

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0453

BARRERAS v. STATE

Appellate Case Information

Case Filed: 25-Jul-2023

Case Closed:

Dept/Composition

Department B

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

Side 1. ADRIAN BARRERAS, Plaintiff/Appellant

(Litigant Group) ADRIAN BARRERAS

- Adrian Barreras

Co-Counsel for: Plaintiff/Appellant

Michael Napier, Esq. (AZ Bar No. 2603)
Juliana Betina Tallone, Esq. (AZ Bar No. 35633)
John P Leader, Esq. (AZ Bar No. 12511)

Side 2. STATE OF ARIZONA, Defendant/Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Defendant/Appellee

Kathleen L Wieneke, Esq. (AZ Bar No. 11139)
Tara Zoellner, Esq. (AZ Bar No. 27364)
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CASE STATUS

May 29, 2024....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Includes rows for MAR CV2021-013380 and MAR CV2021-094278.

DESCENDENT CASE(S)

ASC CV-24-0117-PR

CASE DECISION

09-Apr-2024 MEMORANDUM DECISION

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

Filed: 09-Apr-2024 Mandate:

Decision Disposition

Affirmed in Part
Reversed in Part
Remanded

31 PROCEEDING ENTRIES

- 1. 25-Jul-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/26/23
2. 25-Jul-2023 FILED: e-Record on Appeal: (CV2021-013380) Instruments/Minute Entries Exhibits: None
3. 26-Jul-2023 FILED: e-Record on Appeal: (CV2021-094278) Instruments/Minute Entries Exhibits: None
4. 26-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
5. 31-Jul-2023 FILED: Reporter's Transcript - 04/14/2023 - Oral Argument (Broderick Vanschoick); Certificate of Service (Appellant)
6. 4-Aug-2023 RECEIPT No.: 2023-00720 ; \$280.00, Authorization: #16003688085, Applied to: ADRIAN BARRERAS - Class A Filing Fee (\$280.00) Paid for: Napier Baillie Wilson Bacon & Tallone PC - By nCourt LLC

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0453****BARRERAS v. STATE****31 PROCEEDING ENTRIES**

7. 10-Aug-2023 FILED: Reporter's Transcripts - 10/05/2022 (Scott Coniam); Certificate of Service (Appellant)
8. 11-Aug-2023 FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellant's Brief/Case Management Statement Due
9. 15-Aug-2023 FILED: Case Management Statement (Appellant)
10. 11-Sep-2023 FILED: Case Management Statement (Appellee)
11. 25-Sep-2023 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
12. 6-Nov-2023 FILED: Appellee State of Arizona's Motion to Seal Exhibit 12 to Appendix Volume III; Certificate of Service (Appellee)
13. 6-Nov-2023 FILED: Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
14. 6-Nov-2023 FILED: Appendix to Appellee's Answering Brief Volume I (Appellee)
15. 6-Nov-2023 FILED: Appendix to Appellee's Answering Brief Volume II (Appellee)
16. 6-Nov-2023 FILED: Appendix to Appellee's Answering Brief Volume III [SEALED]; Appendix to Appellee's Answering Brief Volume IV (Appellee)
17. 27-Nov-2023 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
18. 27-Nov-2023 FILED: Appendix to Appellant's Reply Brief (Appellant)
19. 28-Nov-2023 ORDERED: Appellee State of Arizona's Motion to Seal Exhibit 12 to Appendix Volume III (Appellee) = GRANTED and accepting exhibit 12 to the answering brief appendix volume III as filed under seal on 11/06/2023, subject to access by court personnel as needed for processing this appeal. Hon David B Gass - Author
20. 29-Dec-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
21. 10-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
22. 26-Jan-2024 CLNDR: CONFERENCE, Department B, 3-19-24, CONFERENCE ROOM.
23. 7-Mar-2024 ORDERED: Vacating conference from the 03/19/2024 calendar and resetting conference to 03/20/2024, before Department B of Division One of the Court of Appeals. This matter will be conferenced without oral argument. Hon Andrew M Jacobs - Author
24. 9-Apr-2024 MEMORANDUM DECISION (Affirmed in Part, Reversed in Part, Remanded) Hon David D Weinzweig - Author; Hon Andrew M Jacobs - Concur; Hon Jennifer M Perkins - Concur
25. 9-Apr-2024 FILED: Decision Distribution Notification
26. 24-Apr-2024 FILED: Appellee's Motion for Partial Reconsideration; Certificate of Compliance; Certificate of Service (Appellee)
27. 24-Apr-2024 FILED: Appellant's Motion for Reconsideration; Certificate of Compliance; Certificate of Service (Appellant)
28. 14-May-2024 ORDERED: Appellant's Motion for Reconsideration (Appellant) = DENIED. Hon David D Weinzweig - Author
29. 14-May-2024 ORDERED: Appellee's Motion for Partial Reconsideration (Appellee) = DENIED. Hon David D Weinzweig - Author
30. 29-May-2024 FILED: Email Notice from ASC re: Petition for Review filed 05/29/24; request for partial record
31. 31-May-2024 FILED: Letter forwarding partial record to Arizona Supreme Court