition for review. No further extensions will be granted. The matter will be dismissed if the petition for review is not filed on or before June 28, 2024. (Hon James P Beene)
10. 28-Jun-2024 FILED: Petition for Review (Oral Argument Requested) (Evidentiary Hearing Requested) (Appellants Michael, et al.)
11. 3-Jul-2024 FILED: Record from CofA: Electronic Record
12. 3-Jul-2024 On June 28, 2024, Appellants Michael, et al., filed a document this Court is treating as a Petition for Review but without payment of the filing fee or submission of a completed application for Fee Deferral/Waiver required pursuant to A.R.S. § 12-119.01(A),(B).
- The Court of Appeals issued its memorandum decision on February 6, 2024. On June 14, 2024, the Court granted Appellants a third extension of time to file the petition for review on or before June 28, 2024 and ordered that no further extensions would be granted. Appellants' document filed on June 28, 2024 asked for either: additional time to file the petition; or for the document to be treated as a petition for review. Accordingly,
- IT IS ORDERED the document Appellants filed on June 28, 2024 shall be treated as a petition for review.
- IT IS FURTHER ORDERED that Appellants shall pay the required filing fee or submit a completed application for Fee Deferral/Waiver on or before July 17, 2024. This matter is subject to dismissal if the filing fee is not paid or a completed Fee Deferral/Waiver application is not filed on or before July 17, 2024.
- The Petition for Review will be considered in due course. (Hon. Kathryn H. King)