

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0337

IN RE: RICHARD L.

Appellate Case Information

Case Filed: 13-Jun-2023

Case Closed:

Dept/Composition

Department A

Hon. Angela K Paton
Hon. Michael S Catlett
Hon. James B Morse

Side 1. IN THE MATTER OF THE ESTATE OF:

RICHARD STEPHEN LEE,

Deceased.

ANISSA GUTIERREZ, Petitioner/Appellant

(Litigant Group) ANISSA GUTIERREZ

- Anissa Gutierrez

Attorneys for: Petitioner/Appellant

C Adam Buck, Esq. (AZ Bar No. 23128)

Side 2. STEPHANIE LEE, Respondent/Appellee

(Litigant Group) STEPHANIE LEE

- Stephanie Lee

PRO SE

CASE STATUS

Aug 29, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Includes rows for MAR PB2022-050019 and MAR PB2022-070006.

OPEN DUE DATE

Petition for Review to ASC due

Due By: Monday, September 30, 2024

Re: MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon James B Morse Jr. - Concur

CASE DECISION

29-Aug-2024 MEMORANDUM DECISION

Angela Paton.....Author
Michael Catlett.....Concur
James Morse.....Concur

Filed: 29-Aug-2024 Mandate:

Decision Disposition

Affirmed in Part
Vacated
Remanded in Part

35 PROCEEDING ENTRIES

- 1. 13-Jun-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 05/10/23
2. 13-Jun-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: Hearing Date 4/27/23 2, 6, 8, 14, 15, 17, 18
3. 13-Jun-2023 FILED: Additional Record on Appeal: Physical Exhibits: Hearing Date 4/27/23 List and # 4, 5 in manila envelope
4. 13-Jun-2023 FILED: e-Record on Appeal: (PB2022-050019) Instruments/Minute Entries Exhibits: None

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0337****IN RE: RICHARD L.****35 PROCEEDING ENTRIES**

5. 13-Jun-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
6. 22-Jun-2023 FILED: Notice of Payment of Filing Fee; Certificate of Service (Appellant)
7. 28-Jun-2023 RECEIPT No.: 2023-00568 ; \$280.00, Authorization: #79005875746, Applied to: ANISSA GUTIERREZ - Class A Filing Fee (\$280.00) Paid for: Radix Law PLC - By nCourt LLC
8. 3-Jul-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
9. 3-Jul-2023 FILED: Case Management Statement; Certificate of Service (Appellant)
10. 19-Jul-2023 ORDERED: (per Sorensen v. Farmers) staying appeal until 08/18/2023. 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, opening brief due 09/18/2023. Melina Brill ProTem Judge - Author
11. 15-Aug-2023 FILED: Motion for Order to Continue Stay of Appeal; Certificate of Service (Appellant)
12. 15-Aug-2023 ORDERED: Motion for Order to Continue Stay of Appeal (Appellant) = GRANTED and continuing the stay of this appeal until 09/18/2023, for the purposes set forth in this court's 07/19/2023 stay order. This court does not express an opinion on whether all matters in the action have been resolved or the propriety of Rule 54(c) language. FURTHER ORDERED: If this court has received a signed Rule 54(c) order before 09/18/2023, the opening brief is due on 10/18/2023. Melina Brill ProTem Judge - Author
13. 13-Sep-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record (PB2022-070006)
14. 20-Sep-2023 FILED: Appellant's Notice of Filing Transcripts; Certificate of Service; Reporter's Transcript - 04/27/2023 - Evidentiary Hearing (Judith Burnett); Reporter's Transcript - 04/28/2023 - Evidentiary Hearing (Deanne Ridge) (Appellant)
15. 18-Oct-2023 FILED: Appellant Anissa Gutierrez' [sic] Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
16. 27-Nov-2023 FILED: Notice of Change of Address (Appellee Pro Per)
17. 27-Nov-2023 FILED: Personal Representative's Response to Appeal (Answering Brief) (Appellee Pro Per)
18. 29-Nov-2023 ORDERED: Appellee must file the certificates of compliance and service by 12/11/2023. If the certificates are not timely filed, the court may impose sanctions, including striking the answering brief. Melina Brill ProTem Judge - Author
19. 30-Nov-2023 RECEIPT No.: 2023-01121 ; \$140.00, Authorization: #34008780891, Applied to: STEPHANIE LEE - Class B Filing Fee (\$140.00) Paid for: Donald Martin - By nCourt LLC
20. 11-Dec-2023 FILED: (Untitled) Certificate of Compliance; (Untitled) Certificate of Compliance (Duplicate) (Appellee Pro Per)
[STRIKEN PER ORDER FILED 12/14/23]
21. 11-Dec-2023 FILED: Personal Representative's Response to Appeal (Answering Brief) (Duplicate); (Untitled) Certificate of Compliance (Duplicate); (Untitled) Certificate of Compliance (Duplicate) (Appellee Pro Per)
[STRIKEN PER ORDER FILED 12/14/23]
22. 11-Dec-2023 FILED: (Untitled) Certificate of Compliance (Duplicate); (Untitled) Certificate of Compliance (Duplicate); Personal Representative's Response to Appeal (Answering Brief) (Duplicate) (Appellee Pro Per)
[STRIKEN PER ORDER FILED 12/14/23]
23. 11-Dec-2023 FILED: Personal Representative's Response to Appeal (Answering Brief) (Duplicate); (Untitled) Certificate of Compliance (Duplicate); (Untitled) Certificate of Compliance (Duplicate); Personal Representative's Response to Appeal (Notice of Change of Address) (Appellee Pro Per)
[STRIKEN PER ORDER FILED 12/14/23]
24. 14-Dec-2023 ORDERED: Striking the duplicate answering brief filed 12/11/23. FURTHER ORDERED: Directing the Clerk to send appellant the answering brief and Notice of Change of Address filed on 11/27/23. FURTHER ORDERED: Reply Brief is due 1/5/24. FURTHER ORDERED: Appellant may file a request for sanctions in the reply brief based on appellee's failure to comply with this court's order and failure to serve appellant with documents filed in this court. Melina Brill ProTem Judge - Author
25. 4-Jan-2024 FILED: Appellant Anissa Gutierrez' Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 10-Jan-2024 FILED: Certificate of Service (Case Management Statement); Certificate of Service (Case Management Statement) (Duplicate) (Appellee Pro Per)
27. 10-Jan-2024 FILED: Certificate of Service (Case Management Statement) (Duplicate); Certificate of Service (Appellee Pro Per)

Court of Appeals, Division One

Civil Appeal

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IN RE: RICHARD L.

35 PROCEEDING ENTRIES

- 28. 10-Jan-2024 FILED: Certificate of Service (Case Management Statement) (Duplicate) (Appellee Pro Per)
- 29. 30-Jan-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
- 30. 9-Feb-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record (PB2022-070006)
- 31. 12-Feb-2024 FILED: Court of Appeals Memorandum (Courtesy Copy); Certificate of Service (Appellee Pro Per)
- 32. 26-Feb-2024 CLNDR: CONFERENCE, Department A, 4-2-24, COURTROOM 1.
- 33. 25-Apr-2024 FILED: (Untitled) Notice re: Re-Mail Address; Certificate of Service (Appellee Pro Per)
- 34. 29-Aug-2024 MEMORANDUM DECISION (Affirmed in Part, Vacated, Remanded in Part) Hon Angela K Paton - Author; Hon Michael S Catlett - Concur; Hon James B Morse Jr. - Concur
- 35. 29-Aug-2024 FILED: Decision Distribution Notification