

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0167

DUNLAP v. ADES, et al.

Appellate Case Information

Case Filed: 27-Mar-2023

Case Closed:

Dept/Composition

Department B

Hon. Andrew M Jacobs
 Hon. Jennifer M Perkins
 Hon. David D Weinzweig

Side 1. LARRY DONNELL DUNLAP, Plaintiff/Appellant

(Litigant Group) LARRY DONNELL DUNLAP

- Larry Donnell Dunlap PRO SE

Side 2. ARIZONA DEPARTMENT OF ECONOMIC SECURITY, et al., Defendant/Appellee

(Litigant Group) ARIZONA DEPARTMENT OF ECONOMIC SECURITY, et al.

- Arizona Department of Economic Security
- Michael Wisehart

Attorneys for: Defendants/Appellees

Autumn Spritzer, Esq. (AZ Bar No. 27374)

CASE STATUS

Jul 3, 2024.....Pending in ASC

PREDECESSOR CASE (S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2022-092282	Unclassified Civil		Timothy J Ryan, Authoring Judge of Order		
MAR LC2022-000164-001					

DESCENDENT CASE (S)

ASC CV-24-0142-PR

CASE DECISION

04-Jun-2024 MEMORANDUM DECISION

Andrew Jacobs.....Author
 Jennifer Perkins.....Concur
 David Weinzweig.....Concur

Filed: 04-Jun-2024

Mandate:

Decision Disposition

Affirmed

47 PROCEEDING ENTRIES

- 20-Mar-2023 FILED: Letter, 3/15/23, from Appellant to Court re: Case Number
- 27-Mar-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 10/14/22
- 27-Mar-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
- 27-Mar-2023 FILED: e-Record on Appeal: (LC2022-000164-001) Instruments/Minute Entries Exhibits: None
- 27-Mar-2023 ORDERED: assessing appellant first time payment of \$56.00 (Twenty per cent), balance to be paid in accordance with A.R.S. 12-302(E). There is no appellee's filing fee due in this matter. Appellant's Case Management Statement due 4/17/23 and Opening Brief due 5/26/23. FURTHER ORDERED: copy of this order to Arizona Department of Corrections, and copy of order and case management statement form to appellant personally. . Amy M Wood - Author
- 6-Apr-2023 ORDERED: (per Sorensen v. Farmers) staying appeal to/including 05/22/2023. Signed order with certification of finality pursuant to Rule 54(c) due within 10 days after its entry. If appeal reinstated by filing of signed order, case management statement due 06/01/2023 and opening brief due 06/21/2023. Melina Brill ProTem Judge - Author
- 13-Apr-2023 FILED: ADES's Notice of Change of Counsel; ADES's Certificate of Service for Notice of Change of Counsel (Appellee)

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8. 15-May-2023 FILED: Motion for Copies of the Filed Cases Above [sic] Entitled Numbers and Appellant's Filing His Case Management Statement (Appellant Pro Per)
9. 17-May-2023 ORDERED: Motion for Copies of the Filed Cases Above Entitled Numbers and Appellant's Filing His Case Management Statement (Appellant Pro Per) = DENIED without prejudice to appellant submitting a copy request form. FURTHER ORDERED: Directing the clerk of this court to send appellant a copy request form. Melina Brill ProTem Judge - Author
10. 22-May-2023 FILED: Motion to Stay Plaintiff's Appeal as Ordered by this Court's Deadline of May 22, 2023 (Appellant Pro Per)
11. 24-May-2023 ORDERED: Motion to Stay Plaintiff's Appeal as Ordered by this Court's Deadline of May 22, 2023 (Appellant Pro Per) = GRANTED and continuing the stay of this appeal until 06/23/2023, for the purposes set forth in this court's 04/06/2023, stay order. FURTHER ORDERED: Appellant shall file a motion in the superior court for a signed Rule 54(c) order. FURTHER ORDERED: Directing the clerk of the superior court to transmit a certified copy of the ruling within 10 days after its entry, marked for filing in this appeal. The stay will be lifted automatically when this court receives the signed order. FURTHER ORDERED: The stay will be lifted automatically on 06/23/2023, unless before that date appellant files a motion to continue the stay. If appellant does not file a motion to continue the stay and the superior court has not entered a signed Rule 54(c) order, this court will dismiss this appeal. FURTHER ORDERED: If this court has received a signed Rule 54(c) order before 06/23/2023, the case management statement is due on 07/03/2023, and the opening brief is due on 07/24/2023. Melina Brill ProTem Judge - Author
12. 26-May-2023 FILED: Letter, 5/23/23, from Appellant to Court re: Copy Request
13. 7-Jun-2023 FILED: Letter, 6/7/23, from Court to Appellant re: Copy Request
14. 14-Jun-2023 FILED: Motion for the Case Management Statement Form (Appellant Pro Per)
15. 15-Jun-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (CV2022-092282)
16. 16-Jun-2023 ORDERED: Motion for the Case Management Statement Form (Appellant Pro Per) = DENIED. Melina Brill ProTem Judge - Author
17. 14-Jul-2023 FILED: Copy of Maricopa County Superior Court ME filed 07/11/2023 re: affirming prior order of dismissal
18. 21-Jul-2023 FILED: Opening Brief of Plaintiff/Appellant Larry Donnell Dunlap (Appellant Pro Per)
19. 30-Aug-2023 FILED: Motion for Procedural Order for an Extension of Time to File Answering Brief; Certificate of Service (Appellee)
20. 30-Aug-2023 ORDERED: Motion for Procedural Order for an Extension of Time to File Answering Brief (Appellee) = GRANTED and extending the time to file the answering brief from 09/05/2023 to 10/16/2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Melina Brill ProTem Judge - Author
21. 31-Aug-2023 FILED: Motion to Dismiss Appeal for Lack of Appellate Jurisdiction; Certificate of Service (Appellees)
22. 1-Sep-2023 ORDERED: Vacating the 10/16/2023 due date for the answering brief. The order ruling on the pending motion to dismiss will set a due date to file the answering brief, if the motion is denied. Melina Brill ProTem Judge - Author
23. 11-Sep-2023 FILED: Appellant [sic] Replys [sic] to the Appellees [sic] Motion to Dismiss Appellant's Appeal for Lack of Appellate Jurisdiction (Appellant Pro Per)
24. 28-Sep-2023 ORDERED: Motion to Dismiss Appeal for Lack of Appellate Jurisdiction (Appellees) = DENIED without prejudice to such arguments being raised in the answering brief. FURTHER ORDERED: The answering brief is due on 10/30/2023. If the answering brief is not timely filed, the court will submit this appeal for decision on the record and the opening brief. Hon David B Gass - Author
25. 30-Oct-2023 FILED: Appellee Arizona Department of Economic Security's Answering Brief; Certificate of Compliance; Certificate of Service; (Untitled) Copy of Westlaw Citation re: Case No. CV-22-01435-PHX-SPL (Appellee)
26. 16-Nov-2023 FILED: Motion for Thirty Days (30) Extension of Time for Appellant to File His Response to Appellees Answering Brief (Appellant Pro Per)
27. 16-Nov-2023 FILED: Motion for Sanction Against Appellees and Their Agents for Retaliation Actions Against Appellant for Filing this Civil Lawsuit Against Appellees (Appellant Pro Per)
28. 16-Nov-2023 ORDERED: Motion for Thirty Days (30) Extension of Time for Appellant to File His Response to Appellees Answering Brief (Appellant Pro Per) = GRANTED. Due date EXTENDED from Monday, 11-27-2023 to Wednesday, 12-27-2023 Melina Brill ProTem Judge - Author
29. 17-Nov-2023 FILED: Notice of Errata (to Answering Brief); Certificate of Service (Appellee)
30. 6-Dec-2023 FILED: Response in Opposition to Appellant's Motion for Sanctions; Certificate of Service for Response in Opposition to Appellant's Motion for Sanctions (Appellee)

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31. 21-Dec-2023 ORDERED: Motion for Sanction Against Appellees and Their Agents for Retaliation Actions Against Appellant for Filing this Civil Lawsuit Against Appellees (Appellant Pro Per) = DENIED. Melina Brill ProTem Judge - Author
32. 22-Dec-2023 FILED: Appellant Replys to Appellees [sic] Response's [sic] in Opposition to Appellant's Motion for Sanction Against Appellees (Appellant Pro Per)
33. 22-Dec-2023 FILED: Appellant Objects to the Appellees [sic] Notice of Errata (Appellant Pro Per)
34. 28-Dec-2023 ORDERED: Affirming the court's 12/21/2023 order denying the motion for sanctions. Barbara Vidal Vaught ProTem Judge - Author
35. 2-Jan-2024 FILED: Appellant Replys [sic] to the Appellees Arizona Department of Economic Security's Answering Brief Against Appellant's Opening Brief (Reply Brief) (Appellant Pro Per)
36. 8-Jan-2024 FILED: Response to Appellant's Objection to Notice of Errata; Certificate of Service for Response to Appellant's Objection to Notice of Errata (Appellee)
37. 19-Jan-2024 FILED: Appellant Replys [sic] to Appellees Response to Appellees [sic] Notice of Errata (Appellant Pro Per)
38. 23-Jan-2024 ORDERED: Appellant Objects to the Appellees [sic] Notice of Errata (Appellant Pro Per) = Accepting the notice of errata. FURTHER ORDERED: Denying the relief requested in appellant's objection and reply. Hon David B Gass - Author
39. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40. 12-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
41. 26-Feb-2024 CLNDR: CONFERENCE, Department B, 4-23-24, COURTROOM 2.
42. 2-May-2024 FILED: Motion for Status of Case (Appellant Pro Per)
43. 13-May-2024 FILED: Letter, 5/13/24, from Court to Appellant, enclosing copy of docket
44. 4-Jun-2024 MEMORANDUM DECISION (Affirmed) Hon Andrew M Jacobs - Author; Hon Jennifer M Perkins - Concur; Hon David D Weinzweig - Concur
45. 4-Jun-2024 FILED: Decision Distribution Notification
46. 3-Jul-2024 FILED: Email Notice from ASC re: Petition for Review filed 07/01/24; request for partial record
47. 5-Jul-2024 FILED: Letter forwarding partial record to Arizona Supreme Court