

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0511

HOUSTON v. PENZONE

Appellate Case Information

Case Filed: 15-Jul-2025

Case Closed:

Dept/Composition

Department F

Hon. David B Gass
Hon. Anni Hill Foster
Hon. D Andrew Gaona

Side 1. BRIAN HOUSTON, Plaintiff/Appellant
(Litigant Group) BRIAN HOUSTON

- Brian Houston

Co-Cnsl for: Plaintiff/Appellant

Andrew Ivchenko, Esq. (AZ Bar No. 21145)
Alex R Straus, Esq. (CA Bar No. alexstraus)
William A Ladnier, Esq. (TN Bar No. 34316)
Daniel L Kloberdanz, Esq. (AZ Bar No. 12231)

Side 2. PAUL PENZONE, et al., Defendant/Appellee
(Litigant Group) PAUL PENZONE, et al.

- Paul Penzone, Maricopa County Sheriff's Office
Maricopa County

Attorneys for: Defendants/Appellees

Sarah L Barnes, Esq. (AZ Bar No. 20362)
Roshin Bhango, Esq. (AZ Bar No. 39371)

CASE STATUS

Jun 25, 2026....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2023-051342, Invasion of Privacy, Dewain D Fox, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration Due Due By: Friday, July 10, 2026
Re: OPINION (Affirmed) D Andrew Gaona - Author; Hon David B Gass - Concur; Hon Anni Hill Foster - Concur

Petition for Review to ASC Due Due By: Monday, July 27, 2026
Re: OPINION (Affirmed) D Andrew Gaona - Author; Hon David B Gass - Concur; Hon Anni Hill Foster - Concur

CASE DECISION

25-Jun-2026 OPINION

D Gaona.....Author
David Gass.....Concur
Anni Foster.....Concur

Table with 2 columns: Filed: 25-Jun-2026, Mandate: Decision Disposition Affirmed

28 PROCEEDING ENTRIES

- 1. 15-Jul-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/17/25
2. 15-Jul-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 15-Jul-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 21-Jul-2025 RECEIPT No.: 2025-00790 ; \$330.00, Check Number: # 13842, Applied to: BRIAN HOUSTON - Class A Filing Fee (\$330.00) Paid for: - By Kozub Kloberdanz
5. 28-Jul-2025 FILED: Appellant's Notice of Filing Certified Electronic Transcript of Oral Argument; Reporter's Transcript - 03/28/2025 - Oral Argument (Deanna C. Bakurza); Certificate of Service (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 25-0511****HOUSTON v. PENZONE****28 PROCEEDING ENTRIES**

6. 31-Jul-2025 ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 09/03/2025, re-vesting jurisdiction in superior court and authorizing that court to consider motion for signed order re: minute entry dated 05/27/2025, filed 05/28/2025. FURTHER ORDERED: Appellant must file motion asking superior court to enter signed order with a proposed order attached. If no order has been signed by 09/03/2025, appellant must file motion to continue the stay of this appeal that describes status of the matter. Otherwise, this court will dismiss this appeal. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to transmit a certified copy of the ruling within 10 days after entry, marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed order. FURTHER ORDERED: Case management statement due by 09/15/2025, and opening brief due by 10/03/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
7. 29-Aug-2025 FILED: Supplemented Superior Court e-Record with Revised Index of Record (Includes signed order filed 08/19/2025)
8. 2-Sep-2025 FILED: Appellate Clerk Notice re: No Appellees' Fee; Appellant's Brief/Case Management Statement Due
9. 2-Sep-2025 FILED: Settlement Conference Program Notice
10. 12-Sep-2025 FILED: Case Management Statement; Certificate of Service (Appellant)
11. 23-Sep-2025 FILED: Appellant's Motion for Procedural Order: Unopposed Extension of Time to File Appellant's Opening Brief (ARCAP 6(b)(1)(B), (C)); Certificate of Service (Appellant)
12. 24-Sep-2025 ORDERED: Appellant's Motion for Procedural Order: Unopposed Extension of Time to File Appellant's Opening Brief (ARCAP 6(b)(1)(B), (C)) (Appellant) = GRANTED. Due date EXTENDED from Friday, 10-03-2025 to Monday, 11-03-2025. The court will not grant any further extension absent new and unforeseen circumstances. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
13. 3-Nov-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Appellant's Certificate of Service; Appellant's Appendix to Opening Brief (Appellant)
14. 21-Nov-2025 FILED: Appellees' Motion for Procedural Order: Unopposed Extension of Time to File Appellee's [sic] Answering Brief; Certificate of Service (Appellees)
15. 24-Nov-2025 ORDERED: Appellees' Motion for Procedural Order: Unopposed Extension of Time to File Appellee's = GRANTED. Due date EXTENDED from Monday, 12-15-2025 to Wednesday, 01-14-2026. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
16. 14-Jan-2026 FILED: Answering Brief of Defendants/Appellees Maricopa County, Arizona and Sheriff Jerry Sheridan; Certificate of Compliance; Certificate of Service (Appellee)
17. 3-Feb-2026 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)
18. 3-Feb-2026 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
19. 19-Feb-2026 ORDERED: Appellant's Request for Oral Argument (Appellant) = GRANTED. Hon Randall M Howe - Author
20. 17-Mar-2026 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21. 25-Mar-2026 CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 5-21-26, 11:00 am, COURTROOM 1.
22. 27-Mar-2026 FILED: Supplemented Superior Court e-Record with Revised Index of Record
23. 23-Apr-2026 FILED: Notice of Oral Argument
24. 27-Apr-2026 FILED: Return Receipt Re Oral Argument, signed by Roshin S. Bhangoo, on 4/23/26 (Appellee)
25. 11-May-2026 FILED: Return Receipt for Notice of Oral Argument, signed by William A. Ladnier on 05/07/2025 (Appellant)
26. 21-May-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 05/21/2026
27. 25-Jun-2026 OPINION (Affirmed) D Andrew Gaona - Author; Hon David B Gass - Concur; Hon Anni Hill Foster - Concur
28. 25-Jun-2026 FILED: Decision Distribution Notification