



Supreme Court

STATE OF ARIZONA

ROBERT BRUTINEL
Chief Justice

ARIZONA STATE COURTS BUILDING
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PHOENIX, ARIZONA 85007
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TRACIE K. LINDEMAN
Clerk of the Court

November 8, 2023

RE: P. P. A. SGROMO v BESTWAY USA INC., et al
Arizona Supreme Court No. CV-23-0234-PR
Court of Appeals, Division One No. 1 CA-CV 23-0475
Maricopa County Superior Court No. CV2022-011044

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on November 8, 2023, in regard to the above-referenced cause:

ORDERED: Petition for Review of August 4, 2023 Order From the Arizona Court of Appeals Div. 1 = DENIED.

A panel composed of Chief Justice Brutinel, Justice Bolick, Justice Lopez and Justice Montgomery participated in the determination of this matter.

Tracie K. Lindeman, Clerk

TO:
Pietro Pasquale Anthony Sgromo
Bradley A Burns
Amy M Wood
tkl

IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE



DIVISION ONE
FILED: 08/04/2023
AMY M. WOOD,
CLERK
BY: MAO

P. P. A. SGROMO,) Court of Appeals
) Division One
Plaintiff/Appellant,) No. 1 CA-CV 23-0475
)
v.) Maricopa County
) Superior Court
BESTWAY USA INC., et al.,) No. CV 2022-011044
)
Defendants/Appellees.)
_____)

ORDER DISMISSING APPEAL

The court has reviewed the record pursuant to its duty to determine whether it has jurisdiction over this appeal. See *Sorensen v. Farmers Ins. Co.*, 191 Ariz. 464, 465 (App. 1997).

In an unsigned minute entry filed April 4, 2023, the superior court granted appellees' motion to dismiss. Appellees subsequently filed a motion for attorney fees and costs. Appellant filed a notice of appeal on July 4, 2023, while the motion for attorney fees and costs was pending. The superior court entered a final judgment on July 11, 2023 that resolves the attorney fees and costs issues.

The notice of appeal is premature and a nullity because it was filed while the attorney fees and costs issues were pending and before a final judgment was entered. *Camasura v. Camasura*, 238 Ariz. 179, 182-83, ¶¶ 9-16 (App. 2015); *Fields v. Oates*, 230 Ariz. 411, 414-15, ¶¶ 10-14 (App. 2012). Therefore,

IT IS ORDERED dismissing this appeal. Nothing precludes appellant from filing a timely notice of appeal from the July 11, 2023 judgment.

_____/s/_____
Melina Brill, Judge Pro Tempore

A copy of the foregoing
was sent to:

Pietro Pasquale Anthony Sgromo
Bradley A Burns
Steven A Caloiaro
Hon Timothy J Ryan

**Additional material
from this filing is
available in the
Clerk's Office.**