

Court of Appeals, Division One

Civil Appeal

1 CA-CV 23-0392

RYNN, et al. v. UHS, et al.

Appellate Case Information

Case Filed: 29-Jun-2023

Case Closed:

Dept/Composition

Department F

Hon. Daniel J Kiley
Hon. Kent E Cattani
Hon. D Steven Williams

Side 1. RICHARD RYNN, et al., Plaintiff/Appellant

(Litigant Group) RICHARD RYNN, et al.

- Richard Rynn PRO SE
- Gelliana David-Rynn PRO SE
- Matthew Rynn PRO SE
- Marcella Rynn PRO SE

Side 2. UHS OF PHOENIX, LLC, et al., Defendant/Appellee

(Litigant Group) UHS OF PHOENIX LLC

- UHS of Phoenix LLC

Attorneys for: Defendant/Appellee UHC

Carolyn (DeeDee) Armer Holden, Esq. (AZ Bar No. 14315)
Michael J Ryan, Esq. (AZ Bar No. 17467)
Nathan S Ryan, Esq. (AZ Bar No. 33243)

(Litigant Group) LA FRONTERA EMPACT-SPC

- La Frontera Empact-SPC

Attorneys for: Defendant/Appellee La Frontera

Megan E Gailey, Esq. (AZ Bar No. 23648)
Kelley M Jancaitis, Esq. (AZ Bar No. 25555)

(Litigant Group) DEPARTMENT OF CHILD SAFETY, et al.

- Department of Child Safety
- Arizona Department of Health Services

Attorneys for: Defendant/Appellee State

Rebecca Banes, Esq. (AZ Bar No. 34212)
Stephanie Elliott, Esq. (AZ Bar No. 30872)

(Litigant Group) DEVEREAUX

- Devereux

Attorneys for: Defendant/Appellee Devereaux

Larry J Cohen, Esq. (AZ Bar No. 10192)

(Litigant Group) MARICOPA UNIFIED SCHOOL DISTRICT

- Maricopa Unified School District #20

Attorneys for: Defendant/Appellee MUSD

Ian Neale, Esq. (AZ Bar No. 5201)
Matthew J Skelly, Esq. (AZ Bar No. 33407)

(Litigant Group) AURORA BEHAVIORAL HEALTH SYSTEM, LLC

- Aurora Behavioral Health System LLC

Attorneys for: Defendant/Appellee Aurora

Jeffrey S Hunter, Esq. (AZ Bar No. 24426)

(Litigant Group) DAY STARS GROUP HOME, et al.

- Day Stars Group Home
- Tamla Alexander

Attorneys for: Defendants/Appellees Day Stars

William H Doyle, Esq. (AZ Bar No. 7285)
Brandon D Millam, Esq. (AZ Bar No. 34696)
Nathan Andrews, Esq. (AZ Bar No. 33293)

(Litigant Group) SAM MANUAL FOSTER HOME, et al.

- Sam Manual Foster Home PRO SE
- Debra Hill PRO SE
- Paul Hill PRO SE

(Litigant Group) MARICOPA INTEGRATED HEALTH SYSTEMS

- Maricopa Integrated Health Systems

Attorneys for: Defendant/Appellees Maricopa Intg.

Elizabeth A Petersen, Esq. (AZ Bar No. 18377)
Gabriel O'Quin, Esq. (AZ Bar No. 35058)

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CASE STATUS

Aug 29, 2024....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CV2020-094244	Negligence		Peter A Thompson, Authoring Judge of Order		

DESCENDENT CASE(S)
ASC CV-24-0203-PR

CASE DECISION

18-Jul-2024 MEMORANDUM DECISION

Kent Cattani.....Author
Daniel Kiley.....Concur
D Williams.....Concur

Filed: 18-Jul-2024	Mandate:
Decision Disposition	
Affirmed	

65 PROCEEDING ENTRIES

1. 29-Jun-2023 FILED: Index of Record, Notice of Appeal from Maricopa County Superior Court filed 06/04/23
2. 29-Jun-2023 FILED: e-Record on Appeal: Instruments/Minute Entries Exhibits: None
3. 30-Jun-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 4-Jul-2023 FILED: Appellants [sic] Motion for Thirty Day Extension of Time to File Case Management Statement and Opening Brief; Certificate of Service; Proposed Order (Appellant Pro Per)
5. 6-Jul-2023 FILED: Appellants [sic] Notice Filing Fee Paid to Division Two [sic] Court of Appeals; Certificate of Service (Appellant Pro Per)
6. 7-Jul-2023 ORDERED: Appellants [sic] Motion for Thirty Day Extension of Time to File Case Management Statement and Opening Brief (Appellant Pro Per) = GRANTED. Case management statement due date EXTENDED from Thursday, 07-20-2023 to Monday, 08-21-2023; Opening Brief due date EXTENDED from Tuesday, 08-29-2023 to Thursday, 09-28-2023. If statement and brief are not timely filed, the court will dismiss this appeal. Barbara Vidal Vaught ProTem Judge - Author
7. 10-Jul-2023 FILED: Notice of Appearance; Certificate of Service (Appellee La Frontera)
8. 10-Jul-2023 FILED: Motion to Dismiss Appeal; Certificate of Service (Appellee La Frontera)
9. 12-Jul-2023 RECEIPT No.: 2023-00622 ; \$280.00, Authorization: #3009284661, Applied to: RICHARD RYNN, et al. - Class A Filing Fee (\$280.00) Paid for: RICHARD RYNN, et al. - By Mathew Rynn
10. 17-Jul-2023 RECEIPT No.: 2023-00636 ; \$140.00, Authorization: #98009212571, Applied to: LA FRONTERA EMPACT-SPC - Class B Filing Fee (\$140.00) Paid for: Broening Oberg Woods & Wilson PC - By nCourt LLC
11. 17-Jul-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
12. 17-Jul-2023 FILED: Appellants Motion for Extension of Time to Answer La Frontera Motion to Dismiss; Certificate of Service; Proposed Order (Appellant)
13. 18-Jul-2023 FILED: Response in Opposition to "Appellants Motion for Extension of Time to Answer La Frontera Motion to Dismiss"; Certificate of Service (Appellee)
14. 18-Jul-2023 ORDERED: Appellants Motion for Extension of Time to Answer La Frontera Motion to Dismiss (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-31-2023 to Monday, 08-14-2023. Melina Brill ProTem Judge - Author
15. 19-Jul-2023 ORDERED: Affirming the court's 07/18/2023 order granting an extension of time to file a response until 08/14/2023. Hon David B Gass - Author
16. 19-Jul-2023 FILED: Notice of Appearance; Certificate of Service (Appellee Day Stars Group Home)
17. 21-Jul-2023 FILED: Appellee UHS of Phoenix, L.L.C. d/b/a Quail Run Behavioral Health's Notice of Appearance; Certificate of Service (Appellee UHS of Phoenix, LLC)

Court of Appeals, Division One**Civil Appeal****1 CA-CV 23-0392****RYNN, et al. v. UHS, et al.****65 PROCEEDING ENTRIES**

18. 21-Jul-2023 FILED: Appellee Uhs of Phoenix, L.L.C. d/b/a Quail Run Behavioral Health's Joinder in Defendant/Appellee La Frontera Empact-Spc's Motion to Dismiss Appeal; Certificate of Service (Appellee UHS of Phoenix)
19. 26-Jul-2023 RECEIPT No.: 2023-00679 ; \$140.00, Authorization: #07007343429, Applied to: DAY STARS GROUP HOME, et al. - Class B Filing Fee (\$140.00) Paid for: Doyle Hernandez Millam - By nCourt LLC
20. 27-Jul-2023 RECEIPT No.: 2023-00686 ; \$140.00, Authorization: 08009303251, Applied to: UHS OF PHOENIX LLC - Class B Filing Fee (\$140.00) Paid for: Holden & Armer PC - By nCourt LLC
21. 28-Jul-2023 FILED: Notice Of Payment Of Defendant/Appellee Devereux Filing Fee; Certificate of Service (Appellee Devereaux)
22. 28-Jul-2023 FILED: Notice of Appearance; Certificate of Service (Appellee Devereaux)
23. 31-Jul-2023 FILED: Notice of Payment of Defendant/Appellee Quail Run Behavioral Health's Filing Fee (Courtesy Copy); Certificate of Service of Notice of Payment of Defendant/Appellee Quail Run Behavioral Health's Filing Fee (Appellee UHS of Phoenix)
24. 3-Aug-2023 RECEIPT No.: 2023-00714 ; \$140.00, Authorization: #15012718040, Applied to: DEVEREAUX - Class B Filing Fee (\$140.00) Paid for: Larry J Cohen - By nCourt LLC
25. 4-Aug-2023 FILED: Appellants [sic] Rynn Notice Will Answer to Quail Run etc [sic], Joinder at Same Time as Answer to La Frontera; Certificate of Service (Appellant Pro Per)
26. 9-Aug-2023 FILED: Appellee Maricopa County Special Healthcare District D/B/A Maricopa Integrated Health System Joinder in Defendant/Appellee La Frontera Empact-Spc's Motion to Dismiss Appeal; Certificate of Service (Appellee Maricopa Integrated)
27. 9-Aug-2023 FILED: Notice of Appearance; Certificate of Service (Appellee Maricopa Integrated)
28. 10-Aug-2023 FILED: Amended Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief/Case Management Statement Due
29. 11-Aug-2023 FILED: Defendant/Appellee Devereux Joinder in Defendant/Appellee La Frontera Empact-Spc's Motion to Dismiss Appeal; Certificate of Service (Appellee Devereux)
30. 14-Aug-2023 FILED: Appellants Rynn Objection to Defendant La Frontera Frivolous, Quail run, MCSHD., Devereux, ext, Joinder in La Frontera Motion to Dismiss Appeal and Support for Rynn Claims; Certificate of Service (Appellant Pro Per)
31. 18-Aug-2023 FILED: Appellants Rynn Notice of Errata; Certificate of Service (Appellant Pro Per)
32. 21-Aug-2023 FILED: Case Management Statement; Certificate of Service (Appellant Pro Per)
33. 31-Aug-2023 ORDERED: Motion to Dismiss Appeal (Appellee La Frontera) = DENIED. FURTHER ORDERED: The opening brief remains due on 09/28/2023. If the opening brief is not timely filed, the court will dismiss this appeal. Hon Randall M Howe - Author
34. 28-Sep-2023 FILED: Appellants [sic] Opening Brief; Certificate of Compliance; Certificate of Service (Appellant Pro Per)
35. 29-Sep-2023 ORDERED: Appellant must file a signed certificate of service by 10/10/2023. If the certificate of service is not timely filed, the court may impose sanctions, including striking the opening brief and dismissing this appeal. Melina Brill ProTem Judge - Author
36. 30-Sep-2023 FILED: Appellant [sic] Motion to File Revised Opening Brief; Certificate of Service; Certificate of Compliance; Appellants [sic] Revised Opening Brief (Appellant Pro Per)
37. 30-Sep-2023 FILED: Appellants [sic] Rynn Notice of Filing Signed Certificate of Service; Certificate of Service; Exhibit A (Certificate of Service) (Appellant Pro Per)
38. 16-Oct-2023 FILED: Notice of Substitution of Counsel; Certificate of Service (Appellee Department of Child Safety, et al.)
39. 25-Oct-2023 ORDERED: Appellant [sic] Motion to File Revised Opening Brief (Appellant Pro Per) = GRANTED and accepting the opening brief filed on 09/30/2023, in place of the brief filed on 09/28/2023. Melina Brill ProTem Judge - Author
40. 7-Nov-2023 FILED: Notice of Paying Filing Fee; Certificate of Service (Appellee Aurora)
41. 7-Nov-2023 FILED: Certificate of Service (Duplicate) (Appellee Aurora)
42. 7-Nov-2023 FILED: Defendant Aurora Behavioral Healthcare Tempe, LLC's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Aurora)
43. 13-Nov-2023 RECEIPT No.: 2023-01060 ; \$140.00, Authorization: # 17013336829, Applied to: AURORA BEHAVIORAL HEALTH SYSTEM, LLC - Class B Filing Fee (\$140.00) Paid for: Weinberg Wheeler Hudgins Gunn & Dial LLC - By nCourt LLC

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44. 13-Nov-2023 FILED: Joint Answering Brief of Defendants/Appellees La Frontera Empact-SPC; UHS of Phoenix LLC dba Quail Run Behavioral Health Center; Maricopa County Special Healthcare District dba Maricopa Integrated Health System and Desert Vista; Devereux; and Day Star; Certificate of Compliance; Certificate of Service (Appellees UHS, La-Frontera, Devereux, Day Stars, et al., and Maricopa Integrated)
45. 13-Nov-2023 FILED: State Defendants' Answering Brief; Certificate of Compliance; Certificate of Service (Appellee Department of Child Safety, et al.)
46. 21-Nov-2023 FILED: Appellants Motion for Extension of Time to File Reply Brief; Certificate of Service; Exhibit Proposed Order (To Appellants Motion for Extension of Time to File Reply Brief) (Appellants Pro Per)
47. 22-Nov-2023 ORDERED: Appellants Motion for Extension of Time to File Reply Brief (Appellants Pro Per) = GRANTED. Due date EXTENDED from Monday, 11-27-2023 to Wednesday, 12-27-2023. If the brief is not timely filed, the court will submit this appeal for decision on the record and the filed briefs. Melina Brill ProTem Judge - Author
48. 27-Dec-2023 FILED: Appellants Richard, Gelliana, Marcella, Mathew [sic] Joint Reply Brief Attached Exhibits A, B, C; Certificate of Compliance; Certificate of Service; Exhibit A (Appellant Pro Per)
[substituted for revised reply brief filed 12/29/2023]
49. 29-Dec-2023 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
50. 29-Dec-2023 FILED: Revised Appellants [sic] Richard, Gelliana, Marcella, Mathew [sic] Joint Reply Brief Attached Exhibits A, B, C (Amended Reply Brief); Certificate of Compliance; Certificate of Service; Exhibit A (Appellant Pro Per)
51. 29-Dec-2023 FILED: Appellants [sic] Notice Submitting Revised Reply Brief; Certificate of Service (Appellant Pro Per)
52. 8-Jan-2024 FILED: Supplemented Superior Court e-Record with Revised Index of Record
53. 23-Jan-2024 ORDERED: Appellants [sic] Notice Submitting Revised Reply Brief (Appellant Pro Per) = GRANTED and accepting the reply brief filed on 12/29/2023, in place of the brief filed on 12/27/2023. Melina Brill ProTem Judge - Author
54. 26-Feb-2024 CLNDR: CONFERENCE, Department F, 4-11-24, COURTROOM 1.
55. 18-Jul-2024 MEMORANDUM DECISION (Affirmed) Hon Kent E Cattani - Author; Hon Daniel J Kiley - Concur; Hon D Steven Williams - Concu
56. 18-Jul-2024 FILED: Decision Distribution Notification
57. 31-Jul-2024 FILED: Motion Under Rule 60(b)-(d) and 60(d)(3) Vacate Void Judgements Based on Fraud, Violation of Constitutional [sic] Rights, Insufficient Service of Process; Certificate of Service; Certificate of Compliance (Appellant Pro Per)
58. 31-Jul-2024 FILED: Motion to Exceed Word Limit; Certificate of Service (Appellant Pro Per)
59. 31-Jul-2024 FILED: Motion to Reconsider; Certificate of Compliance; Certificate of Service; Exhibit A (Appellant Pro Per)
60. 13-Aug-2024 FILED: Motion for Clarification; Certificate of Service; Certificate of Compliance (Appellant Pro Per)
61. 13-Aug-2024 ORDERED: Motion to Exceed Word Limit (Appellant Pro Per) = GRANTED. FURTHER ORDERED: Motion to Reconsider (Appellant Pro Per) = DENIED. FURTHER ORDERED: Motion Under Rule 60(b)-(d) and 60(d)(3) Vacate Void Judgements Based on Fraud, Violation of Constitutional = DENIED. Hon Kent E Cattani - Author
62. 14-Aug-2024 FILED: Notice Errata Correction Page 5 Motion For Clarification; Certificate of Service (Appellant)
63. 20-Aug-2024 ORDERED: Motion for Clarification (Appellant Pro Per) = DENIED. Hon Kent E Cattani - Author
64. 29-Aug-2024 FILED: Email Notice from ASC re: Petition for Review filed 08/27/2024; request for partial record
65. 3-Sep-2024 FILED: Letter forwarding partial record to Arizona Supreme Court