

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0135

OAK CREEK v. SEDONA, et al.

Appellate Case Information

Case Filed: 13-Feb-2025

Case Closed:

Dept/Composition

Department B

Hon. Jennifer M Perkins
Hon. David D Weinzweig
Hon. Cynthia J Bailey

Side 1. OAK CREEK HOSPITALITY, LLC, Plaintiff/Appellant

(Litigant Group) OAK CREEK HOSPITALITY, LLC

- Oak Creek Hospitality LLC

Attorneys for: Plaintiff/Appellant

Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)
John Thorpe, Esq. (AZ Bar No. 34901)

Side 2. CITY OF SEDONA; SCOTT JABLOW, in his official capacity as Mayor of the City of Sedona; ANETTE SPICKARD, in her official capacity as City Manager of the City of Sedona, Defendant/Appellee

(Litigant Group) CITY OF SEDONA, et al.

- City of Sedona
Scott Jablow
Anette Spickard

Attorneys for: Defendants/Appellees

Jacqueline Marzocca, Esq. (AZ Bar No. 37140)
Cameron C Artigue, Esq. (AZ Bar No. 11376)
Sean Krieg, Esq. (AZ Bar No. 40825)

CASE STATUS

Jan 26, 2026....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, S1300CV202480241, Declaratory & Injunctive Relief, Linda Wallace, Authoring Judge of Order.

DESCENDENT CASE(S)

ASC CV-25-0332-PR

CASE DECISION

26-Nov-2025 OPINION

Jennifer Perkins.....Author
David Weinzweig.....Concur
Cynthia Bailey.....Concur

Filed: 26-Nov-2025

Mandate:

Decision Disposition

Reversed
Remanded

30 PROCEEDING ENTRIES

- 1. 13-Feb-2025 FILED: Index of Record, Notice of Appeal from Yavapai County Superior Court filed 01/28/25
2. 13-Feb-2025 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 13-Feb-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 26-Feb-2025 FILED: Notice of Paying Appellant's Filing Fee; Certificate of Service (Appellant)
5. 3-Mar-2025 RECEIPT No.: 2025-00213 ; \$330.00, Authorization: 62016540282, Applied to: OAK CREEK HOSPITALITY, LLC - Class A Filing Fee (\$330.00) Paid for: Scharf-Norton Center for Constitutional Litigation - By nCourt LLC
6. 4-Mar-2025 FILED: Case Management Statement (Appellant)
7. 24-Mar-2025 FILED: Appellate Clerk Notice re: No Appellee's Fee; Appellant's Brief Due
8. 24-Mar-2025 FILED: Settlement Conference Program Notice
9. 14-Apr-2025 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
10. 27-May-2025 FILED: Answering Brief of Appellees; Certificate of Compliance re Answering Brief; Certificate of Service (Appellee)
11. 16-Jun-2025 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
12. 17-Jun-2025 FILED: Appellant's Request for Oral Argument; Certificate of Service (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 25-0135****OAK CREEK v. SEDONA, et al.****30 PROCEEDING ENTRIES**

13.	30-Jun-2025	ORDERED: Appellant's Request for Oral Argument (Appellant) = GRANTED. Hon David B Gass - Author
14.	25-Jul-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 9-23-25, 09:30 am, COURTROOM 2
15.	29-Jul-2025	CLNDR: MONTHLY COURT CASE CALENDAR, Department B, 9-25-25, 09:30 am, COURTROOM 2.
16.	29-Jul-2025	ORDERED: Vacating the Oral Argument set for 09/23/2025, at 9:30 a.m. FURTHER ORDERED: Setting oral argument in this matter on 09/25/2025, at 9:30 a.m. in Courtroom 1, State Courts Building, 1501 W. Washington St., Phoenix, AZ. Hon Jennifer M Perkins - Author
17.	2-Sep-2025	FILED: Notice of Oral Argument
18.	2-Sep-2025	FILED: Return Receipt Re Oral Argument, signed by John Thorpe, on 9/2/25 (Appellant)
19.	9-Sep-2025	FILED: Return Receipt for Notice of Oral Argument, signed by Kristin Mackin on 09/09/2025 (Appellee)
20.	25-Sep-2025	FILED: Sign-in Sheet/Case is Under Advisement as of 09/25/2025
21.	23-Oct-2025	FILED: Notice of Change of Firm; Certificate of Service (Appellant)
22.	26-Nov-2025	OPINION (Reversed, Remanded) Hon Jennifer M Perkins - Author; Hon David D Weinzweig - Concur; Hon Cynthia J Bailey - Concur
23.	26-Nov-2025	FILED: Decision Distribution Notification
24.	8-Dec-2025	FILED: Statement of Attorney Fees and Costs; Certificate of Service (Appellant)
25.	16-Dec-2025	FILED: Motion for Procedural Order Substituting Counsel of Record for Defendant/Appellee City of Sedona; Certificate of Service for Motion for Procedural Order Substituting Counsel of Record for Defendant/Appellee City of Sedona (Appellees)
26.	24-Dec-2025	FILED: ASC Order, 12/24/25, extending the time to file a Petition for Review to 1/26/26
27.	5-Jan-2026	ORDERED: Statement of Attorney Fees and Costs (Appellant) = GRANTED in the amount of \$26,896.50 and costs in the amount of \$382.34. Hon Jennifer M Perkins - Author
28.	6-Jan-2026	ORDERED: Motion for Procedural Order Substituting Counsel of Record for Defendant/Appellee City of Sedona (Appellees) = GRANTED and substituting Cameron C. Artigue, Jacqueline E. Marzocca, and Sean F. Krieg of Gammage & Burnham, P.L.C. as counsel for Defendant/Appellee City of Sedona in place of Kristin M. Mackin of Sims Mackin Ltd. Hon Jennifer M Perkins - Author
29.	28-Jan-2026	FILED: Email Notice from ASC re: Petition for Review filed 01/26/2026; request for partial record
30.	29-Jan-2026	FILED: Letter forwarding partial record to Arizona Supreme Court