

Court of Appeals, Division One

Special Action

1 CA-SA 23-0204

WEAVER v. HON LEMAIRE/STATE

Appellate Case Information

Case Filed: 19-Oct-2023

Case Closed:

Dept/Composition

Department F

Hon. Jennifer B Campbell
Hon. Kent E Cattani
Hon. Anni Hill Foster

Side 1. JOSEPH WEAVER, Petitioner

(Litigant Group) WEAVER

- Joseph Andrew Weaver

Attorney for: Petitioner

Zachary Stern, Esq. (AZ Bar No. 37268)

Side 2. THE HONORABLE KERSTIN LEMAIRE, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA,

Respondent Judge,

STATE OF ARIZONA,

Real Party in Interest., Respondent

(Litigant Group) HON LEMAIRE

- Hon. Kerstin G LeMaire, Respondent Judge

(Litigant Group) STATE

- State of Arizona, Real Party in Interest

Attorney for: Real Party in Interest

Faith Cheree Klepper, Esq. (AZ Bar No. 18444)

CASE STATUS

Jun 10, 2024....Pending in ASC

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MAR, CR2023-106173-001, Kerstin G LeMaire, Authoring Judge of Order.

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CR-24-0142-PR.

CASE DECISION

09-May-2024 MEMORANDUM DECISION

Kent Cattani.....Author
Anni Foster.....Concur
Jennifer Campbell.....Dissent

Filed: 09-May-2024 Mandate:

Table with 1 column: Decision Disposition. Content: Jurisdiction Accepted, Relief Denied.

17 PROCEEDING ENTRIES

- 1. 13-Oct-2023 ORDERED: Motion to Accept Emergency Notice and to Extend Jurisdiction (Petitioner) = directing the Clerk of this Court to (see order). FURTHER ORDERED: This Court will not take further action on Petitioner's motion in the current special action case, 1 CA-SA 23-0164. FURTHER ORDERED: Oral argument will be scheduled under the new case number in due course. Hon Jennifer B Campbell - Author (Filed in 1 CA-SA 23-0164)
2. 19-Oct-2023 FILED: Motion to Accept Emergency Notice and to Extend Jurisdiction; Certificate of Service (Petitioner)
3. 19-Oct-2023 FILED: Real Party in Interest's Response to Petitioner's Emergency Notice and Motion to Accept Emergency Notice and to Extend Jurisdiction; Certificate of Service (Real Party in Interest)
4. 19-Oct-2023 FILED: Petitioner's Reply To Emergency Notice And Motion To Extend Jurisdiction And Reconsider In Light Of Trial Court's Remand Findings; Certificate of Service (Petitioner)
5. 19-Oct-2023 FILED: Appellate Clerk Notice Re: Special Action assigned to Dept. F, Judges Campbell, Cattani, Foster

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6. 19-Oct-2023 ORDERED: Setting oral argument on 11/30/2023 at 11:00 am in Courtroom 1. Hon Jennifer B Campbell - Author
7. 19-Oct-2023 FILED: Motion to Reset Oral Argument; Certificate of Service (Petitioner)
8. 27-Oct-2023 FILED: Motion to Withdraw Motion to Reset Oral Argument; Certificate of Service (Petitioner)
9. 27-Oct-2023 FILED: Real Party in Interest's Notice of Supplemental Authority; Certificate of Service (Real Party in Interest)
10. 27-Oct-2023 ORDERED: Motion to Withdraw Motion to Reset Oral Argument (Petitioner) = GRANTED. FURTHER ORDERED: Motion to Reset Oral Argument (Petitioner) = DENIED as moot. Hon Jennifer B Campbell - Author
11. 8-Nov-2023 FILED: Return Receipt Re Oral Argument, signed by Faith Klepper, on 10/19/23 (Real Party in Interest)
12. 10-Nov-2023 FILED: Return Receipt Re Oral Argument -- signed by Zachary Stern (Petitioner)
13. 30-Nov-2023 FILED: Sign-in Sheet/Case is Under Advisement as of 11/30/23
14. 9-May-2024 MEMORANDUM DECISION (Jurisdiction Accepted, Relief Denied) Hon Kent E Cattani - Author; Hon Anni Hill Foster - Concur; Hon Jennifer B Campbell - Dissent
15. 9-May-2024 FILED: Decision Distribution Notification
16. 10-Jun-2024 FILED: Email Notice from ASC re: Petition for Review filed 06/10/24; request for partial record
17. 11-Jun-2024 FILED: Letter forwarding partial record to Arizona Supreme Court