

Court of Appeals, Division One

Civil Appeal

1 CA-CV 22-0614

SAGUARO v. STATE, et al.

Appellate Case Information

Case Filed: 11-Oct-2022

Case Closed:

Dept/Composition

Department F

Hon. Maria Elena Cruz
Hon. Samuel A Thumma
Hon. Andrew M Jacobs

Side 1. SAGUARO HEALING, LLC, Plaintiff/Appellant

(Litigant Group) SAGUARO HEALING, LLC

- Saguaro Healing LLC

Attorneys for: Plaintiff/Appellant

Ryan J Lorenz, Esq. (AZ Bar No. 19878)
Sean M Carroll, Esq. (AZ Bar No. 27171)
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Daniel P Thiel, Esq. (AZ Bar No. 35831)
Christopher Thomas Curran, Esq. (AZ Bar No. 32583)

Side 2. STATE OF ARIZONA, et al., Defendant/Appellee

(Litigant Group) STATE OF ARIZONA, et al.

- State of Arizona
- Arizona Department of Health Services
- Jennie Cunico

Attorneys for: Defendants/Appellees

Gregory W Falls, Esq. (AZ Bar No. 11206)
Matthew A Hesketh, Esq. (AZ Bar No. 29319)
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CASE STATUS

Jul 25, 2024.....Assigned

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2017-054686	Special Action		Alison Bachus, Authoring Judge of Order		

CALENDAR

Thursday MONTHLY COURT CASE CALENDAR
19-Sep-2024 Department F; COURTROOM 1
10:15 AM

Mixed

47 PROCEEDING ENTRIES

- 11-Oct-2022 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 09/12/22
- 12-Oct-2022 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 12-Oct-2022 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
- 25-Oct-2022 FILED: Case Management Statement (Appellant)
- 28-Oct-2022 RECEIPT No.: 2022-01122 ; \$280.00, Authorization: #01008324053, Applied to: SAGUARO HEALING, LLC - Class A Filing Fee (\$280.00) Paid for: Clark Hill PLC - By nCourt LLC
- 15-Nov-2022 FILED: Appellate Clerk Notice re: Appellant's Brief Due
- 30-Nov-2022 FILED: Appellant's Motion for Procedural Order for Extension to File Opening Brief; Certification of Service (Appellant)
- 2-Dec-2022 ORDERED: Appellant's Motion for Procedural Order for Extension to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-12-2022 to Friday, 01-27-2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
- 5-Jan-2023 FILED: Notice of Substitution of Party; Certificate of Service (Appellee)
- 17-Jan-2023 FILED: Notice of Filing Sealed Documents (SEALED per Maricopa County Superior Court order) (Appellee)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 22-0614****SAGUARO v. STATE, et al.****47 PROCEEDING ENTRIES**

11. 27-Jan-2023 FILED: Appellant's Motion for Procedural Order for Extension to File Opening Brief and to Unseal Record in Part; Certificate of Service (Appellant)
12. 30-Jan-2023 ORDERED: Vacating the 01/27/2023 due date for the opening brief. The order ruling on the pending motion will set a due date to file the opening brief. Melina Brill ProTem Judge - Author
13. 3-Feb-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
14. 8-Feb-2023 FILED: Appellees' Response to Appellant's Motion for Procedural Order for Extension to File Opening Brief and to Unseal Record in Part; Certificate of Service (Appellee)
15. 17-Feb-2023 FILED: Appellant's Reply in Support of Motion to Unseal Record in Part; Certification of Service (Appellant)
16. 6-Mar-2023 ORDERED: Appellant's Motion for Procedural Order for Extension to File Opening Brief and to Unseal Record in Part (Appellant) = DENIED (motion to unseal the record). FURTHER ORDERED: The opening brief is due by 04/05/2023. If the opening brief is not timely filed, the court will dismiss this appeal. Hon David B Gass - Author
17. 31-Mar-2023 FILED: Appellant's (Unopposed) Motion For Order Staying Appeal Pending Special Action Review; Certification of Service (Appellant)
18. 4-Apr-2023 ORDERED: Appellant's (Unopposed) Motion For Order Staying Appeal Pending Special Action Review (Appellant) = GRANTED, staying this appeal, and vacating the 04/05/2023 due date for the opening brief. FURTHER ORDERED: Within 10 days after entry of the decision in 1 CA-SA 23-0066, appellant shall file notice of the decision in this appeal. The notice shall indicate whether any party anticipates filing a petition for review in 1 CA-SA 23-0066 and whether this appeal should proceed. Melina Brill ProTem Judge - Author
19. 6-Apr-2023 FILED: Appellant's (Unopposed) Motion For Procedural Order Consolidating Appeal With Petition For Special Action; Certificate of Service (Appellant)
20. 11-Apr-2023 ORDERED: Appellant's (Unopposed) Motion For Procedural Order Consolidating Appeal With Petition For Special Action (Appellant) = DENIED. Hon Kent E Cattani - Author
21. 26-Jul-2023 FILED: Appellant's Notice of Decision Regarding Special Action Case No. 1 CA-SA 23-0066; Certificate of Service (Appellant)
22. 10-Aug-2023 ORDERED: Appellant's Notice of Decision Regarding Special Action Case No. 1 CA-SA 23-0066 (Appellant) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing appellant to file status report by 09/08/2023, that indicates whether a petition for review was filed in 1 CA-SA 23-0066 and the status of the superior court proceedings. Melina Brill ProTem Judge - Author
23. 8-Sep-2023 FILED: Appellant's Status Report; Certificate of Service (Appellant)
24. 11-Sep-2023 ORDERED: Appellant's Status Report (Appellant) = GRANTED and continuing the stay of this appeal. FURTHER ORDERED: Directing appellant to file a status report by 11/03/2023, that indicates the status of the superior court proceedings. Melina Brill ProTem Judge - Author
25. 3-Nov-2023 FILED: Appellant's Second Status Report; Certificate of Service (Appellant)
26. 3-Nov-2023 ORDERED: Appellant's Second Status Report (Appellant) = Continuing the stay of this appeal. FURTHER ORDERED: Directing appellant to file a status report by 12/08/2023, that indicates the status of the superior court proceedings if a notice pursuant to the previous paragraph is not filed before that date. Melina Brill ProTem Judge - Author
27. 8-Dec-2023 FILED: Notice of Entry of Superior Court Order; Certificate of Service; Superior Court Minute Entry Order of 11/27/2023 (Appellant)
28. 11-Dec-2023 ORDERED: Notice of Entry of Superior Court Order; Certificate of Service; Superior Court Minute Entry Order of 11/27/2023 (Appellant) = GRANTED. FURTHER ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: Directing the Clerk of the Maricopa County Superior Court to file an amended index of record to include documents filed since 01/17/2023. FURTHER ORDERED: The opening brief is due on 01/25/2024. Melina Brill ProTem Judge - Author
29. 21-Dec-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
30. 21-Dec-2023 FILED: Additional Record on Appeal
Physical Exhibits:
Filed 09/25/2023 - Thumb Drive
31. 25-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
32. 13-Feb-2024 FILED: Appellees' Motion for Extension of Time to File Answering Brief; Certificate of Service (Appellee)
33. 14-Feb-2024 ORDERED: Appellees' Motion for Extension of Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 03-05-2024 to Friday, 04-19-2024. 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

Court of Appeals, Division One

Civil Appeal

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47 PROCEEDING ENTRIES

34. 19-Apr-2024 FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
35. 13-May-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
36. 15-May-2024 FILED: Appellant's Motion to Accept Reply Brief; Certificate of Service (Appellant)
37. 16-May-2024 FILED: Appellees' Notice of Supplemental Authority; Certificate of Service; Exhibit 1 (Appellee)
38. 17-May-2024 FILED: Appellees' Request for Oral Argument; Certificate of Service (Appellee)
39. 3-Jun-2024 ORDERED: Appellant's Motion to Accept Reply Brief; Certificate of Service (Appellant) = GRANTED and accepting the reply brief filed on 05/13/2024. Melina Brill ProTem Judge - Author
40. 4-Jun-2024 ORDERED: Appellees' Request for Oral Argument (Appellee) = GRANTED. Hon David B Gass - Author
41. 10-Jun-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
42. 20-Jun-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
43. 25-Jul-2024 CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 9-19-24, 10:15 am, COURTROOM 1.
44. 12-Aug-2024 FILED: Notice of Oral Argument
[vacated per order filed 09/03/2024 - jr]
45. 13-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Ryan J. Lorenz on 08/12/2024 (Appellant)
46. 13-Aug-2024 FILED: Return Receipt for Notice of Oral Argument, signed by Craig A. Morgan on 08/13/2024 (Appellee)
47. 3-Sep-2024 ORDERED: Vacating oral argument set for 09/19/2024 at 10:15 a.m. The case will be conferenced on 09/19/2024 and a decision will be issued in due course. Hon Maria Elena Cruz - Author