

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0541

JAMES v. BANNER HEALTH, et al.

Appellate Case Information

Case Filed: 24-Jul-2025

Case Closed:

Dept/Composition

Department D

Hon. Daniel J Kiley
Hon. D Steven Williams
Hon. Cynthia J Bailey

Side 1. SUSAN JAMES, Plaintiff/Appellant

(Litigant Group) SUSAN JAMES

- Susan James

Attorneys for: Plaintiff/Appellant

Guy P Roll, Esq. (AZ Bar No. 15987)

Side 2. BANNER HEALTH, et al., Defendant/Appellee

(Litigant Group) BANNER HEALTH, et al.

- Banner Health
Thunderbird Medical Center
Neil Mody
Nithya Krishnaswamy
Adebowole Oyelakin
Edward H Charles

Co-Counsel for: Defendants/Appellees

Renee M Coury, Esq. (AZ Bar No. 16046)

Rita J Bustos, Esq. (AZ Bar No. 25956)

CASE STATUS

Jun 1, 2026.....Decision Rendered

PREDECESSOR CASE(S)

Table with 6 columns: Case No, Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR CV2022-007903 Medical Malpractice Michael J Herrod, Authoring Judge of Order

2 OPEN DUE DATES

Motion for Reconsideration Due Due By: Tuesday, June 16, 2026

Re: MEMORANDUM DECISION (Affirmed) Hon Cynthia J Bailey - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur

Petition for Review to ASC Due Due By: Wednesday, July 1, 2026

Re: MEMORANDUM DECISION (Affirmed) Hon Cynthia J Bailey - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur

CALENDAR

Calendar table with columns: Date, Event, Time, Duration. Row 1: Wednesday 20-May-2026 MONTHLY COURT CASE CALENDAR Department D; COURTROOM 2 9:30 AM SUSAN JAMES... 20 mins. BANNER HEALTH, et al... 20 mins.

CASE DECISION

01-Jun-2026 MEMORANDUM DECISION

Cynthia Bailey.....Author
Daniel Kiley.....Concur
D Williams.....Concur

Filed: 01-Jun-2026 Mandate:

Table with 2 columns: Decision Disposition, Affirmed

32 PROCEEDING ENTRIES

- 1. 24-Jul-2025 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/25/25
2. 24-Jul-2025 FILED: e-Record on Appeal: Instruments/Minute entries Exhibits: None
3. 24-Jul-2025 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 13-Aug-2025 FILED: Case Management Statement (Appellant)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 25-0541****JAMES v. BANNER HEALTH, et al.****32 PROCEEDING ENTRIES**

5.	14-Aug-2025	RECEIPT No.: 2025-00899 ; \$330.00, Check Number: #006, Applied to: SUSAN JAMES - Class A Filing Fee (\$330.00) Paid for: - By The Roll Law Office PLLC
6.	21-Aug-2025	ORDERED: Pursuant to Eaton Fruit Co. v. California Spray-Chemical Corp., staying appeal until 09/22/2025, revesting 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. If no order has been signed by 09/22/2025, appellant must file motion to continue this appeal that describes status of motion. Otherwise, this court will dismiss this appeal. FURTHER ORDERED: Opening brief due by 10/22/2025. If brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
7.	22-Aug-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
8.	2-Sep-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record
9.	22-Sep-2025	FILED: Appellant's Motion to Continue Stay and to Extend Due Date for Appellant's Opening Brief; Certificate of Service (Appellant)
10.	24-Sep-2025	ORDERED: Appellant's Motion to Continue Stay and to Extend Due Date for Appellant's Opening Brief (Appellant) = GRANTED in part and continuing the stay of this appeal until 11/06/2025, for the purposes set forth in this court's 08/21/2025 stay order. 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: Stay will be lifted automatically on 11/07/2025, unless before that date appellant files a motion to continue the stay. If appellant does not file a motion to continue the stay and the superior court has not entered a signed order, this court will dismiss this appeal. FURTHER ORDERED: Opening brief is due by 12/08/2025. If the brief is not timely filed, this court will dismiss this appeal. Melina Brill ProTem Judge - Author
11.	28-Oct-2025	FILED: Notice of Association of Counsel; Certificate of Service (Appellee)
12.	29-Oct-2025	FILED: Courtesy Copy - Maricopa County Superior Court Order dated 10/06/2025 re: Order Denying Motion for New Trial, filed 10/06/2025 in Maricopa County Superior Court
13.	29-Oct-2025	FILED: Supplemented Superior Court e-Record with Revised Index of Record [Includes Order Containing Language Pursuant to 05/27/2025 Order]
14.	3-Nov-2025	RECEIPT No.: 2025-01204 ; \$165.00, Authorization: # 07017602559, Applied to: BANNER HEALTH, et al. - Class B Filing Fee (\$165.00) Paid for: Jones Skelton & Hochuli PLC - By nCourt, LLC
15.	8-Dec-2025	FILED: Appellants' [sic] Motion to Extend Due Date for Plaintiff's Opening Brief; Certificate of Service (Appellant)
16.	8-Dec-2025	ORDERED: Appellants' [sic] Motion to Extend Due Date for Plaintiff's Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 12-08-2025 to Tuesday, 12-09-2025. If the brief is not timely filed, the court will dismiss this appeal. The parties are encouraged to submit future extension motions at least 5 business days prior to the brief deadline. Melina Brill ProTem Judge - Author
17.	10-Dec-2025	FILED: Appellants' Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
18.	10-Dec-2025	FILED: Appellants' [sic] Motion to Extend Due Date for Opening Brief; Certificate of Service (Appellant)
19.	10-Dec-2025	ORDERED: Appellants' [sic] Motion to Extend Due Date for Opening Brief (Appellant) = GRANTED and accepting the opening brief filed on 12/10/25. Melina Brill ProTem Judge - Author
20.	20-Jan-2026	FILED: Appellees' Answering Brief; Certificate of Compliance; Certificate of Service (Appellees)
21.	9-Feb-2026	FILED: Appellants' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
22.	24-Feb-2026	FILED: Appellees' Request for Oral Argument; Certificate of Service (Appellees)
23.	10-Mar-2026	ORDERED: Appellees' Request for Oral Argument (Appellees) = GRANTED. Hon Randall M Howe - Author
24.	25-Mar-2026	CLNDR: MONTHLY COURT CASE CALENDAR, Department D, 5-20-26, 09:30 am, COURTROOM 2.
25.	26-Mar-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26.	6-Apr-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
27.	22-Apr-2026	FILED: Notice of Oral Argument
28.	23-Apr-2026	FILED: Return Receipt for Oral Argument, Signed by Rita J. Bustos on 04/23/2026 (Appellee)
29.	14-May-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Guy Roll on 04/22/2026; Certificate of Service (Appellant)
30.	20-May-2026	FILED: Sign-in Sheet/Case is Under Advisement as of 05/20/2026
31.	1-Jun-2026	MEMORANDUM DECISION (Affirmed) Hon Cynthia J Bailey - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concur
32.	1-Jun-2026	FILED: Decision Distribution Notification

