

Court of Appeals, Division One

Special Action

1 CA-SA 26-0229

KIRKLAND, et al. v. STATEBANK, et al.

Appellate Case Information

Case Filed: 19-Jun-2026
Case Closed:

Dept/Composition

Department F

Hon. David B Gass
Hon. D Andrew Gaona
Hon. David D Weinzwieg

Side 1. CHARLES KIRKLAND, an individual; CAROLINA M. LOPEZ, an Arizona resident; GREEN HOME RENTALS, LLC, an Arizona limited liability company; and SPROUTING, LLC, an Arizona limited liability company, Petitioner

(Litigant Group) CHARLES KIRKLAND, an individual; CAROLINA M. LOPEZ, an Arizona resident; GREEN HOME RENTALS, LLC, an Arizona limited liability company; and SPROUTING, LLC, an Arizona limited liability company

- Charles Kirkland
- Sprouting LLC
- Carolina M Lopez
- Green Home Rentals LLC

Attorneys for: Petitioner

Aaron Matthew Finter, Esq. (AZ Bar No. 22437)
M. Rob Somers, Esq. (AZ Bar No. 17501)

Side 2. KS STATEBANK CORPORATION (FN), a Kansas corporation; CROWN INVESTMENT COMPANY, a Kansas corporation; JAMES G. DANIELS, an Arizona resident; JANE DOE DANIELS, an Arizona resident; MAY, POTENZA, BARAN & GILLESPIE, P.C., an Arizona professional corporation; ANDREWS S. LISHKO, an individual; JEFFREY S. MILLER, an individual; LISBETH FINDSEN, an individual; HOT DOG HOMES, LLC, an Arizona limited liability company; and REAGENT, LLC, an Arizona limited liability company, Respondent

(Litigant Group) KS STATEBANK CORPORATION (FN), a Kansas corporation

- KS Statebank Corporation

Attorneys for: Respondent KS StateBank

Devin Sreecharana, Esq. (AZ Bar No. 29057)
Justin Robert DePaul, Esq. (AZ Bar No. 31581)
Carrie Ann Laliberte, Esq. (AZ Bar No. 32556)

(Litigant Group) MAY, POTENZA, BARAN & GILLESPIE, P.C., et al.

- May Potenza Baran & Gillespie
- Andrew Lishko
AZ Bar No. 33136
[Current Member]
Admitted 8/10/16

Attorneys for: Respondents

Eric L Cook, Esq. (AZ Bar No. 20797)
Sean P Healy, Esq. (AZ Bar No. 18393)

(Litigant Group) JEFFREY S. MILLER, et. al.

- Jeffrey S Miller
- Lisbeth Findsen

Attorney for: Respondents Miller and Findsen

Beth K Findsen, Esq. (AZ Bar No. 23205)

(Litigant Group) HOT DOG HOMES, LLC

- Hot Dog Homes LLC

PRO SE

CASE STATUS

Jul 13, 2026.....Decision Rendered

PREDECESSOR CASE(S)

MAR CV2024-091179

Cause/Charge/Class

Judgment/Sentence

Judge, Role <Comments>

Dewain D Fox, Authoring
Judge of Order

Trial

Dispo

OPEN DUE DATE

Petition for Review to ASC Due

Due By:

Wednesday, August 12, 2026

Re: * ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. See Ariz. R. Proc. Spec. A. 12(a), (c)(4). FURTHER ORDERED: Denying the Respondents' requests for attorney fees, without prejudice to Respondents seeking them in the superior cou

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CASE DECISION

13-Jul-2026 ORDER

* ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. See Ariz. R. Proc. Spec. A. 12(a), (c)(4). FURTHER ORDERED: Denying the Respondents' requests for attorney fees, without prejudice to Respondents seeking them in the superior cou

Filed: **13-Jul-2026**

Mandate:

Decision Disposition

Jurisdiction Declined

David Gass.....Author

17 PROCEEDING ENTRIES

1.	19-Jun-2026	FILED: Petition for Special Action; Certificate of Compliance; Contract Information Sheet - Petition for Special Action; Cover Sheet - Petition for Special Action (Petitioner)
2.	19-Jun-2026	FILED: Request for Stay Pending Ruling on Petition for Special Action; Certificate of Service (Petitioner)
3.	19-Jun-2026	FILED: Special Action Clerk Notice Assigned to Dept F, Judges Gass, Foster, Gaona
4.	19-Jun-2026	FILED: Special Action Stay Hearing Scheduling Requirements
5.	22-Jun-2026	FILED: Memorandum: Judge Weinzwieg for Judge Foster (Chief Judge Howe)
6.	23-Jun-2026	ORDERED: Respondents shall file a response by 06/29/2026. FURTHER ORDERED: Petitioners shall file a reply 5 days after Respondent files a response. FURTHER ORDERED: Petitioner shall provide a copy of the superior court's order on his pending stay motion as soon as it is available. FURTHER ORDERED: The superior court has not ruled on Petitioner's stay motion by 06/29/2026, Petitioner shall file a notice with this court to that effect. Hon David B Gass - Author
7.	24-Jun-2026	RECEIPT No.: 2026-00817 ; \$330.00, Authorization: #75008542568, Applied to: CHARLES KIRKLAND, an individual; CAROLINA M. LOPEZ - Class A Filing Fee (\$330.00) Paid for: Schern Richardson Finter PLC - By nCourt LLC
8.	26-Jun-2026	FILED: Notice of Grant of Stay; Certificate of Service (Petitioners)
9.	29-Jun-2026	FILED: Response to Petition for Special Action; Certificate of Compliance to Response to Petition for Special Action; Certificate of Service to Response to Petition for Special Action (Respondent KS StateBank)
10.	29-Jun-2026	FILED: Respondents May, Potenza, Baran & Gillespie, P.c. and Andrew S. Lishko's Joinder to Respondents Ks Statebank Corporation (fn), Crown Investment Co., and James G. Daniels' Response to Petition for Special Action; Respondents May, Potenza, Baran & Gillespie, P.c. and Andrew S. Lishko's Certificate of Compliance to the Joinder to the Respondents' Response to Petition for special Action ; Respondents May, Potenza, Baran & Gillespie, P.c. and Andrew S. Lishko's Certificate of Service to the Joinder to Respondents' Response to Petition for Special Action (Respondents)
11.	30-Jun-2026	ORDERED: Request for Stay Pending Ruling on Petition for Special Action (Petitioner) = DENIED as moot. Hon David B Gass - Author
12.	6-Jul-2026	FILED: Petitioners' Reply In Support Of Petition For Special Action; Certificate of Service; Certificate of Compliance (Petitioner)
13.	6-Jul-2026	RECEIPT No.: 2026-00861 ; \$165.00, Authorization: #84012405506, Applied to: KS STATEBANK CORPORATION (FN), a Kansas corporatio - Class B Filing Fee (\$165.00) Paid for: May Potenza Baran & Gillespie - By nCourt LLC
14.	6-Jul-2026	RECEIPT No.: 2026-00862 ; \$165.00, Authorization: #84012405506, Applied to: MAY, POTENZA, BARAN & GILLESPIE, P.C., et al. - Class B Filing Fee (\$165.00) Paid for: Lewis Brisbois Bisgaard & Smith LLP - By nCourt LLC
15.	6-Jul-2026	RECEIPT No.: 2026-00871 ; \$165.00, Authorization: # 84012405506, Applied to: KS STATEBANK CORPORATION (FN), a Kansas corporatio - Class B Filing Fee (\$165.00) Paid for: May Potenza Baran & Gillespie - By nCourt LLC (Memo: X-Ref: 2026-00861)
16.	6-Jul-2026	VOID RECEIPT No.: 2026-00861 - \$-165.00, Authorization: #84012405506, - Applied to: KS STATEBANK CORPORATION (FN), a Kansas corporatio - Class B Filing Fee (\$-165.00) Paid for: May Potenza Baran & Gillespie - By: nCourt LLC VOID Reason: X-Ref: 2026-00871. incorrect payment method. alr.
17.	13-Jul-2026	ORDERED: Petition for Special Action (Petitioner) = JURISDICTION DECLINED. See Ariz. R. Proc. Spec. A. 12(a), (c)(4). FURTHER ORDERED: Denying the Respondents' requests for attorney fees, without prejudice to Respondents seeking them in the superior court if they ultimately are determined to be the prevailing parties in this matter.