

Arizona Supreme Court
Civil Petition for Review - Family Court

CV-24-0217-PR

CONTRERAS v BOURKE

Appellate Case Information

Case Filed: 9-Sep-2024
 Case Closed:

Dept/Composition

Side 1. ROGER H. CONTRERAS, Appellee
 (Litigant Group) ROGER H. CONTRERAS

- Roger H Contreras
 AZ Bar No. 15406
 [Current Member]
 Admitted 5/21/94

Attorneys for: Appellee
 Danette R Pahl, Esq. (AZ Bar No. 18868)

Side 2. NANCY BOURKE, Appellant
 (Litigant Group) NANCY BOURKE

- Nancy Bourke PRO SE

CASE STATUS

Sep 9, 2024.....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
2 CA	2 CA-CV 23-0146				
↔ COC	DO200901390		Timothy B Dickerson, Judge on PC Comments: (none)		

6 PROCEEDING ENTRIES

1. 9-Sep-2024 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Opinion (Appellee Contreras)
2. 9-Sep-2024 FILED: Appendix; Certificate of Service (Appellee Contreras)
3. 10-Sep-2024 FILED: Record From CofA: Link to Electronic Record
4. 10-Sep-2024 FILED: Appellee's Motion to File Under Seal; Certificate of Service (Appellee Contreras)
5. 12-Sep-2024 FILED: Appendix (Appellee Contreras)
6. 16-Sep-2024 On September 9, 2024, Appellee Contreras filed a Petition for Review and Appendix. On September 10, 2024, Appellee filed a "Motion to File Under Seal," asking that the Petition for Review and Appendix and documents included in the Appendix be sealed. Appellee cited as the basis for the request that "the entirety of the record" in the trial court case and appellate court case were sealed.

Rule 5.4(c)(5) of the Arizona Rules of Civil Procedure authorizes the sealing of the record on appeal, but not the appellate pleadings. Appellee cites no other basis to seal the petition for review, and the Court notes that the petition for review is from a published opinion. Rule 17 of the Rules of Family Law Procedure provides that a court "may order court files and records, or any part thereof to be sealed or redacted provided the court enters written findings of fact and conclusions that the specific sealing or redaction is justified." However, Appellee has not presented to this Court any order making the requisite findings. Therefore, upon consideration,

IT IS ORDERED granting the motion to seal the Appendix and the documents in the Appendix.

IT IS FURTHER ORDERED denying the motion to seal the Petition for Review without prejudice.

IT IS FURTHER ORDERED redacting the case numbers from the lower court proceedings that are referenced in the Petition for Review.

IT IS FURTHER ORDERED that the Clerk of this Court shall take appropriate steps to seal the Appendix and redact the case numbers referenced in the Petition for Review. (Hon. Robert Brutinel)