

Arizona Supreme Court
Criminal Petition for Review - Special Action

CR-24-0159-PR

STATE OF ARIZONA v HON. FISH/LACOUNT

Appellate Case Information

Case Filed: 27-Jun-2024
 Case Closed:

Dept/Composition

Side 1. STATE OF ARIZONA, Petitioner

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Petitioner

Alice Jones, Esq. (AZ Bar No. 28062)
 Kristin L Larish, Esq. (AZ Bar No. 15862)
 John Jordan Uglietta, Esq. (AZ Bar No. 32547)

Side 2. THE HONORABLE GEOFFREY FISH, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA, Respondent Judge

(Litigant Group) THE HONORABLE GEOFFREY FISH, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA

- Hon. Geoffrey H Fish

Side 3. KIPLING D. HARRIS; KIMBERLY M. LACOUNT, Real Party in Interest

(Litigant Group) KIMBERLY M. LACOUNT

Attorneys for: Real Party in Interest

Jabron Lynn Whiteside, Esq. (AZ Bar No. 25038)
 Bruce A Alldredge, Esq. (AZ Bar No. 12610)

(Litigant Group) KIPLING D. HARRIS

- Kipling David Harris

Attorneys for: Real Party in Interest

Nikolas D Forner, Esq. (AZ Bar No. 29633)
 Alicia M Dominguez, Esq. (AZ Bar No. 21200)

CASE STATUS

Jul 2, 2024.....Stayed

Jun 27, 2024.....Awaiting Petition for Review

Jun 27, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 24-0097					
↻ MAR CR2016-132194-001			Geoffrey H Fish, Authoring Judge of Order Comments: (none)		
↻ MAR CR2016-132194-002			Geoffrey H Fish, Authoring Judge of Order Comments: (none)		

2 PROCEEDING ENTRIES

- 27-Jun-2024 FILED: First Motion to Extend Time to File Petition for Review of Court of Appeals Decision (Motion for Procedural Order); Certificate of Service (Real Party LaCount)

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2 PROCEEDING ENTRIES

2. 2-Jul-2024 On June 27, 2024, Real Party in Interest LaCount filed a “First Motion to Extend Time to File Petition for Review of Court of Appeals Decision (Motion for Procedural Order)” requesting that the Court extend the deadline for a petition for review to thirty days after the Court of Appeals issues its written opinion.

Previously, on May 28, 2024, the Court of Appeals issued an order accepting special action jurisdiction and granting relief, stating that “a written opinion explaining [the] court’s reasoning [would] follow in due course.”

Ariz. R. Crim. P. 31.21(b)(2) states “[a] party must file a petition for review no later than 30 days after the Court of Appeals enters its decision.” Ariz. R. Crim. P. 31.19 distinguishes “an Order” from “a Decision.” See Ariz. R. Crim. P. 31.19(a), (b).

Real Party in Interest requests “out of an abundance of caution [that] this Court. . . issue an Order stating that any petition for review must be filed no later than 30 days after the Court of Appeals has issued its written opinion.”

Upon consideration,

IT IS ORDERED staying this proceeding.

IT IS FURTHER ORDERED that any petition for review in this matter is due no later than 30 days after the Court of Appeals issues its written opinion explaining the court’s reasoning as indicated in the court’s May 28, 2024 order, unless a party files a timely motion for reconsideration in the Court of Appeals and, in that event, a petition for review is due no later than 15 days after the motion’s final disposition.

This matter is subject to dismissal if a petition for review is not filed pursuant to the due date as indicated herein. (Hon. Kathryn H. King)