

Arizona Supreme Court
Civil Petition for Review - Appeal

CV-25-0317-PR

JOSEPH TERBORG v TOWN OF PAYSON

Appellate Case Information

Case Filed: 4-Dec-2025
Case Closed:

Dept/Composition

En Banc

Hon. Ann A. Scott Timmer
Hon. John R Lopez
Hon. Clint Bolick
Hon. James P Beene
Hon. William G Montgomery
Hon. Kathryn H. King
Hon. Maria Elena Cruz

Side 1. JOSEPH E. TERBORG, INDIVIDUALLY, Plaintiff/Appellant

(Litigant Group) JOSEPH E. TERBORG, INDIVIDUALLY

- Joseph E. Terborg

Attorneys for: Plaintiff/Appellant

David L Abney, Esq. (AZ Bar No. 9001)

Side 2. TOWN OF PAYSON, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, Defendant/Appellee

(Litigant Group) TOWN OF PAYSON, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA

- Town of Payson

Attorneys for: Defendant/Appellee

James M Jellison, Esq. (AZ Bar No. 12763)

Side 3. LEAGUE OF ARIZONA CITIES AND TOWNS, Amicus Curiae

(Litigant Group) LEAGUE OF ARIZONA CITIES AND TOWNS

- League of Arizona Cities and Towns

Attorneys for: Amicus Curiae

Nancy L Davidson, Esq. (AZ Bar No. 29991)

CASE STATUS

Jun 4, 2026.....At Issue

Jun 4, 2026.....Oral Argument Granted

May 8, 2026.....Continued

Dec 4, 2025.....Pending

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA 2 CA-CV 25-0080					
↳ GIL	S0400CV202400109		Timothy M Wright, Trial Comments: (none)		

15 PROCEEDING ENTRIES

- 4-Dec-2025 FILED: Motion for Procedural Order Extension of Time to File Petition for Review; Certificate of Service (Defendant/Appellee Town of Payson)
- 17-Dec-2025 An unopposed "Motion for Procedural Order Extension of Time to File Petition for Review" (Defendant/Appellee Town of Payson) was filed on December 4, 2025, seeking extension to December 19, 2025. On consideration,

IT IS ORDERED granting an extension of time to file the petition for review to no later than December 26, 2025. No further extensions of time will be granted absent extraordinary circumstances. This matter is subject to dismissal if the petition for review is not filed by December 26, 2025. (Aaron C. Nash, Clerk)
- 22-Dec-2025 FILED: Town of Payson's Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Defendant/Appellee Town of Payson)
- 22-Dec-2025 FILED: Appendix; Certificate of Service (Defendant/Appellee Town of Payson)
- 29-Dec-2025 FILED: Record From CofA: Link to Electronic Record
- 20-Jan-2026 FILED: Response to Petition for Review; Certificate of Service; Certificate of Compliance (Plaintiff/Appellant Terborg)
- 28-Jan-2026 RECEIPT No.: 2026-00030 ; \$165.00, Authorization: 8392166038164545, Applied to: JOSEPH E. TERBORG, INDIVIDUALLY - Class B Filing Fee (\$165.00) Paid for: JOSEPH E. TERBORG, INDIVIDUALLY - By nCourt LLC
- 10-Feb-2026 FILED: Brief of Amicus Curiae League of Arizona Cities and Towns in Support of Petitioner Town of Payson [With Consent]; Certificate of Service; Certificate of Compliance (Amicus League of AZ)
- 10-Feb-2026 FILED: Consent to the Filing of Amicus Brief (Amicus League of AZ)
- 8-May-2026 ORDERED: Town of Payson's Petition for Review = CONTINUED.

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15 PROCEEDING ENTRIES

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| 11. | 2-Jun-2026 | ORDERED: Town of Payson's Petition for Review = GRANTED as to the following rephrased issue:

Did the court of appeals err in holding that Terborg's notice of claim, which offered to settle with the Town of Payson for "One Hundred Thousand Dollars (\$250,000.00)," complied with the "specific amount" requirement in § 12-821.01(A)?

FURTHER ORDERED: The case shall be set for oral argument.

FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than June 22, 2026. Any amicus briefs are due on or before July 7, 2026 and any responses to amicus briefs are due on or before July 27, 2026. Any amicus briefs or responses may not exceed 20 pages in length. |
| 12. | 8-Jun-2026 | NOTICE OF ORAL ARGUMENT: Set for Wednesday, September 9, 2026, at 1:45 p.m. (20 minutes per side) |
| 13. | 8-Jun-2026 | FILED: Notice of Acknowledgment of Oral Argument (David L. Abney will argue) (PlaintiffAppellant Terborg) |
| 14. | 22-Jun-2026 | FILED: Defendant/Appellant/Petitioner Town of Payson's Supplemental Brief; Certificate of Service; Certificate of Compliance (Defendant/Appellee Town of Payson) |
| 15. | 22-Jun-2026 | FILED: Simultaneous Supplemental Brief of Joseph E. Terborg; Certificate of Service; Certificate of Compliance (PlaintiffAppellant Terborg) |