

Court of Appeals, Division One

Special Action

1 CA-SA 25-0308

ANDRE v. STATE

Appellate Case Information

Case Filed: 22-Oct-2025

Case Closed:

Dept/Composition

Department C

Hon. James B Morse Jr.
Hon. Veronika Fabian
Hon. Kent E Cattani

Side 1. DAMIAN CHRISTOPHER ANDRE, Petitioner

(Litigant Group) DAMIAN CHRISTOPHER ANDRE

- Damian Christopher Andre

Co-Counsel for: Petitioner

Seth M Apfel, Esq. (AZ Bar No. 32225)

Josephine P Hallam, Esq. (AZ Bar No. 18557)

Side 2. STATE OF ARIZONA, Respondent

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorney for: Respondent

Jason Nunez, Esq. (AZ Bar No. 37595)

CASE STATUS

Mar 4, 2026.....Under Advisement

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: YAV, S1300CR202480448, Michael R Bluff, Authoring Judge of Order

Table with 2 columns: DESCENDENT CASE(S), Cause/Charge/Class. Row 1: ASC, CR-25-0315-PR

2 PENDING MATTERS

Petition for Special Action Filed: 22-Oct-2025
Petition for Special Action(Petitioner)
3/18: Response to Petition for Special Action (Respondent)

Div 1 Request for Oral Argument Filed: 4-Mar-2026
Request for Oral Argument (Petitioner)

CASE DECISION

24-Oct-2025 ORDER

\*\*\*Vacated\*\*\*
ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED.

[Vacated per ASC Order Filed 03/04/26]

James Morse Jr.....Author

Filed: 24-Oct-2025 Mandate:

Decision Disposition
Jurisdiction Declined

17 PROCEEDING ENTRIES

- 1. 22-Oct-2025 FILED: Petition for Special Action; Certificate of Compliance; Certificate of Service; Cover Sheet (Petitioner)
2. 22-Oct-2025 FILED: Courtesy Copy of Order Regarding Counsel (re: Indigence); Exhibit A - Exhibit D (Petitioner)
3. 22-Oct-2025 FILED: Special Action Clerk Notice (Assigned to Dept C, Judges Morse Jr., Foster, Fabian)
4. 22-Oct-2025 FILED: Special Action Stay Hearing Scheduling Requirements
5. 22-Oct-2025 FILED: Motion for Procedural Order: Motion for Stay; Certificate of Service (Petitioner)
6. 24-Oct-2025 ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. FURTHER ORDERED: Motion for Procedural Order: Motion for Stay (Petitioner) = DENIED as moot. Hon James B Morse Jr. - Author
[Vacated per ASC Order Filed 03/04/2026]

**Court of Appeals, Division One**

**Special Action**

**1 CA-SA 25-0308**

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**17 PROCEEDING ENTRIES**

7. 3-Nov-2025 FILED: ASC Order filed 11/03/2025, Order Respondent to File a Response to the Petition of Review.
8. 19-Dec-2025 FILED: Email Notice from ASC re: Petition for Review filed 10/27/2025; request for partial record
9. 19-Dec-2025 FILED: Letter forwarding partial record to Arizona Supreme Court
10. 30-Jan-2026 FILED: Letter from ASC, 1/30/26, re: Petition for Review CONTINUED on 1/30/26
11. 18-Feb-2026 FILED: ASC Order granting motion for stay of Superior Court proceedings
12. 4-Mar-2026 FILED: Letter from ASC, 03/04/2026, re: Petition for Review GRANTED on 03/03/2026. FURTHER ORDERED: Vacating the court of appeals' order declining special action jurisdiction. FURTHER ORDERED: Remanding this matter to the court of appeals to consider the merits of the special action petition.
13. 4-Mar-2026 FILED: Request for Oral Argument; Certificate of Service; Arizona Supreme Court Minutes (Petitioner)
14. 5-Mar-2026 ORDERED: Respondent shall file a response by 03/19/2026. FURTHER ORDERED: Petitioner may file a reply within seven days of the date of service of the response. Hon James B Morse Jr. - Author
15. 18-Mar-2026 FILED: Memorandum: Judge Cattani for Judge Foster (Chief Judge Howe)
16. 18-Mar-2026 FILED: Response to Petition for Special Action; Certificate of Compliance; Certificate of Service (Respondent)
17. 18-Mar-2026 FILED: Reply To State's Response To Petition For Special Action; Certificate of Service; Certificate of Compliance (Petitioner)