

Court of Appeals, Division One

Civil - Family Court

1 CA-CV 23-0416 FC

HYDE v. BEATTY

Appellate Case Information

Case Filed: 7-Jul-2023

Case Closed:

Dept/Composition

Department C

Hon. Cynthia J Bailey
Hon. Anni Hill Foster
Hon. Angela K Paton

Side 1. In re the Matter of:

CYNTHIA HYDE, Petitioner/Appellant

(Litigant Group) CYNTHIA HYDE

- Cynthia Hyde

Attorneys for: Petitioner/Appellant

Alyssa N Oubre, Esq. (AZ Bar No. 34979)

Kevin Jensen, Esq. (AZ Bar No. 21524)

Side 2. JESSICA BEATTY, Respondent/Appellee

(Litigant Group) JESSICA BEATTY

- Jessica Beatty

Attorneys for: Respondent/Appellee

Michael J Wozniak, Esq. (AZ Bar No. 26411)

Zachary J Markham, Esq. (AZ Bar No. 9507)

Zacharias N Hope, Esq. (AZ Bar No. 36021)

CASE STATUS

Sep 10, 2024....Decision Rendered

Table with 6 columns: PREDECESSOR CASE(S), Cause/Charge/Class, Judgment/Sentence, Judge, Role <Comments>, Trial, Dispo. Row 1: MOH, L8015DO202107007, Third-Party Visitation and Attorney's Fees, Megan A McCoy, Authoring Judge of Order.

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Wednesday, September 25, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Angela K Paton - Author; Hon Cynthia J Bailey - Concur; Hon Anni Hill Foster - Concur

Petition for Review to ASC due

Due By: Thursday, October 10, 2024

Re: MEMORANDUM DECISION (Affirmed) Hon Angela K Paton - Author; Hon Cynthia J Bailey - Concur; Hon Anni Hill Foster - Concur

CASE DECISION

10-Sep-2024 MEMORANDUM DECISION

Angela Paton.....Author

Cynthia Bailey.....Concur

Anni Foster.....Concur

Filed: 10-Sep-2024

Mandate:

Decision Disposition

Affirmed

33 PROCEEDING ENTRIES

1. 7-Jul-2023 FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 06/23/23

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2. 7-Jul-2023 FILED: e-Record on Appeal:
Instruments/Minute Entries
Non Admitted Exhibits: Hearing Date 4/15/21 E1, E2, E3, E4, E5, E6, E7, E8, E9, E10, E11, E12, E13, E14, E15, E16, E17, E18, E19, E20, E21, E22, E23, E24, E25, E26, E27, E28, E29, E30, E31, E32, E33, E34, E35, E36, E37, E38, E39, E40, E41, E42, E43, E44, E45, E46, E47, E48, E49, E50, E51, E52

Digital Exhibits: Petitioner Hearing Date 1/31/22 1, 2, 3, 4, 5, 6, 7, 8, 9 Hearing Date 8/3/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 Hearing Date 11/16/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 Hearing Date 2/3/23 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 Respondent Hearing Date 2/7/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 Hearing Date 8/4/2 1, 2, 3, 4, 5, 6, 7, 8, 9 Hearing Date 11/16/22 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 Hearing Date 2/3/23 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58
3. 7-Jul-2023 FILED: Appellate Clerk Notice re: Appellant's Fee/Case Management Statement/Brief Due
4. 21-Jul-2023 FILED: Notice of Appellant's Payment of Filing Fee; Certificate of Service (Appellant)
5. 4-Aug-2023 FILED: Notice of Appellant's Payment of Filing Fee (Fee Attached); Certificate of Service (Appellant)
6. 10-Aug-2023 RECEIPT No.: 2023-00740 ; \$280.00, Authorization: # 22009013503, Applied to: CYNTHIA HYDE - Class A Filing Fee (\$280.00) Paid for: Genesis Legal Group - By nCourt LLC
7. 15-Aug-2023 ORDERED: Case management statement due by 08/28/2023. Opening brief remains due on 09/05/2023. If statement and brief not timely filed, court will dismiss this appeal. Melina Brill ProTem Judge - Author
8. 17-Aug-2023 FILED: Case Management Statement (Appellant)
9. 17-Aug-2023 FILED: Reporter's Transcript - 03/16/2023 - Audio-Recorded Proceedings (Dawn Duffey) (Appellant)
10. 17-Aug-2023 FILED: Notice of Filing and Service of Transcript; Certificate of Service (Appellant)
11. 21-Aug-2023 FILED: Appellate Clerk Notice re: Appellee's Fee; Appellant's Brief Due
12. 21-Aug-2023 ORDERED: Staying this appeal until 09/20/2023. FURTHER ORDERED: Restoring jurisdiction in the Mohave County Superior Court and authorizing that court to consider a motion for a signed judgment with Rule 78(c) language and the pending Rule 83 motion. It is appellant's responsibility to file the motion in the superior court. This court does not express an opinion regarding the merits of any motion. FURTHER ORDERED: Directing appellant to file a notice in this court with a copy of the rulings within 10 days after entry. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: If the superior court has not ruled on the motions by 09/20/2023, appellant must file a notice in this court regarding the status of the motions. FURTHER ORDERED: Vacating the 09/05/2023 due date for the opening brief. The court will address the briefing schedule after the superior court rules on the motions. Melina Brill ProTem Judge - Author
13. 1-Sep-2023 FILED: Notice of Payment; Certificate of Service (Appellee)
14. 8-Sep-2023 RECEIPT No.: 2023-00862 ; \$140.00, Authorization: #51012656606, Applied to: JESSICA BEATTY - Class B Filing Fee (\$140.00) Paid for: Aspey Watkins & Diesel PLLC - By nCourt LLC
15. 11-Sep-2023 FILED: Notice Regarding Trial Court's Amendment to Final Orders; Certificate of Service (Appellant)
16. 12-Sep-2023 ORDERED: Continuing the stay of this appeal until 10/12/2023, for the superior court to rule on the Rule 83 motion. This court does not express an opinion regarding the merits of that motion. FURTHER ORDERED: If the superior court has not ruled on the motion by 10/12/2023, appellant must file a notice in this court regarding the status of the motion. Melina Brill ProTem Judge - Author
17. 20-Sep-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
18. 12-Oct-2023 FILED: Second Notice Regarding Trial Court's Amendment to Final Orders; Certificate of Service (Appellant)
19. 16-Oct-2023 ORDERED: Continuing the stay of this appeal until 11/15/2023. FURTHER ORDERED: Within 10 days after superior court rules on motions, appellant must file a notice in this court with rulings attached. FURTHER ORDERED: If a party wants this court to review any additional rulings, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: If superior court has not ruled on motions by 11/15/2023, appellant must file a notice in this court regarding the status of the motions. Melina Brill ProTem Judge - Author
20. 2-Nov-2023 FILED: Third Notice Regarding Trial Court's Amendment to Final Orders; Certificate of Service (Appellant)
21. 3-Nov-2023 ORDERED: Lifting the stay of this appeal. FURTHER ORDERED: The opening brief is due on 12/06/2023. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author

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33 PROCEEDING ENTRIES

22. 9-Nov-2023 FILED: Supplemented Superior Court e-Record with Revised Index of Record
23. 5-Dec-2023 FILED: Motion to Extend Time to File Opening Brief; Certificate of Service; Order to Extend Time to File Opening Brief (Exhibit) (Appellant)
24. 6-Dec-2023 ORDERED: Motion to Extend Time to File Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Wednesday, 12-06-2023 to Monday, 01-08-2024. If the brief is not timely filed, the court will dismiss this appeal. Melina Brill ProTem Judge - Author
25. 8-Jan-2024 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 13-Feb-2024 FILED: Motion to Extend Time to File Answering Brief; Certificate of Service (Appellee)
27. 13-Feb-2024 ORDERED: Motion to Extend Time to File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Tuesday, 02-20-2024 to Monday, 03-18-2024. 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
28. 12-Mar-2024 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
29. 1-Apr-2024 FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant)
30. 2-May-2024 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
31. 28-May-2024 CLNDR: CONFERENCE, Department C, 7-24-24, CONFERENCE ROOM.
32. 10-Sep-2024 MEMORANDUM DECISION (Affirmed) Hon Angela K Paton - Author; Hon Cynthia J Bailey - Concur; Hon Anni Hill Foster - Concur
33. 10-Sep-2024 FILED: Decision Distribution Notification