

Court of Appeals, Division One

Civil Appeal

1 CA-CV 25-0761

BERREY v. MARICOPA COUNTY, et al.

Appellate Case Information

Case Filed: 25-Sep-2025

Case Closed:

Dept/Composition

Department F

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

Side 1. DAVID BERREY, Plaintiff/Appellant

(Litigant Group) BERREY

- David Berrey

Attorney for: Plaintiff/Appellant

Alexander R Arpad, Esq. (AZ Bar No. 21660)

Side 2. MARICOPA COUNTY, et al., Defendant/Appellee

(Litigant Group) MARICOPA COUNTY

- Maricopa County

Attorneys for: Defendant/Appellee Maricopa

Wayne J Peck, Esq. (AZ Bar No. 25677)
Kimberly D Chamberlain, Esq. (AZ Bar No. 31675)
Max G Carpinelli, Esq. (AZ Bar No. 35799)
Sean M Moore, Esq. (AZ Bar No. 31621)
Joseph Branco, Esq. (AZ Bar No. 31474)

(Litigant Group) KJEJ et al.

- KJEJ LLC
Superstition Acquisitions LLC
Brian William Busanni
Robert Gomez

Attorneys for: Defendants/Appellees KJEJ et al.

Gregory J Larson, Esq. (AZ Bar No. 29641)
John Salskov, Esq. (AZ Bar No. 32056)

(Litigant Group) MESA

- City of Mesa

Attorneys for: Defendant/Appellee Mesa

James T Braselton, Esq. (AZ Bar No. 10788)
Vail Clour, Esq. (AZ Bar No. 32011)

CASE STATUS

May 21, 2026...Under Advisement

Table with 6 columns: PREDECESSOR CASE (S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CV2024-014943, Declaratory Judgment, Timothy J Ryan, Authoring Judge of Order.

OPEN DUE DATE

Response to Motion Due

Due By:

Thursday, May 28, 2026

Re: FILED: Motion for Procedural Order to Realign Parties Solely for Purpose of Oral Argument; Certificate of Service to Motion for Procedural Order to Realign Parties Solely for Purpose of Oral Argument (Appellant)

CALENDAR

Calendar table with columns: Thursday 21-May-2026, MONTHLY COURT CASE CALENDAR, Department F; COURTROOM 1, 10:15 AM, and case names (BERREY, MARICOPA COUNTY, KJEJ et al., MESA) with durations.

PENDING MATTER

General Motion

Filed: 24-Feb-2026

\* Motion to Expand Word Limits and Permit Supplement to Reply (Appellant)

36 PROCEEDING ENTRIES

- 1. 25-Sep-2025 FILED: Index of Record, Notice of Appeal filed in the Superior Court of Maricopa County 8/28/25
2. 25-Sep-2025 FILED: Record on Appeal: Combined Instruments/Minute Entries

**Court of Appeals, Division One****Civil Appeal****1 CA-CV 25-0761****BERREY v. MARICOPA COUNTY, et al.****36 PROCEEDING ENTRIES**

3.	25-Sep-2025	FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4.	25-Sep-2025	FILED: Additional Record on Appeal Physical Exhibits: Hearing Date 03/26/2025 - List # 1, 2, 3, 4 in manila envelope
5.	7-Oct-2025	FILED: Notice of Appearance; Certificate of Service of Notice of Appearance (Appellee Maricopa)
6.	9-Oct-2025	FILED: Case Management Statement (Appellant)
7.	15-Oct-2025	RECEIPT No.: 2025-01146 ; \$330.00, Authorization: #88009221044, Applied to: BERREY - Class A Filing Fee (\$330.00) Paid for: Al Arpad Esq - By nCourt LLC
8.	28-Oct-2025	FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
9.	28-Oct-2025	FILED: Settlement Conference Program Notice
10.	24-Nov-2025	FILED: Opening Brief; Certificate of Compliance to Opening Brief; Certificate of Service to Opening Brief (Appellant)
11.	24-Nov-2025	FILED: Reporter's Transcript - 04/04/2025 - Oral Argument (Jennifer Baugh) (Appellant)
12.	18-Dec-2025	FILED: Maricopa County's First Motion for Procedural Order for Extension of Time to File an Answering Brief; Certificate of Service of Maricopa County's First Motion for Procedural Order for Extension of Time to File an Answering Brief (Appellee Maricopa)
13.	18-Dec-2025	ORDERED: Maricopa County's First Motion for Procedural Order for Extension of Time to File an Answering Brief (Appellee Maricopa) = GRANTED. Due date EXTENDED from Monday, 01-05-2026 to Wednesday, 02-04-2026. If the briefs are not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
14.	4-Feb-2026	FILED: Answering Brief; Certificate of Compliance Re Answering Brief; Certificate of Service of Appellee Maricopa County's Answering Brief (Appellee Maricopa)
15.	4-Feb-2026	FILED: Appellee KJEJ's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee KJEJ)
16.	10-Feb-2026	RECEIPT No.: 2026-00174 ; \$165.00, Authorization: # 41011575264, Applied to: KJEJ et al. - Class B Filing Fee (\$165.00) Paid for: Larson & Simpson PLC - By nCourt, LLC
17.	24-Feb-2026	FILED: Reply Brief; Certificate of Compliance to Reply Brief; Certificate of Service to Reply Brief (Appellant)
18.	24-Feb-2026	FILED: Motion to Expand Word Limits and Permit Supplement to Reply; Certificate of Service to Motion to Expand Word Limits and Permit Supplement to Reply (Appellant)
19.	2-Mar-2026	FILED: Response and Objection to Berrey's Motion to Expand Word Limits and Permit Supplement to Reply; Certificate of Service of Response and Objection to Berrey's Motion to Expand Word Limits and Permit Supplement to Reply (Appellee Maricopa)
20.	3-Mar-2026	FILED: Request for Oral Argument; Certificate of Service to Request for Oral Argument (Appellant)
21.	5-Mar-2026	FILED: Reply in Support of Motion to Expand Word Limits and Permit Supplement to Reply; Certificate of Service to Reply in Support of Motion to Expand Word Limits and Permit Supplement to Reply (Appellant)
22.	5-Mar-2026	ORDERED: Deferring a ruling on the motion to the panel that considers this appeal on the merits. Melina Brill ProTem Judge - Author
23.	10-Mar-2026	ORDERED: Request for Oral Argument (Appellant) = GRANTED. Hon Randall M Howe - Author
24.	25-Mar-2026	CLNDR: MONTHLY COURT CASE CALENDAR, Department F, 5-21-26, 10:15 am, COURTROOM 1.
25.	2-Apr-2026	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
26.	13-Apr-2026	FILED: Supplemented Superior Court e-Record with Revised Index of Record
27.	23-Apr-2026	FILED: Notice of Oral Argument
28.	23-Apr-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by Gregory J. Larson on 04/23/2026 (Appellees KJEJ et al.)
29.	23-Apr-2026	FILED: Certificate of Service (Appellees KJEJ et al.)
30.	13-May-2026	FILED: Notice of Appearance on Behalf of Real-Party-In-Interest City of Mesa; Certificate of Service to Notice of Appearance on Behalf of Real-Party-In-Interest City of Mesa (Real Party in Interest)
31.	13-May-2026	FILED: Return Receipt for Notice of Oral Argument, Signed by James T. Braselton on 04/23/2026 (Appellee City of Mesa)
32.	13-May-2026	FILED: Motion for Procedural Order to Realign Parties Solely for Purpose of Oral Argument; Certificate of Service to Motion for Procedural Order to Realign Parties Solely for Purpose of Oral Argument (Appellant)
33.	13-May-2026	FILED: Return Receipt for Notice of Oral Argument (Appellant)

**Court of Appeals, Division One**

**Civil Appeal**

**1 CA-CV 25-0761**

**BERREY v. MARICOPA COUNTY, et al.**

**36 PROCEEDING ENTRIES**

- 34. 14-May-2026 FILED: Return Receipt for Notice of Oral Argument, signed by Sean Moore on 05/14/2026 (Appellee)
- 35. 18-May-2026 ORDERED: Motion for Procedural Order to Realign Parties Solely for Purpose of Oral Argument (Appellant) = GRANTED.  
FURTHER ORDERED: Any time ceded to the City of Mesa at oral argument will come from the time allotted to appellant Berrey, not appellee Maricopa County. Hon David B Gass - Author
- 36. 21-May-2026 FILED: Sign-in Sheet/Case is Under Advisement as of 05/21/2026